

**NOTE: DISCUSS ITALIC (Distribute to Kathy w/forms)**

**RECOMMENDATION: CHOOSE ITALIC CHANGES**

The district recognizes that students who are homeless or in transition face unique educational barriers and challenges. The district endeavors to create a safe and stable learning environment where all students have a fair, equal, and significant opportunity to obtain a high-quality education.

The district will ensure that all children and youths who lack a fixed, regular, and adequate nighttime residence are provided with equal access to the same free, appropriate public education (FAPE), including a public preschool education, as is provided to other children and youths.

The district will ensure that all homeless students are provided with equal access to all education programs and services needed to meet the same challenging state and district academic achievement standards to which all students are held, and are not segregated or discriminated against on the basis of their status as homeless.

The district will undertake steps to eliminate barriers to the enrollment, attendance, or success of homeless children and youths in school.

## **DEFINITIONS**

“Awaiting placement in foster care” means:

1. A temporary shelter placement or shelter care order after the child or youth has been removed from home and before the child is placed in the legal custody of the Department of Health and Welfare (at the adjudicatory hearing, approximately thirty (30) days after the child has been removed from his or her home); or
2. A situation in which a child or youth is initially placed in a foster care setting that cannot commit to caring for the child or youth for the duration of the foster care placement; or
3. A hospital or other institutional placement only when the child or youth’s release is being delayed due to a lack of placement.

“Enroll” and “enrollment” means attending classes and participating fully in all school activities.

“Homeless children and youths” means individuals who lack a fixed, regular, and adequate nighttime residence, including:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to a lack of alternative adequate accommodations; are living in

emergency or transitional shelters; are abandoned in hospitals; or are awaiting placement in foster care.

2. Children and youths who have a primary nighttime residence that is a private or public place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
3. Children and youths who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.
4. Migratory children and youths who are living in circumstances described above.

“Immediate” means without delay.

“Local attendance area school” means any public school that housed students who live in the attendance area in which the child or youth is actually living are eligible to attend.

“Local or district liaison” is the staff person designated by the district who is responsible for carrying out the duties assigned to the local homeless education liaison by the McKinney-Vento Homeless Assistance Act.

“School of origin” means the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

“Unaccompanied youth” means a youth not in the physical custody of a parent or guardian, who meets the definition of homeless as defined above. Unaccompanied youths include young people who have been denied housing by their families, run away from home, and/or been abandoned by parents or guardians.

## **SCHOOL SELECTION**

Each child or youth identified as homeless has the right to remain at his or her school of origin or enroll in any public school that housed students who live in the attendance area in which the child or youth is actually living are eligible to attend.

School selection for students experiencing homelessness will be made on a case-by-case basis and according to the best interest of the child or youth. In making the best interest determination, the district will, to the extent feasible, keep a homeless student in the school of origin, unless doing so is contrary to the wishes of the student’s parent or guardian or the unaccompanied youth.

Students may remain at their school of origin the entire time they are homeless and until the end of any academic year in which they become permanently housed. The same applies if a student loses his or her housing during the summer.

The school selection determination will be based on a student-centered, individualized analysis of factors related to the child's safety and educational well-being. Factors to be considered in determining the best interest of the student and feasibility of school of origin placement include, but are not limited to: age of the child or youth; commute distance and the impact it may have on the student's education; personal safety issues; the student's need for special instruction or programming; length of anticipated stay in a temporary shelter or other temporary location; and time remaining in the school year. Services that are required to be provided, including transportation to and from the school of origin, will not be considered in determining feasibility.

## **ENROLLMENT**

A school that has been selected based on the best interest determination must immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment.

Enrollment may not be denied or delayed due to the lack of any document or condition normally required for enrollment including:

- Proof of residency
- Transcripts or school records
- Immunization or other medical records
- Proof of guardianship
- Birth certificate
- Unpaid school fees
- Lack of school supplies
- Lack of clothing that conforms to dress code
- Any factor related to the student's living situation

The enrolling school will immediately contact the school last attended by the student to obtain relevant academic or other records. Initial placement of students whose records are not immediately available will be made based on information gathered from the student, parent or guardian, and previous schools or teachers. If a child or youth needs to obtain immunizations, or immunization or medical records, the local homeless liaison will assist in obtaining the immunizations or records. Any student record ordinarily kept by a school will be maintained so that it is available in a timely fashion when the student enters a new school or school district.

## **TRANSPORTATION**

Parents, guardians, and unaccompanied youths will be informed of the right to transportation before they select a school for attendance. At the request of a parent, guardian, or unaccompanied youth, transportation will be provided to and from the school of origin.

Transportation will be provided for the entire time the student has a right to attend that school, including during pending disputes.

It is this district's policy that inter-district disputes will not result in a homeless student missing school. If such a dispute arises, the district will arrange transportation and immediately bring the matter to the attention of the State Coordinator for Homeless Education.

## **SERVICES**

Students experiencing homelessness will be provided services comparable to services offered to other students in the selected school. A student who ceases to be homeless may continue to receive services until the end of the period of time for which the service was originally intended, which may be the end of the school year or the end of a program cycle.

Services provided to homeless students include:

- Public preschool programs; e.g., Head Start
- Title IA services
- Educational services for which the student meets eligibility criteria; e.g., special education and related services and programs for English language learners
- Vocational and technical education programs
- Gifted and talented programs
- Before- and after-school programs
- Free Meals
- Transportation

When applying any district policy regarding tardiness or absences, any tardiness or absence related to a child or youth's living situation will be excused.

