

Education of Homeless Children

Each child of a homeless individual and each homeless child has equal access to the same free, appropriate public education as provided to other students. The Board of Trustees ~~must assign and admit a child who is~~ directs all District schools to admit children who are homeless ~~to a school in the District~~ regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The Board may not require an out-of-District attendance agreement and tuition for a homeless child.

Schools in the Homedale Jt. School District will work to ensure that children and youth who are homeless are free from discrimination, segregation, and harassment. The District will also strive to prevent stigma against those who are homeless.

Information regarding this policy, including the educational rights of children and youth identified as homeless, will be distributed to all students upon enrollment and once during the school year or may be included in any student handbook distributed by the District. It will also be provided to students who seek to withdraw from school and posted in every school in the District as well as other places where children, youth, and families who are homeless receive services.

The Superintendent or designee shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, medical records requirements, guardianship issues, uniform or dress code requirements, residence, birth certificates, school records, and other documentation. Students shall be enrolled in school immediately, without delay regarding any required documents. Once such documents are obtained, they shall be maintained so that they are available in a timely fashion when the child enters a new school or school district. The District shall serve students regardless of whether they are in the custody of a parent or guardian.

The Superintendent or designee shall also review and revise rules and practices to ensure that homeless students have equal access to educational services. Homeless students shall have access to services comparable to services offered to other students, including but not limited to:

1. Transportation services;
2. Educational services for which the student meets eligibility criteria (e.g., Title I);
3. Educational programs for children with disabilities and limited English proficiency;
4. Programs in vocational and technical education, as well as programs for gifted and talented students; and
5. School nutrition program.

The Superintendent or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths not currently attending school. The Superintendent or designee shall appoint a liaison for homeless children. The liaison shall act to ensure that:

- ♦ 1. Homeless students are identified;
- ♦ 2. Homeless students enroll in and have a full and equal opportunity to succeed in the schools of the District;
- ♦ 3. Homeless youth who have separated from school are provided with opportunities and assistance to reenroll;
- ♦ 4. Students and families have the opportunity to receive educational services for which they are eligible;
- ♦ 5. Parents or guardians are informed of educational and other opportunities available to their children;
- ♦ 6. Parents or guardians are given opportunities to participate in their children's education;
- ♦ 7. Parents or guardians are informed of all transportation services, including transportation to and from the student's school of origin, and are assisted in accessing transportation services;
- ♦ 8. Public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services;
- ♦ 9. Channels of communication are established between the liaison and local Head Start staff if applicable;
- ♦ 10. Enrollment disputes are mediated in accordance with state and federal law as well as District policy;
- ♦ 11. Unaccompanied youth, as defined in the McKinney Homeless Assistance Act, are immediately enrolled in school pending resolution of disputes that might arise over school enrollment or placement;
- ♦ 12. Youth who lack immunization(s) or other medical records are assisted in obtaining these;
- ♦ 13. The names of ~~any-all~~ homeless students ~~who wishes to receive free breakfast and lunch is~~ shall be submitted to the local school nutrition office so that those students can receive free breakfast and lunch. This need not be accompanied by an application to receive free or reduced meals;
- ♦ 14. Unaccompanied youth are assisted in selecting and enrolling in a school, and that they are provided with notice of the right to appeal an enrollment decision; and
- ♦ 15. Parents, school personnel, and others are informed of the rights of homeless children and youth.

The homeless liaison will also coordinate with, and seek support from, the State Coordinator for the Education of Homeless Children, public and private service providers in the community, housing and placement agencies, local liaisons in neighboring districts, and other such organizations and agencies. Coordination will include conducting outreach and training. Both public and private agencies will be encouraged to support the liaison and the schools in implementing this policy.

A "homeless child" is defined as provided in the McKinney Homeless Assistance Act but may include:

- ♦ 1. Children and youth 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 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 youth 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 youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting;
- 4. Migratory children and youth who are living in a situation similar to those described above.

An “unaccompanied youth” is defined as provided in the McKinney Homeless Assistance Act but may include a youth not in the physical custody of a parent or guardian.

Children and youth identified as homeless in the District, both in and out of school shall be identified. Data shall be collected on the number of children and youth experiencing homelessness in the District; where they are living; their academic achievement (including state and local assessments); and the reason for any enrollment delays, interruptions in their education, or school transfers.

School Selection

Each child and youth identified as homeless has the right to remain at his or her school of origin or to attend any school that houses students who live in the attendance area in which the child or youth is actually living, as well as take advantage of any District policy relating to open enrollment and under State law.

Therefore, in selecting a school, children and youth who are homeless will remain at their school of origin to the extent feasible, unless that is against the parent’s, guardian’s, or youth’s wishes. 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 procedure will be followed if a child or youth loses his or her housing during the summer. Services that are required to be provided, including transportation to and from the school or origin and services under federal and other programs, will not be considered in determining feasibility.

