



# Homeless Students: The McKinney-Vento Act as amended by the Every Student Succeeds Act of 2015

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UPDATE MAILING NO. 1

NOVEMBER 11, 2016

The Every Student Succeeds Act (ESSA) reauthorized the McKinney-Vento Act by Title IX, Part A on December 10, 2015. The McKinney-Vento Homeless Assistance Act is amended and ESSA imposes new obligations on state educational departments and local school districts including a requirement to review existing policies and regulations to remove barriers to the enrollment and retention of homeless children and youth. The amendments to the McKinney-Vento Act become effective as of October 1, 2016.

The amendments to the federal legislation, the McKinney-Vento Act, require districts to:

1. review, revise and adopt policies so that they do not act as barriers to the identification of homeless children and youths to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless and are enrolled in school;
2. give consideration to issues concerning transportation, immunizations, residency, birth certificates, school records and other documentation, and guardianship in the review and revision of such policies;
3. designate a liaison for homeless children and youth to carry out certain duties enumerated by the Act;
4. provide transportation to a homeless student's school of origin, as described in the Act;
5. enroll immediately any homeless student, even if documentation of required immunizations is not available; and

6. give special attention to ensuring the identification, enrollment and attendance of homeless children and youths not currently attending school.

Homeless children and youths are defined as "individuals who lack a fixed, regular, and adequate nighttime residence." This definition includes children and youths who are:



1. sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
2. living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
3. living in emergency or transitional shelters;
4. abandoned in hospitals;
5. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
6. living in cars, parks, public spaces, abandoned buildings, sub-standard housing, bus or train stations, or similar settings;
7. migratory children living in the above described circumstances.

The Act defines "enroll" and "enrollment" to include attending classes and participating fully in school activities. "Unaccompanied youth" includes a homeless child or youth not in the physical custody of a parent or guardian.



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The above expands upon Connecticut's residency definitions. C.G.S. 10-235(d) defines "non-residency" as children residing with relatives or non-relatives, when it is the intention of such relatives or non-relatives and of the children or their parents or guardians that such residence is to be (a) permanent, (b) provided without pay and (c) not for the sole purpose of obtaining school accommodations. In addition, C.G.S. 10-253(e) indicates that children in temporary shelters are entitled to free school privileges from either the school district in which the shelter is located or from the school district in which the child would otherwise reside, if not for the need for temporary shelter. School districts have an obligation to identify homeless and migratory children.

### **District Obligations Regarding Placement of Homeless Students:**

1. District policy must remove barriers to the identification, enrollment and retention of homeless children and youths including such barriers as outstanding fees, fines or absences.
2. The district must continue the student's education in the "school of origin" which is the school the child attended when permanently housed or the school of last enrollment. The district must presume that keeping a homeless child or youth in the school of origin is in such individual's best interest unless doing so is contrary to the request of the individual's parent/guardian or unaccompanied youth. **OR**
3. The district must enroll the homeless student in any public school that non-homeless students who live in the area where the child is actually living are eligible to attend. The school selected based on a homeless child or youth's best interest must immediately enroll such child even if he or she has missed application or enrollment deadlines during any period of homelessness.
4. The district is required, "to the extent feasible," to keep the homeless child or youth in the school of origin unless it is against the wishes of the parent/guardian. If the district determines that it is not in the child's or youth's best interest to attend the school of origin, the district is required to provide a written explanation of the reasons for its determination, in a manner and form that is understandable.
5. The homeless child's right to attend the school of origin extends for the duration of homelessness.
6. If a child becomes permanently housed during the academic year, he/she is entitled to stay in the school of origin until the end of the school year.
7. A child who becomes homeless in between academic years is entitled to attend his/her school of origin for the following academic year.
8. The district must provide written explanation, including the right to appeal, whenever the school district sends the homeless child to a school other than the school of origin or a school requested by the parent/guardian.
9. With an "unaccompanied youth," the district's homeless liaison must assist in the placement/enrollment decisions, considering the youth's wishes, and provide notice of appeal under the Act's enrollment disputes provision.
10. District policy and practice must ensure that LEA liaisons participate in professional development and other technical assistance activities provided by the State Office of the Coordinator for Education of Homeless Children and Youth. (Office of the Coordinator)



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1. The definition of “school of origin” includes preschools and when a child or youth completes the final grade served by the school of origin, it also includes the designated receiving school at the next grade level for all feeder schools.
2. Information about a homeless child’s or youth’s living situation shall be treated as a student education record, subject to FERPA protections and shall not be deemed to be directory information.
3. Homelessness alone is not to be considered a sufficient reason to separate students from the mainstream school environment.
4. Homeless students may be segregated for short periods of time only for health and safety emergencies or to provide temporary, special or supplemental services.

