

POLICY TITLE: EDUCATION OF HOMELESS CHILDREN

Policy Purpose

It is the policy of the Agency to ensure that:

1. Each child of a homeless individual and each homeless child has equal access to the same free, appropriate public education, including a public preschool education, as provided to other students;
2. Homelessness does not in any way separate homeless students from the mainstream school environment; and
3. Homeless children and youths have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging state academic standards to which all students are held.

The Board of Trustees directs all Agency schools to admit children who are homeless regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The Board shall not enter into an out-of-Agency attendance and tuition agreement with another Agency for a homeless child.

All schools and employees of the Agency shall work to ensure that children and youth who are homeless are free from discrimination, segregation, and harassment. The Agency will also strive to prevent stigma against students who are homeless.

Definitions

For the purposes of this Policy, the following definitions shall apply.

The terms “enroll” and “enrollment” includes attending classes and participating fully in all school activities.

The terms “homeless,” “homeless individual,” and “homeless person” include:

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, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

2. Children and youths who 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;
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
4. Migratory children who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses 1 through 3 above; and
5. An unaccompanied student living in any of the circumstances described in clauses 1 through 3 above.

“Children and youth in transition” is defined as children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence.

“Unaccompanied youth” is defined as a youth not in the physical custody of a parent/guardian who is in transition as defined above.

The term “school of origin” is defined as the school the student attended when permanently housed, or the school in which the student was last enrolled, including a preschool. When a student completes the final grade level served by the student’s “school of origin;” the “school of origin” shall progress to the designated receiving school at the next grade level for all of its feeder schools the same as for all students attending one school and progressing to another school in the Agency.

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

“Immediate” means without delay.

“Parent” means a person having legal or physical custody of a child or youth.

“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.

“Local liaison” is the staff person designated by our district and each district in state as the person responsible for carrying out the duties assigned to the local homeless education liaison by the McKinney-Vento Homeless Assistance Act.

In General

The Agency shall ensure the following is provided according to the homeless student's best interest:

1. That the homeless student's education continues in the school of origin for the duration of homelessness:
 - A. In any case in which a family becomes homeless between academic years or during an academic year; and
 - B. For the remainder of the academic year, if the student becomes permanently housed during an academic year; or
2. That the homeless student is eligible to enroll in the same schools as non-homeless students who live in the same attendance area where the homeless student is actually living.

Identification

~~Children and youth identified as homeless in the district, both in and out of school will be identified. Data will 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 reasons 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. Therefore, in selecting a school, children and youth who are homeless will remain at their schools of origin to the extent feasible, unless that is against the parent or youth's wishes. Students may remain at their schools 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 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 of origin and services under federal and other programs, will not be considered in determining feasibility.~~

Enrollment

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

- ~~Proof of residency~~
- ~~Transcripts/school records (The enrolling school must contact the student's previous school to obtain school records. Initial placement of students whose records are not immediately available can be made based on the student's age and information gathered from the student, parent, and previous schools or teachers.)~~
- ~~Immunizations or immunization/health/medical/physical records (If necessary, the school must refer students to the local liaison to assist with obtaining immunizations and/or immunization and other medical records.)~~
- ~~Proof of guardianship~~
- ~~Birth certificate~~
- ~~Unpaid school fees~~
- ~~Lack of clothing that conforms to dress code~~
- ~~Any factor related to the student's living situation~~

~~Unaccompanied youth must be enrolled immediately in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or local liaison.~~

Transportation

~~Parents and unaccompanied youth will be informed of this right to transportation before they select a school for attendance. At a parent's or unaccompanied youth's request, transportation will be provided to and from the school of origin for a child or youth experiencing homelessness. Transportation will be provided for the entire time the child or youth has a right to attend that school, as defined above, 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 COSSA CEO will arrange transportation and immediately bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth. 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 "housed" students.~~

Services

~~Children and youth experiencing homelessness will be provided services comparable to services offered to other students in the selected school, including:~~

- ~~Transportation~~
- ~~Title I, Part A services – Children and youth identified as homeless are automatically eligible for Title I, Part A services, regardless of what school they attend~~
- ~~Educational services for which the student meets eligibility criteria, including 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~~
- ~~Pre-School – LEA 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). The local liaison will collaborate with Head Start and other preschool programs.~~
- ~~Free meals – On the day a child or youth identified as homeless enrolls in school, the enrolling school must submit the student's name to the LEA Food Service office for immediate processing.~~

~~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.~~

Disputes

If a dispute arises over any issue covered 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 of a student who is homeless to all appropriate educational services, transportation, free meals, and Title I, Part A, services while the dispute is pending.