If a student is sent to a school other than the school of origin or the school requested by the parent/guardian or unaccompanied youth, the District shall provide a written explanation of its decision and the right to appeal, whether or not the individual disputes the placement. Such explanation should be complete, as brief as possible, simply stated, and provided in a language the parent/guardian or unaccompanied youth can understand. This written explanation shall include:

1. Contact information for the homeless student liaison and state coordinator, with a brief description of their roles;
2. ~~a~~ A simple, detachable form to initiate the dispute resolution process. One (1) copy of the form should be retained by the school and another copy should be returned to the parent/guardian or youth for their records when it is submitted.
3. A step-by-step description of how to dispute the school’s decision;

4. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
5. Notice that “immediate enrollment” includes full participation in all school activities;
6. Notice for the right to appeal to the State if the District-level resolution is not satisfactory;
- and
7. Timelines for resolving District- and State-level appeals.

If an unaccompanied youth or parent/guardian chooses to appeal a placement decision, the District will refer him or her to the homeless student liaison, who shall expeditiously facilitate this process.

Transportation

Parents and unaccompanied youth will be informed of their right to transportation before they select a school for attendance. At a parent’s request, transportation will be provided to and from the school of origin for a child or youth experiencing homelessness. For unaccompanied youth, transportation will be provided to and from the school requested by the liaison for homeless children following consultation with the student. Transportation will be provided for the entire time the child or youth has a right to attend that school including during pending disputes.

If a student’s school of origin was in a different district than the school the student is to attend, the District shall seek an agreement with the district of origin on the division of transportation costs. If no such decision is reached, the districts shall divide the costs equally as required by the McKinney-Vento Act. It is the District’s policy that inter-district disputes will not result in a homeless student missing school. If such a dispute arises, they will arrange transportation and immediately bring the matter to the attention of the liaison for homeless children. In addition to receiving transportation to and from the school of origin upon request, children and youth who are homeless will also be provided with other transportation services comparable to those offered to other students.

Disputes

If a dispute arises over any issue addressed in this policy, the child or youth experiencing homelessness will be admitted immediately to the school in which enrollment is sought pending final resolution of the dispute. The student will also have the rights to all appropriate educational services, transportation, free meals, and Title 1, Part A services while the dispute is pending.

If agreement cannot be reached between the parties regarding the educational placement or enrollment status of the student, then the District shall promptly seek further assistance from the State Coordinator of Homeless Education to review and determine within the (10) business days how the student’s best interests will be served. All interested parties will be expeditiously informed of the State’s determination in writing. The decision of the State Department of Education shall constitute final resolution.

~~A complaint regarding the placement or education of a homeless child shall first be presented orally and informally to the District’s homeless liaison. The Superintendent is directed to ensure that parents, guardians, and unaccompanied youth may initiate this process at the school they are requesting to attend, the District office, or the office of the homeless student liaison. The liaison shall inform the person who initiated the dispute that they can provide written or oral documentation to support their position and that they may seek the assistance of an attorney or~~

~~advocate. The homeless liaison shall work to resolve the dispute as expeditiously as possible. If the dispute cannot be resolved with the assistance of the homeless student liaison then a written complaint must be filed in accordance with the District's Uniform Grievance Procedure. The liaison must ensure that the formal process is followed for unaccompanied youth.~~

Training

The homeless liaison will conduct training and sensitivity/awareness activities regarding the education of homeless children for all local education association staff.

Surrogate Parents

~~The District shall appoint a surrogate parent for each unaccompanied homeless youth. The District shall make reasonable efforts to complete the appointment process within thirty (30) days of determining that a surrogate is needed as required by law. While the appointment of a surrogate parent is pending, a temporary surrogate parent shall be appointed. The temporary surrogate parent may be a staff member of a shelter, independent living program, state agency, or other organization involved in the education or care of the youth; provided the individual does not have a personal or professional interest that may conflict with the interests of the youth.~~

Title 1, Part A

Any student who is homeless and attends school within the District is eligible for Title 1, Part A services. The District shall set aside funding to provide homeless students who attend schools that do not participate in Title 1, Part A with services comparable to those provided by participating schools. Funding may also be set aside to provide targeted assistance to homeless students who attend participating schools.

Cross Reference: 3210

Uniform Grievance Procedure

Legal Reference: 42 U.S.C. § 11431, et seq.
20 U.S.C. § 6311, et seq.

20 U.S.C. § 1400

42 U.S.C. § 1758

42 U.S.C. § 9801-642A

I.C. § 33-1404

McKinney-Vento Homeless Assistance Act
Title 1, Part A, of the Elementary and
Secondary Education Act
Individuals with Disabilities Education
Improvement Act of 2006
Child Nutrition and WIC Act of 2004
Improving Head Start for School Readiness
Act of 2007

Districts to Receive Pupils

Education for Homeless Children and Youth Program: Title VII of the

McKinney-Vento Homeless Assistance Act, As Amended by the No Child
Left Behind Act of 2001: Non-Regulatory Guidance

Policy History:

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