## **Transportation Obligations of the School District for Homeless Students:**

### **Appeal Procedures:**

1. C.G.S. 10-186 currently defines the process for resolving issues involving homeless students. The state is required to establish an appeal process.
2. If a dispute arises over eligibility, the child or youth shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.
3. The district’s homeless liaison is required to carry out the dispute resolution process expeditiously and, in the case of an unaccompanied youth, ensure that the youth is immediately enrolled in school pending the resolution of the dispute.
1. Services must be comparable to those provided to other students in the selected school.
2. Homeless students must be provided transportation to the school of origin, if requested by the parent/guardian, if the school is within the school district.
3. If the school of origin is in a different school district from where the child is currently living, both school districts are to agree on a method for sharing the responsibility and costs, or share the costs equally.
4. When a student obtains permanent housing, transportation to the school of origin must be provided until the end of the academic year, if it’s in the student’s best interest to remain in that school.

### **Educational Services to be Provided to Homeless Students:**

1. Educational services are to be comparable to those received by other students in the school.
2. Such students may be entitled to such services as Title I, state/local remedial programs, special education, limited English proficiency, vocational education, gifted/talented and school nutrition programs.

### **Enrollment Requests from Homeless Parents:**

1. The selected school is required to immediately enroll the child, even in the absence of records normally required for enrollment. Parents/guardians may be required to submit contact information.
2. The last school attended must be contacted to obtain records.



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3. If the child lacks immunizations or immunization/medical records, the enrolling school MUST refer the parent/guardian to the liaison in order to get help obtaining immunizations and records.

### Duties of the Local Liaison:

1. Districts are required to designate a staff person, who may also be a coordinator of other federal programs, as a local educational liaison for homeless children and youths to carry out the duties described, as follows:
  - a. Ensure homeless children and youth are identified by school personnel through outreach and coordination with other agencies and entities.
  - b. Ensure homeless children are enrolled in and have a full and equal opportunity to succeed in the schools of the district.
  - c. Ensure that homeless families and homeless children and youth have access to and receive educational services for which such families, children and youth are eligible, including services through Head Start Programs, (including Early Head Start Programs) under the Head Start Act, early intervention services under Part C of the IDEA and preschool programs administered by the district.



- d. Ensure that homeless children and youth receive referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services.

- e. Inform parents/guardians of homeless children and youth of the educational and related opportunities available to their children, and provide them with meaningful opportunities to participate in the education of their children.
- f. Ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents/guardians of such children and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens in a manner and form understandable to parents/guardians of homeless children and youths and unaccompanied youths.
- g. Ensure that enrollment disputes are mediated.
- h. Inform parent/guardian of all transportation services, including to the school of origin, and is assisted in accessing those services.
- i. Assist unaccompanied youth in placement/enrollment decisions, including considering the youth's wishes in those decisions, and providing notice to the youth of the right to appeal such decisions.
- j. Assist children who do not have immunizations, or immunization or medical records, to obtain the necessary immunizations, or immunization or medical records.
- k. Collaborate and coordinate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless children.



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- l. Indicate that a child or youth, or the immediate family of such a child or youth, is eligible to participate in a local district program and qualify such individuals for HUD homeless assistance programs; (provided the local liaison has received the mandated training.)
  - m. Provide to the State Coordinator the reliable, valid, and comprehensive data needed to fulfill the data collection required by the Act;
  - n. Participate in professional development and other technical assistance activities, as determined appropriate by the State Coordinator.
3. Procedures/proof to indicate that districts have developed policies to remove barriers to the enrollment and retention of homeless children and youths and that such children have equal access to educational programs provided to other children, including public preschool.
  4. To coordinate housing assistance. (Refer homeless families and students to housing services.)
  5. To facilitate coordination of services between agencies.
  6. To provide sub-grants to school districts for the purpose of facilitating enrollment, attendance, and success in school of homeless children.

