



Services for Homeless Students Policy Series: 3000 Students

Policy No. 3115

Overview

The Provo City School District desires the success of students who may lack a fixed, regular, or adequate residence or who are in another situation which places them in a temporary or emergency residence, such as economic hardship or the awaiting of foster care placement. In any such circumstance, the District seeks to provide service to these students which will enable them to continue their education with as little interruption as possible. To ensure the best interest of homeless students, procedures have been developed which will determine school placement for these students specific to their circumstances.

The Board directs the Superintendent or designee to develop procedures which will ensure that homeless students are given appropriate attention and are enabled to participate fully in school classes, services, and activities.

Definitions:

1. "Domicile" means the place which a person considers to be the permanent home, even though temporarily residing elsewhere.
2. "Emancipated minor" means:
 - a. a child under the age of 18 who has become emancipated through marriage or by order of a court consistent with Utah Code Title 80 Chapter 7; or
 - b. a child recommended for school enrollment as an emancipated or independent or homeless child/youth by an authorized representative of the Utah State Department of Social Services.
3. "Enrolled" for purposes of this rule means a student has the opportunity to attend classes and participate fully in school and extracurricular activities based on academic and citizenship requirements of all students. ~~"Enroll" and "enrollment" includes attending classes and participating fully in school activities.~~
4. "Homeless child/youth" means a child who:

- 41 a. lacks a fixed, regular, and adequate nighttime residence;
- 42 b. has primary nighttime residence in a homeless shelter, welfare hotel, motel,
- 43 congregate shelter, domestic violence shelter, car, abandoned building, bus or
- 44 train station, trailer park, or camping ground;
- 45 c. sleeps in a public or private place not ordinarily used as a regular sleeping
- 46 accommodation for human beings;
- 47 d. is, due to loss of housing or economic hardship, or a similar reason, living with
- 48 relatives or friends usually on a temporary or emergency basis due to lack of
- 49 housing; or
- 50 e. is a runaway, a child or youth denied housing by his family, ~~or a school-age~~
- 51 ~~unwed mother living in a home for unwed mothers,~~ or who has no other housing
- 52 available. “Unaccompanied youth” means a youth not in the physical custody of a
- 53 parent or guardian, who is homeless as defined above.
- 54 f. Migratory children living in circumstances above.
- 55
- 56 5. ~~“Homeless child” means a child or youth. A child is “homeless” under the McKinney-~~
- 57 ~~Vento Homeless Education Act if the child lacks a fixed, regular, and adequate nighttime~~
- 58 ~~residence. This includes:~~
- 59 a. ~~Children who have a primary nighttime residence that is a public or private place~~
- 60 ~~not designed for or ordinarily used as a regular sleeping accommodation for~~
- 61 ~~human beings;~~
- 62 b. ~~Children who are sharing the housing of other persons due to a loss of housing,~~
- 63 ~~economic hardship, or a similar reason; are living in motels, hotels, trailer parks,~~
- 64 ~~or camping grounds due to the lack of alternative adequate accommodations; are~~
- 65 ~~living in emergency or transition shelters; are abandoned in hospitals; or are~~
- 66 ~~awaiting foster care placement;~~
- 67 c. ~~Children who are living in cars, parks, public spaces, abandoned buildings,~~
- 68 ~~substandard housing, bus or train stations, or similar settings; and~~
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- 70 6. “Migratory child” means a child who is, or whose parent, spouse, or guardian is a
- 71 migratory agricultural worker, including a migratory dairy worker, or a migratory fisher,
- 72 and who, in the preceding 36 months accompany such parent, spouse, or guardian, in
- 73 order to obtain temporary or seasonal employment in agricultural or fishing work:
- 74 a. Has moved from one school district to another; or
- 75 b. Resides in a school district and migrates a distance of 20 miles or more to a
- 76 temporary residence to engage in a fishing activity.
- 77
- 78 7. “School district of residence for a homeless child/youth” means the school district in
- 79 which the student or the student’s legal guardian or both currently resides or the charter
- 80 school that the student is attending for the period that the student or student’s family
- 81 satisfies the homeless criteria. ~~“School of origin” means the school that the child~~
- 82 ~~attended when permanently housed or the school in which the child was last enrolled.~~
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Best Interest: In determining the “best interest” of a child, Provo City School District shall:

- ~~1. To the extent feasible, keep a homeless child in the school of origin, except when doing so is contrary to the wishes of a child’s parent(s) or guardian(s); and~~
- ~~2. Provide a written explanation to the homeless child’s parent(s) or guardian(s), including a statement of appeal rights, if the District sends the child to a school other than the school of origin or a school requested by the parent(s) or guardian(s); and~~
- ~~3. In the case of an unaccompanied youth, consider the views of the child and provide the notice required in the event of an enrollment dispute.~~

Criteria for Determining Where a Homeless or Emancipated Student Shall Attend School

Under the McKinney-Vento Homeless Assistance Act of 1987, Title VII, Subtitle B, as amended, 42 U.S.C. §§ 11431 through 11435 (“the Act”), homeless students are entitled to immediate enrollment and full participation even if they are unable to produce records which may include medical records, birth certificates, school records, or proof of residency normally required for enrollment.