The school where the dispute arises will provide the parent or unaccompanied youth with a written explanation of its decision and the right to appeal and will refer the parent or youth to the local liaison immediately. The local liaison will ensure that the student is enrolled in the requested school and receiving other services to which he or she is entitled and will resolve the dispute as expeditiously as possible. The parent or unaccompanied youth will be given every opportunity to participate meaningfully in the resolution of the dispute. The local liaison will keep records of all disputes in order to determine whether particular issues or schools are repeatedly delaying or denying the enrollment of children and youth identified as homeless. The parent, unaccompanied youth, or school district may appeal the school district's decision as provided in the state's dispute resolution process.

If a dispute arises over eligibility, school selection or enrollment in a particular school, or any other issue addressed in this policy:

1. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.

The student shall receive educational services for which the student is eligible, such as attending classes and full participation in all school activities

2. The parent/guardian of the student or (in the case of an unaccompanied student) the student shall be provided with a written explanation identifying the basis for any decisions related to school selection or enrollment made by the Agency, or other entity, including the rights of the parent/guardian or unaccompanied student to appeal such decisions;
3. The parent/guardian or unaccompanied student shall be referred to the local educational agency liaison designated under "Agency Liaison" below, and upon being informed of the dispute, the liaison shall, within 10 days, initiate an appeal with the Agency and, if unsuccessful, to the state coordinator of the dispute regarding the educational placement of the homeless student; and
4. In the case of an unaccompanied student, the liaison shall ensure that the student is immediately enrolled in the school in which the student seeks enrollment pending resolution of the student's dispute.
5. If an agreement cannot be reached between the parties regarding the educational placement of enrollment status of the student, then the Agency shall seek further assistance from the State Coordinator of Homeless Education to review and determine within ten business days how the student's best interests will be served. The decision of the State Department of Education shall constitute final resolution.

Dispute Resolution Process

If there is a dispute regarding the educational placement of a homeless student, or if a school or school district/LEA denies a child, youth, or unaccompanied youth homeless status, then a written notice of explanation (Form 3060-1) of such decision shall be promptly provided to the parent/guardian of the child, or to the youth, if unaccompanied by a parent/guardian. Such notice shall be in language the parent/guardian or unaccompanied youth can understand, shall include a description of how to dispute the decision, and shall include a summary of the dispute resolution process.

In addition, the school district/LEA shall promptly refer the parent/guardian or unaccompanied youth to the homeless liaison, who shall carry out the dispute resolution process within ten (10) business days. The parent/guardian shall be referred to the homeless liaison who shall advise the parent/guardian of the child's rights, assist in and carry out the dispute resolution process. With respect to unaccompanied youth, the liaison shall ensure the same access to the dispute resolution process.

During the pendency of the dispute resolution process, the child, youth, or unaccompanied youth shall be immediately enrolled or continue enrollment in the school of choice (school of origin or local attendance area). Enrollment shall include all educational services for which the student is eligible, such as attending classes and full participation by such student in all school activities.

If agreement cannot be reached between the parties regarding the educational placement or enrollment status of the student, then the school district/LEA shall promptly seek further assistance from the State Coordinator of Homeless Education to review and determine within ten (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.

Training

The local liaison will conduct training regarding Title X requirements and sensitivity/awareness activities for all LEA staff.

Coordination

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

Placement Choice

The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

When addressing school placement, the student may attend a school different than the school of attendance from before the student became homeless or the school last attended by the student, if such is the choice of the student's parent and such is feasible.

When addressing school placement, the Agency's ~~Liaison~~ **liaison** shall work with the family to address the student's transportation needs.

School Stability

In determining the best interest of the homeless student each school within the Agency shall:

1. Presume that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent/guardian, or (in the case of an unaccompanied youth) the student;
2. Consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and

safety of homeless students, giving priority to the request of the student's parent/guardian or (in the case of an unaccompanied youth) the student;

3. If, after conducting the best interest determination based on consideration of the above presumptions, the Superintendent determines that it is not in student's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied student) the student, provide the student's parent/guardian or the unaccompanied student with a written explanation of the reasons for ~~his or her~~ **their** determination, which will be provided in a manner and form understandable to such parent/guardian, or unaccompanied student, including information regarding the right to appeal under "Enrollment Disputes", below; and
4. In the case of an unaccompanied student, ensure that the Agency's liaison designated under "Agency Liaison," below, assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied student, and provides notice to such student of the right to appeal under "Enrollment Disputes," below.