## State Responsibilities:

1. The State must create a State plan which shall describe how the State Department of Education will provide support to local districts in the identification, enrollment, attendance and school stability of homeless children and youths, including if relevant eligibility criteria are met, access to academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning and charter school programs.
2. The State plan shall ensure that all children receive a high quality education, and to close the achievement gap between children meeting the challenging State academic standards and those children who are not meeting such standards.
7. The State's plan must include a description of how homeless children and youths will receive assistance from counselors to advise such youths, and prepare and improve the readiness of such youths for college.
8. Conduct monitoring of local districts.
9. Make publicly available information on the number of homeless children and youths identified in the State and the difficulties in identifying the special needs of and barriers to the participation and achievement of homeless children and youths. Such information must be posted annually on the SDE's website.
10. To respond to inquiries from the parents/guardians of homeless children and youths, which may include eligibility disputes.





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## Foster Care

The definition of homeless children and youth no longer includes “awaiting foster care placement” in the McKinney-Vento Act. The deletion of “awaiting foster care placement” goes into effect on December 10, 2016 in every state except Delaware and Nevada where the deletion is effective December 10, 2017.

The amendments regarding homelessness and foster care in ESSA detail the following responsibilities for state departments of education and local districts.

### I. State Responsibilities

State Title I Plans must describe the steps the SEA will take to ensure collaboration with the State Child Welfare Agency to ensure the educational stability of children or youth in foster care, including assurances that:

- Foster youth are enrolled or remain in their school of origin, unless a determination is made that it is not in their best interest.
- The determination will be based on best interest factors, including consideration of the appropriateness of the current educational setting, and the proximity to the school in which the child is enrolled at the time of placement.



- When a determination is made that it is not in the child’s best interest to remain in the school of origin, the child will be immediately enrolled in a new school.
- The SEA will designate a point of contact for child welfare agencies, who will oversee implementation of the SEA responsibilities.
- The SEA point of contact may not be the same person as the State Coordinator for homeless children and youth under the McKinney-Vento Act.

### II. Local District Responsibilities

Local Title I Plans must contain an assurance that LEAs receiving Title I funds will:

- Collaborate with the state or local child welfare agency to:
  - Within one year of enactment, develop and implement procedures for how transportation to maintain foster youth in their schools of origin, when in their best interest, will be provided, arranged and funded. These procedures must:
  - Ensure that foster youth who need transportation to the school of origin promptly receive it in a cost-effective manner, and in accordance with the child welfare agency’s authority to use child welfare funding available under section 475 (4)(A) of Title IV-E of the Social Security Act to provide transportation.
  - Ensure that if there are additional costs incurred in providing transportation to the school of origin, LEAs will provide it if:



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- They are reimbursed by the child welfare agency;
  - The LEA agrees to pay the costs; or
  - The LEA and the child welfare agency agree to share the costs.
- Designate a point of contact for the local child welfare agency, if the local child welfare agency notifies the LEA, in writing, that it has designated a point of contact for the LEA.

### Policy Implications:

State and school districts are required to adopt policies and practices to ensure that homeless children and youth are not segregated on the basis of their status as homeless or stigmatized. District applications for McKinney-Vento Act grant funds will be judged on the extent to which the local district uses the grant to leverage resources, including maximizing non sub-grant funds for the position of the liaison and the provision of transportation and how the district uses Title I Part A set-aside funds to serve homeless children and youth. Grant funds may also be used to attract, engage, and retain homeless children and youth who are not enrolled in school, or used for extraordinary or emergency assistance needed to enable homeless children and youths to attend school and participate fully in school activities. Districts that receive Title I Part A funds must reserve funds to support homeless students, which can include transportation to the school of origin and for local liaisons. The district, through its policies and procedures must ensure that its activities will not isolate or stigmatize homeless children or youth.