A homeless student shall:

1. be immediately enrolled even if the student does not have documentation required under [Utah Code sections 53G-9-402, 302, 303, 304 and Utah Code sections 53G-6-302 through 306](#);
2. be allowed to continue to attend his school of origin, to the extent feasible, unless it is against the parent/guardian’s wishes; be permitted to remain in the student’s school of origin for the duration of the homelessness and until the end of any academic year in which the student moves into permanent housing; or
3. transfer to the school district of residence for a homeless child or youth or charter school if space is available; and
4. have all fees waived as described in [Utah Admin. Rules R277-407-5](#) and in accordance with the Act.

Determination of residence or domicile may include consideration of the following criteria:

1. the place, however temporary, where the child actually sleeps;
2. the place where an emancipated minor or an unaccompanied child/youth or accompanied child’s/youth’s family keeps its belongings;
3. the place which an emancipated minor or an unaccompanied child/youth or accompanied child’s/youth’s parent considers to be home; or

- 126 4. such recommendations concerning a child's domicile as made by the State Department
127 of Human Services.

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129 Determination of residence or domicile may not be based upon:
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- 131 1. rent or lease receipts for an apartment or home;
132 2. the existence or absence of a permanent address; or
133 3. a required length of residence in a given location.
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135 If there is a dispute as to residence or the status of an emancipated minor or an unaccompanied
136 child/youth, the issue may be referred to the State Superintendent for resolution.
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138 The purpose of federal homeless education legislation is to ensure that a child's education is not
139 needlessly disrupted because of homelessness. If a child's residence or eligibility is in question,
140 the child shall be admitted to school until the issue is resolved.
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142 143 **Transfer of Guardianship** 144

145 If guardianship of a minor child is awarded to a resident of a school district by action of a court
146 or through appointment by a school district under [Utah Code § 53G-6-303](#), the child becomes a
147 resident of the school district in which the guardian resides.
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149 If a child's residence has been established by transfer of legal guardianship, no tuition may be
150 charged by the new school district of residence.
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152 153 **Services for Homeless Students** 154

155 The District shall serve homeless children according to their best interests. The District shall
156 adopt policies and practices to ensure that homeless children are not stigmatized or segregated
157 on the basis of their homeless status.
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159 160 **District Homeless Coordinator** 161

162 The District Homeless Coordinator shall inform school personnel, service providers, and
163 advocates working with homeless families of the duties of the Coordinator. The Coordinator
164 shall ensure that:
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- 166 1. Homeless children are identified by school personnel and through coordination activities
167 with other entities and agencies;
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2. Homeless children enroll in and have a full and equal opportunity to succeed in District schools;
3. Homeless families and children receive educational services for which they are eligible, including educational programs for disadvantaged students, students with disabilities, and gifted and talented students; vocational programs and technical education; programs for students with limited English proficiency; school meals programs; Head Start and District preschool programs; before and after-school care programs; and referrals to health care, dental, mental health, and other appropriate services;
4. The parent(s) or guardian(s) of homeless children are informed of the available educational and related opportunities, and are provided with meaningful opportunities to participate in the education of their children;
5. Public notice of the educational rights of homeless children is disseminated where such children receive services under the McKinney-Vento Act, such as schools, family shelters, and soup kitchens;
6. Enrollment disputes are mediated in accordance with the McKinney-Vento Act and District Due Process procedure; and
7. The parent(s) or guardian(s) of a homeless child and any unaccompanied youth are fully informed of all transportation services, including transportation to the school of origin, and are assisted in accessing transportation to the school of enrollment.

Contact Information

The District may require the parent(s) or guardian(s) of a homeless child to submit contact information.

Enrollment

The school selected in accordance with the McKinney-Vento Homeless Education Assistance Improvements Act shall immediately enroll a homeless child, even if the child is unable to produce records normally required for enrollment. The school shall immediately contact the last school attended to obtain relevant academic and other records. If the child needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the child's parent(s) or guardian(s) to the District's homeless liaison for assistance.