## **Title I, Part A**

All homeless students are automatically eligible for services under Title I, Part A of the No Child Left Behind Act regardless of whether they live in a Title I attendance area or meet the eligibility requirements.

## **Free Meals**

Any child identified as homeless by the local liaison or a shelter director automatically qualifies for free school meals in the National School Lunch and School Breakfast Programs. They do not have to complete an application. The local liaison or shelter director will create a list of students who are eligible for free meals, note the effective dates, sign the form, and give it to the school nutrition program office for immediate processing.

If a school administrator knows that a child is homeless but is concerned that there may be a delay in obtaining documentation from the local liaison, the administrator may complete an application on behalf of the child so that the child can begin receiving free meals immediately and then follow up with the local liaison to obtain the needed documentation.

A homeless student who is declared eligible for free meals remains eligible for the rest of the school year, even if the student's homeless status changes.

### **Preschool**

The district will ensure that children identified as homeless receive priority enrollment in preschool programs operated by the district, including exempting homeless children from waiting lists. Homeless children with disabilities will be referred for preschool services under the Individuals with Disabilities Education Act (IDEA).

### **LOCAL HOMELESS EDUCATION LIAISON**

The superintendent or designee will designate a local liaison for homeless children and youths and their families. The local liaison will serve as one of the primary contacts between homeless families and school staff, district personnel, and other service providers.

The responsibilities of the liaison include, but are not limited to, ensuring:

1. Homeless children and youths are identified by school personnel and through coordination with other entities and agencies.
2. Homeless children and youths enroll in and have a full and equal opportunity to succeed in schools in the district.
3. Homeless families, children, and youths receive educational services for which they are eligible, including Head Start, Even Start, and other public preschool programs; and referrals to health, dental, mental health and other appropriate services.
4. Parents and guardians are informed of the educational and related opportunities available to their children and provided with meaningful opportunities to participate in that education.
5. Parents, guardians, and unaccompanied youths are informed of all transportation services, including transportation to the school of origin or to the selected school.
6. Compliance with all policies and procedures and mediation of enrollment disputes.
7. Public notice of the educational rights of homeless children and youths is disseminated in such public places such as schools, meal sites, shelters and other locations frequented by low income families.

## **DISPUTE RESOLUTION PROCESS**

If a dispute arises over any issue covered in this policy, the homeless child or youth will be immediately enrolled in the requested school until the dispute is resolved. The student will also have the right to continue all appropriate educational services, transportation, free meals, and Title I, Part A services while the dispute is pending.

A written explanation of the decision to deny enrollment and notice of the right to appeal will be promptly provided to the parent, guardian, or unaccompanied youth. Such notice will be in language the parent, guardian, or unaccompanied youth can understand and will include an appeal form and a summary of the dispute resolution process (*see 679.50F1: Notification of Enrollment Decision Form and 679.50F2: Appeal of Enrollment Decision Form*).

In addition, the district will promptly refer the parent, guardian, or unaccompanied youth to the local homeless education liaison who will carry out the dispute resolution process within ten (10) business days. The local liaison will advise the parent, guardian, or unaccompanied youth of the student's rights, assist in and carry out the dispute resolution process, and ensure that unaccompanied youths are provided equal access to the dispute resolution process.

If an agreement cannot be reached between the parties regarding the educational placement or enrollment status of the student, the district will promptly seek further assistance from the State Coordinator for Homeless Education who will review and determine within ten (10) business days how the student's best interests will be served. All parties will be expeditiously informed of the State's determination in writing and such decision will constitute final resolution of the dispute.

## **PROFESSIONAL DEVELOPMENT**

The local liaison will provide guidance and training for all district and school personnel on the requirements of the McKinney-Vento Homeless Assistance Act and this policy *at least once a year*. Training will be designed to assist staff in identifying signs of homelessness, increase staff awareness of homelessness and capacity to respond to specific problems in the education of homeless children and youths, heighten the understanding and sensitivity of personnel to the needs of homeless children and youths and the rights of such children and youths under the Act, facilitate immediate enrollment, and ensure compliance with this policy.

## **COORDINATION**

The local liaison will coordinate with and seek support from the State Coordinator for Homeless Education, public and private service providers in the community, housing and placement agencies, the district transportation department, local liaisons in neighboring districts, and other organizations and agencies as needed and appropriate to provide more effective and comprehensive services to homeless children and youth and their families. Both public and private agencies will be encouraged to support the liaison and our schools in implementing this policy.

**POLICY REVIEW**

The district will review and revise any policies that may act as barriers to the enrollment of homeless children and youths in schools. In reviewing and revising such policies, consideration will be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Special attention will be given to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.

**NOTICE**

Public notice regarding the educational rights of children and youths identified as homeless will be posted in the district office and in every school in the district, as well as disseminated in other places where children, youths, and families who are homeless receive services, including family and youth shelters, motels, campgrounds, welfare departments, health departments, and other social service agencies.



**LEGAL REFERENCES:**

- Idaho Code Section 33-1404
- McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 *et seq.*, as reauthorized by Title X, Part C of the No Child Left Behind Act (2002).
- Title I, Part A of the No Child Left Behind Act, 20 U.S.C § 6301 *et seq.* (2002).
- Individuals with Disabilities Education Act, 20 U.S.C. § 1400 *et seq.* (2004).
- Child Nutrition and WIC Reauthorization Act of 2004, P.L. 108-265 (2004).

**ADOPTED: October 4, 2006**

**AMENDED: First Reading October 2, 2013**

The Idaho State Department of Education – Homeless Education website offers a variety of reference tools to assist in the effective implementation of homeless education policies and procedures including guidance materials, liaison information, and professional development resources.