The Secretary of the U.S. Department of Education issued guidelines pertaining to the McKinney-Vento Act, as amended, in the March 17, 2016 Federal Register. The guidelines address ways in which a state and local districts can implement the provisions related to homeless children and youths amended by the ESSA and that local districts need to review and revise policies and procedures that may present barriers to the identification, enrollment, attendance and success of homeless children and youths in school. Districts are encouraged to implement policies whereby schools immediately enroll homeless children and youth on such basis as oral communication with prior schools; affidavits from parents or guardians in place of immunization documentation, birth certificates, proof of residency, or other records; and other alternatives to the records usually required for enrollment. The local liaisons can facilitate implementation of these measures.

Policy #5118.1, “Homeless Students” has been revised in order to comply with the new amendments to the Act and follows. In addition, an updated administrative regulation is also provided.

### Definition of Homelessness

Homelessness is defined through the **McKinney Vento Act** as:

{ Individuals who lack a fixed, regular,  
or adequate nighttime residence }

Revised November 2016

*A policy is required by federal law on this topic.*

## Students

### Homeless Students

The Board shall make reasonable efforts to identify homeless children and youths within the district, encourage their enrollment in school and eliminate existing barriers to their education, which may exist in district policies or practices, in compliance with all applicable federal and state laws.

#### Optional Language:

The District administration shall attempt to remove existing barriers to school attendance by homeless children or youth, which may include:

- A. **Records** – The selected school for the homeless student shall enroll the child or youths even in the absence of records normally required for enrollment. The last school in which the student was enrolled shall be contacted to obtain records.
- B. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent.
- C. **Grade Level Placement** – If the District is unable to determine the student’s grade level due to missing or incomplete records, the District shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.
- D. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, shall be waived.
- E. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student’s school of origin in compliance with federal and state regulations.
- F. Official school records, policies, and regulations shall be waived at the discretion of the Superintendent, in compliance with federal and state regulations.
- G. **Immunization Records** – The District shall make a reasonable effort to locate immunization records from information available. The District’s liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of Board of Education policy on immunizations.
- H. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

Further, it is the policy of the Board of Education that no child or youth shall be discriminated against or stigmatized in this school district because of homelessness. Homeless students, as defined by federal and state statutes, residing within the district or residing in temporary shelters in the district are entitled to free school privileges.



## **Students**

### **Homeless Students (continued)**

Homeless students shall not be separated from the mainstream school environment on the basis of their homelessness. Such students shall have access to education and other services they need to meet the same challenging State academic standards to which all students are held.

Homeless students within the district not placed in a shelter remain the district's responsibility to provide continued educational services. Such services for the child may be:

1. continued in the school ("school of origin") that the student attended when permanently housed or the school of last enrollment; or
2. provided in the school that is attended by other students living in the same attendance area where the homeless child lives.

To the extent feasible, a homeless child will be kept in the school of origin, unless it is against the wishes of the parent/guardian. If placement in the school of origin is not feasible, the homeless student must be placed in the school that is attended by other students living in the same attendance area in which the homeless child lives.

The District will provide a written explanation, including the right to appeal, whenever the District sends a homeless student to a school other than the school of origin, a school requested by the parent/guardian or unaccompanied youth.

Homeless children shall be provided educational services that are comparable to those provided to other students enrolled in the District, including but not limited to, Title I, transportation services, compensatory educational programs, gifted and talented, special education, ESL, health services and food and nutrition programs, and preschools operated by the District, if they meet the established criteria for these services.

The Superintendent of Schools shall refer identified homeless children under the age of eighteen who may reside within the school district, unless such children are emancipated minors, to the Connecticut Department of Children and Families (DCF).

The district administration shall attempt to remove existing barriers to school attendance by homeless emancipated minors and youth eighteen years of age:

1. The selected school for the homeless child shall enroll the child, even in the absence of records normally required for enrollment. The last school enrolled shall be contacted to obtain records.
2. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent. If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

## Students

### Homeless Students (continued)

3. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, may be waived at the discretion of the Superintendent.
4. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student's school of origin in compliance with federal and state regulations. If the school of origin is in a different school district from where the homeless child or youth is currently living, both school districts shall agree on a method for sharing the responsibility and costs, or share the costs equally.
5. Official school records policies and regulations shall be waived at the discretion of the Superintendent, in compliance with federal statutes.
6. The district shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of Board of Education policy on immunizations.
7. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.
8. The District will treat information about a homeless child or youth's living situation as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA). Such information shall not be deemed to be directory information.