Enrollment in School of Origin

In determining feasibility of educating a homeless student in his or her school of origin, the District shall consider the best interests of the student with regard to relevant factors such as:

1. Continuity of instruction;
2. Age and grade placement of the student;
3. Distance of the commute and its impact on the student's education or special needs;
4. Personal safety of the student;
5. Student's need for special instruction, such as Section 504 or special education and related services;
6. Length of anticipated stay in a temporary shelter or other temporary location;
7. Likely area of the family's or youth's future housing;
8. Time remaining in the school year; and
9. School placement of siblings

Services, including transportation, that the District is required to provide shall not be considered in determining feasibility.

Admissions

The principal shall notify the District Homeless Coordinator within one school day of admission of a homeless student.

Enrollment Disputes

If a dispute arises over school selection or enrollment in a school, the child shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. The District shall provide the child's parent(s) or guardian(s) with a written explanation of the decision regarding school selection or enrollment, including the right to appeal the decision. The District shall refer the child(ren), parent(s), or guardian(s) to the homeless liaison who shall carry out the dispute resolution process as expeditiously as possible.

School Placement

The District shall not segregate homeless children. The District shall, according to the child's best interest and where feasible:

1. Continue the child's education in the school of origin for the duration of homelessness, if the child's family becomes homeless between academic years or during an academic year;
2. Continue the child's education in the school of origin for the duration of the academic year, if the child becomes permanently housed during an academic year;

3. Enroll the child in any school that non-homeless students who live in the attendance area in which the child is actually living are eligible to attend; or
4. Transfer to the school district or charter school where the child is actually residing or domiciled, if space is available as defined under Utah Administrative Rules.

The District shall make the choice regarding placement without regard to whether the child lives with the homeless parent(s)/guardian(s) or has been temporarily placed elsewhere.

~~If a child's residency or eligibility is in question, the child shall be admitted to school until the issue is resolved.~~

Transportation of Homeless Students

The District shall follow practices to ensure that transportation is provided, at the request of the parent(s) or guardian(s) (or in the case of an unaccompanied youth, at the request of the homeless liaison) to and from the school of origin, as follows:

1. If the homeless child lives within the district in which the school of origin is located, the district of origin will provide the child's transportation to and from the school of origin;
2. If the homeless child lives within a district other than that in which the school of origin is located, the district of origin and the district where the homeless child is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin; or
3. If the districts are unable to agree, the responsibility and costs shall be shared equally.

Continuation of Transportation

The District shall provide transportation to a homeless student assigned to attend the school of origin, as provided by law. If such a student ceases to be homeless, the District shall continue to provide transportation to and from the school of origin through the end of the school year, upon request from the parent(s) or guardian(s).

Barriers to Enrollment

The District shall review and revise any policies that may act as barriers to the enrollment of homeless children. The District shall give consideration to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. The District shall give special attention to ensuring the enrollment and attendance of homeless children who are not currently attending school. In addition, the District shall adopt

299 policies and practices to ensure that homeless children are not stigmatized or segregated on the
300 basis of their homeless status.

303 **Comparable Services**

305 The District shall provide a homeless child with services that are comparable to services offered
306 to other students in the school in which the child is enrolled, including:

- 307 1. Transportation services;
- 308 2. Educational services for which the child meets the eligibility criteria;
- 309 3. Programs in vocational and technical education;
- 310 4. Programs for gifted and talented students; and
- 311 5. School nutrition programs.

314 **Notice**

316 Information regarding this policy will be:

- 317 1. Distributed to all students identified as homeless upon enrollment and once during the
318 school year or as requested; and
- 319 2. Posted in every school in the district

322 **Dispute Resolution Process**

324 In the event that a homeless student, or his or her parent(s) or guardian(s), have a complaint
325 about admission, placement, or services provided by the District, that person shall use the
326 complaint resolution procedures set out in Provo School District Due Process procedure ([Policy](#)
327 [7315](#) and [Policy 7315 Procedure 1](#)). When the principal becomes aware of a complaint, he or
328 she shall notify the District Homeless Coordinator for homeless students within one school day.
329 At all times the District Homeless Coordinator or designee shall accompany and assist the
330 student, parent(s), or guardian(s) in the dispute resolution process. Throughout the dispute
331 resolution process, the homeless student shall be permitted to attend classes, receive the
332 requested services, and participate fully in school activities.

335 **Legal References**

336 [Utah Code Title 80 Chapter 7](#)
337 [Utah Admin. Rules R277-616 \(December 16, 2020\)](#)
338 [42 U.S.C. §§ 11431 through 11435 \("the Act"\)](#)
339 [53G-9-402, 302, 303, 304 53G-6-302 through 306](#)
340 [McKinney-Vento Act Subtitle B](#)

343 **Board Approved:** 2006

344 Revised: March 12, 2013

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