The District's educational liaison for homeless children is \_\_\_\_\_. The liaison must assist homeless children and youth, as described within the administrative regulations, in the placement/enrollment decisions, considering the youth's wishes and provide notice of appeal under the Act's enrollment disputes provisions. The liaison shall also participate in State provided professional development programs for local liaisons.

Students residing in a temporary shelter are entitled to free school privileges from the district in which the shelter is located or from the school district where they would otherwise reside if not for the placement in the temporary shelter. The district in which the temporary shelter is located shall notify the district where the student would otherwise be attending. The district so notified may choose to either:

1. continue to provide educational services, including transportation between the temporary shelter and the school in the home district; or
2. pay tuition to the district in which the temporary shelter is located.

The Superintendent shall develop regulations, to ensure compliance with applicable statutes in the implementation of this policy.

(cf. 5143 - Student Health Assessments and Immunizations)  
(cf. 5146 - Child Abuse and Neglect)

## **Students**

### **Homeless Students (continued)**

Legal Reference: Connecticut General Statutes

10-253(e) School privileges for children in certain placements, non-resident children and children in temporary shelters.

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surrounding without court order.

17a-103 Reports by others.

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse and neglect.

46b-120 Definitions.

McKinney-Vento Homeless Assistance Act, (PL 107-110-Sec 1032) 42 U.S.C. §11431-11435, as amended by the ESSA, P.L. 114-95.

Federal Register: McKinney-Vento Education for Homeless Children and Youths Program, Vol. 81, No. 52, 3/17/2016.

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g.)

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. Implementing FERPA enacted as part of 438 of General Educ. Provisions Act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96, and Final Rule 34 CFR Part 99, December 9, 2008, December 2, 2011.

### **Policy adopted:**

cps rev 11/01  
rev 10/02  
rev 5/03  
rev 10/13  
rev 11/16

*A “broader” succinct version of this mandated policy,  
leaving all relevant detail to the administrative regulation.*

## **Students**

### **Homeless Students**

Children who meet the Federal definition of “homeless” will be provided a free and appropriate public education in the same manner as all other students of the District and will not be stigmatized or segregated on the basis of their status as homeless. No homeless student will be denied enrollment based on lack of proof of residency or due to barriers such as fines, fees and absences. No Board policy, administrative regulations, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

Homeless students will be provided services comparable to other students in the District in compliance with federal and state law. Access to District programs include public preschool programs administered by the District.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent and detailed in the administrative regulation accompanying this policy. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths.

(cf. 5143 – Student Health Assessments and Immunizations)  
(cf. 5146 – Child Abuse and Neglect)

Legal Reference: Connecticut General Statutes

10-253(e) School privileges for children in certain placements, non-resident children and children in temporary shelters.

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surrounding without court order.

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17a-106 Cooperation in relation to prevention, identification and treatment of child abuse and neglect.

46b-120 Definitions.

McKinney-Vento Homeless Assistance Act, (P.L. 107-110-Sec 1032) 42 U.S.C. §11431-11435, as amended by the ESSA, P.L. 114-95.

## **Students**

### **Homeless Students**

Legal Reference: Connecticut General Statutes (continued)

Federal Register: McKinney-Vento Education for Homeless Children and Youths Program, Vol. 81, No. 52, 3/17/2016.

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Policy adopted:

cps 11/04  
rev 10/13  
rev 11/16

*A suggested regulation to consider.*

## Students

### Homeless Students

In order to appropriately implement the policy pertaining to homeless children, youth and students placed in shelters, in compliance with all applicable federal and state statutes, the following regulations are established.

#### Definitions:

Homeless ~~students~~ children and youths are federally defined as “individuals who lack a fixed, regular, and adequate nighttime residence.” This definition includes the following types of ~~students~~ children and youths who are:

- a. sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
- b. living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
- c. living in emergency or transitional shelters;
- d. abandoned in hospitals;
- e. ~~awaiting foster care placement; (delete as of 12/10/16)~~
- f. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- g. living in cars, parks, public spaces, abandoned buildings, bus or train stations, or similar settings;
- h. migratory children living in the above described circumstances.

Connecticut’s residency definitions contained in C.G.S. 10-253(d) defines non-residency as children residing with relatives or non-relatives, when it is the intention of such relatives or non-relatives and of the children or their parents or guardians that such residence is to be (1) permanent, (2) provided without pay and (3) not for the sole purpose of obtaining school accommodations. In addition, C.G.S. 10-253(e) indicates that children in temporary shelters are entitled to free school privileges from either the school district in which the shelter is located or from the school district in which the child would otherwise reside, if not for the need for temporary shelter. The district has an obligation to identify homeless and migratory children.

**“Enroll” and “enrollment”** are federally defined to include attending classes and participating fully in school activities.

**“Unaccompanied youth”** includes a homeless child or youth not in the physical custody of a parent or guardian.

## Students

### Homeless Students (continued)

#### District Obligations Regarding Placement of Homeless Students:

- a. District policy must remove barriers to the identification, enrollment and retention of homeless children and youth, including such barriers as outstanding fees, fines or absences.
- b. The District must continue the student's education in the "school of origin" which is the school the child attended when permanently housed or the school of last enrollment. The District must presume that keeping a homeless child or youth in the school of origin is in such individual's best interest unless doing so is contrary to the request of the individuals' parent/guardian or unaccompanied youth. **OR**
- c. The District must enroll the homeless student in any public school that non-homeless students who live in the area where the child is actually living are eligible to attend. The school selected based on a homeless child or youth's best interest shall immediately enroll such child even if he/she missed application or enrollment deadlines during any period of homelessness.
- d. The District is required, "to the extent feasible" to keep the homeless child or youth in the school of origin unless it is against the wishes of the parent/guardian. If the District determines that it is not in the child's or youth's best interest to attend the school of origin, the District will provide a written explanation of its determining reasons, in a manner and form that is understandable.
- e. The homeless child's right to attend the school of origin extends for the duration of homelessness. When the child or youth completes the final grade served by the school of origin; it also includes the designated receiving school at the next level for all feeder schools.
- f. If a child becomes permanently housed during the academic year, he/she is entitled to stay in the school of origin until the end of the school year.
- g. A child who becomes homeless in between academic years is entitled to attend his/her school of origin for the following academic year.
- h. The District must provide written explanation, including the right to appeal, whenever the school District sends the homeless child to a school other than the school of origin or a school requested by the parent/guardian.
- i. With an "unaccompanied youth," the District's homeless liaison must assist in the placement/enrollment decisions, considering the youth's wishes, and provide notice of appeal under the Act's enrollment disputes provision.
- j. The District's liaison must participate in professional development and technical assistance provided by the State Office of the Homeless Coordinator.
- k. The definition of "school of origin" includes preschools operated by a local school district.
- l. Information about a homeless student's living situation shall be treated as a student education record, subject to FERPA protections and shall not be deemed to be directory information.

## Students

### Homeless Students (continued)

#### Appeal Procedures: (Enrollment Disputes)

- a. C.G.S. 10-186 currently defines the process for resolving issues involving homeless students children and youths. The state is required to establish an appeal process.
- b. ~~Federal law requires school districts to allow homeless students to “stay put.” “The child shall be immediately admitted to~~ In a dispute over eligibility the child or youth shall immediately be enrolled in the school in which enrollment is sought, pending final resolution of the dispute and all available appeals.
- c. The District’s homeless liaison shall carry out the dispute resolution process expeditiously and, in the case of an unaccompanied youth, ensure that the youth is immediately enrolled in school pending the final resolution of the dispute and all available appeals.
- d. The parent/guardian shall be made aware of the right to appeal the decision to the Board of Education. The Board shall issue a written decision on the dispute within \_\_\_\_\_ days of the receipt of the appeal and hand deliver the written decision and a notice of right-to-appeal to the State Coordinator for the Education of Homeless Children and Youths to the parents/guardians (or student if applicable). The decision of the State Coordinator shall be final.

#### Educational Services to be Provided to Homeless Students:

1. Educational services are to be comparable to those received by other students in the school.
2. Such students may be entitled to such services, through Head Start programs, as Title I, state/local remedial programs, special education, limited English proficiency, vocational education, gifted/talented, school nutrition programs and preschool programs administered by the District.
3. Homelessness alone is not to be considered a sufficient reason to separate students from the mainstream school environment.
4. Homeless students may be segregated for short periods of time only for health and safety emergencies or to provide temporary, special or supplemental services.

#### Transportation Obligations of the School District for Homeless Students:

1. Services must be comparable to those provided other students in the selected school.
2. Homeless students must be provided transportation to the school of origin, if requested by the parent/guardian, if the school is within the school district.



## Students

### Homeless Students

#### Transportation Obligations of the School District for Homeless Students: (continued)

3. If the school of origin is in a different school district from where the child is currently living, both school districts are to agree on a method for sharing the responsibility and costs, or share the costs and responsibility equally.
4. When a student obtains permanent housing, transportation to the school of origin must be provided until the end of the academic year, if it is in the student's best interest to remain in that school.

#### Enrollment Requests from Homeless Parents:

1. The selected school is required to immediately enroll the child, even in the absence of records normally required for enrollment. Parents/guardians may be required to submit contact information.
2. The last school attended must be contacted to obtain records.
3. If the child lacks immunizations or immunization/medical records, the enrolling school MUST refer the parent/guardian to the liaison in order to get help obtaining immunizations and records.

#### Privacy

1. Schools must treat information about a homeless child's or youth's living situation as a student education record subject to all protections of the Family Educational Rights and Privacy Act (FERPA).
2. Such information shall not be deemed to be directory information.

#### District Liaison for Homeless Students:

The District's liaison for homeless students is \_\_\_\_\_.

The duties of the local liaison are:

- a. Ensure homeless children and youth are identified by school personnel and through outreach and coordination with other agencies and entities.
- b. Ensure homeless children are enrolled in and have a full and equal opportunity to succeed in the school district's schools.

## Students

### Homeless Students

#### District Liaison for Homeless Students: (continued)

- c. Ensure that homeless families and homeless children receive educational services for which they are eligible, including Head Start Programs and Even-Start, preschool programs administered by the District. ~~and referrals to health care services, dental services, mental health services, and other appropriate services.~~
- d. Inform parents/guardians ~~are informed~~ of homeless children and youth of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children.
- e. Ensure that public notice of the educational rights of homeless children and youth ~~is are~~ disseminated where such children receive services ~~(For example, family shelters, soup kitchens, and schools)~~ in locations frequented by parents/guardians of such children and unaccompanied youth, including schools, shelters, public libraries, and soup kitchens in a manner and form understandable to parents/guardians of homeless children and youths and unaccompanied youth.
- f. Ensure that enrollment disputes are mediated.
- g. Inform parent/guardian ~~is fully informed~~ of all transportation services, including to the school of origin, and is assisted in accessing those services.
- h. Ensure that homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services.
- i. ~~Must~~ Assist unaccompanied youth in placement/enrollment decisions, including considering the youth's wishes in those decisions, and providing notice to the youth of the right to appeal such decisions.
- j. ~~Must~~ Assist children who do not have immunizations, or immunization or medical records, to obtain necessary immunizations, or immunization or medical records.
- k. ~~Must~~ Collaborate and coordinate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless children.
- l. Indicate that a child or youth or his/her immediate family is eligible to participate in a local district program and authorized to affirm such individual/family for the HUD homeless assistance program. (This qualification can be done provided the District liaison has received the mandatory training.)
- m. Provide the State Coordinator the reliable, valid, and comprehensive data needed to fulfill the federally required data collection.

## Students

### Homeless Students

#### District Liaison for Homeless Students: (continued)

- n. Participate in professional development and other technical assistance activities, as determined appropriate by the State Coordinator.
- o. Ensure that school personnel providing services to homeless children and youth receive professional development and other support and that unaccompanied youths:
  - i. are enrolled in school;
  - ii. have opportunities to meet the same challenging State academic standards the State has established for other children and youth; and
  - iii. are informed of their status as independent youths under Section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087VV) and that such youth may obtain assistance from the District to receive verification of such status for purposes of the Free Application for Federal Student Aid.
- p. Coordinate special education services for homeless children and youth identified as eligible within the local District.

Regulation approved:

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