Immediate Enrollment:

1. **In General:** The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student:
 - A. Is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation;
 - B. Has missed application or enrollment deadlines during any period of homelessness; or
 - C. Has outstanding fees or fines, including fees associated with extracurricular activities.
2. **Relevant Academic Records:** The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.
3. **Relevant Health Records:** If the student needs to obtain immunizations or other required health records, the enrolling school shall immediately refer the parent/guardian of the student, or (in the case of an unaccompanied student) the student, to the Agency's liaison designated under "Agency Liaison," below, who shall assist in obtaining all necessary immunizations and/or screenings, or other required health records, in accordance with "Records," below. **Additionally, exemption from these immunization requirements is available as described in Policy 3525 and IC 39-4802.**

Records

Any record ordinarily kept by the school, including immunization or other required health

records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student shall be maintained:

1. So that the records involved are available, in a timely fashion, when the student enters a new school or school Agency; and
2. In a manner consistent with FERPA, applicable Idaho law, and Agency policy.

When a student transfers schools, the District shall help to keep the student academically on track by providing appropriate credit for full or partial coursework satisfactorily completed while attending a prior school or when transferring to a new school.

Privacy

Information about a homeless student's living situation shall be treated as a student education record, and shall not be deemed to be disclosable "directory information" under the Family Education Records Privacy Act ("FERPA").

Contact Information

Nothing in this policy shall prohibit the Agency and/or the enrolling school from requiring the parent/guardian of a homeless student to submit contact information.

Comparable Services

Each homeless student in the Agency shall be provided services comparable to those services provided to other students in the school attended by the homeless student, including but not limited to the following:

1. Transportation services. Students may be provided with additional transportation services if needed to ensure the student's full participation in the Agency's education program;
2. Educational services for which the student meets eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965, or similar State or Agency sponsored programs, educational programs for children with disabilities, and educational programs for English Learners;
3. Programs in career and technical education;
4. Programs for gifted and talented students; and
5. School nutrition programs. Upon enrollment, the student's name shall immediately be submitted to the Agency's Nutrition Services Department as eligible for free meals, which eligibility commences at the time of enrollment.

Agency Liaison

For purposes of this policy, the Superintendent shall designate an Agency employee to serve as its liaison to serve homeless students in accordance with the following provisions. The liaison for homeless students designated by the Superintendent shall ensure that:

1. All homeless students in and out of school are identified by school personnel through outreach and coordination activities with other entities and agencies;
2. The Agency tracks academic and enrollment data on homeless students;
3. All homeless students are enrolled in, and have a full and equal opportunity to succeed the same as non-homeless students of the Agency;
4. Homeless families and homeless students have access to and receive educational services for which such families and students are eligible, including services through Head Start programs (including Early Head Start programs), early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the Agency;
5. All homeless families and homeless students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
6. The parents/guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
7. All unaccompanied students and youth who receive any credits for classes attended shall be informed by the Liaison of their status as an "independent student" for purposes of the student's Free Application for Federal Student Aid ("FAFSA"). The Liaison shall also provide the required "verification" of the student's status in connection with ~~his or her~~ **their** application for Federal Student Aid.
8. Public notice of the educational rights of homeless students is disseminated in locations frequented by parents/guardians of such students, and unaccompanied students, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents/guardians of homeless students and unaccompanied students;
9. Eligibility, school selection, or enrollment disputes are mediated in accordance with "Disputes," above;
10. The parent/guardian of a homeless student, and any unaccompanied student, is fully informed of all transportation services, including transportation to the

student's school of origin, and is assisted in accessing transportation to the student's assigned school;

11. School personnel receive annual professional development and other support; and

12. Unaccompanied homeless students:

- A. Are enrolled in school;
- B. Have opportunities to meet the same challenging state academic standards as the State establishes for other students; and
- C. Are informed of their status as independent students under 20 USC § 1087vv(d), and that such students may obtain assistance from the Agency Liaison to obtain verification of such status for purposes of the Free Application for Federal Student Aid.

Local and State Coordination

The Agency's liaison(s) for homeless students shall, as a part of their duties, coordinate and collaborate with the Idaho State Office of the Coordinator for Education of Homeless Children and Youths, as well as with community and school personnel who are responsible for the provision of education and related services to homeless students. These shall include public and private agencies, the transportation department, the State Coordinator for the Education of Homeless Children and Youth, and others. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of 42 USC § 11432(f)(1) and (3).

Homeless Status

The Agency's Liaison who receives training provided by the Idaho State Office of the Coordinator for Education of Homeless Children and Youths may authorize a homeless student who is eligible for and participating in a program provided by the Agency, or the immediate family of such student, who otherwise meets the eligibility requirements Federal Housing Assistance (see 42 USC §§ 11360 *et. seq.*), to do so without approval or other agency action by or on behalf of the Department of Housing and Urban Development.

Title 1, Part A

Any student who is homeless and attends school within the Agency is eligible for Title 1, Part A services. The Agency 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.

LEGAL REFERENCE:

20 U.S.C. § 6311, *et seq.* Improving Basic Programs Operated by Local Educational Agencies (Subchapter I, Part A, of the Elementary and Secondary Education Act)

20 U.S.C. § 1400, *et seq.* Individuals with Disabilities Education Act (IDEA)

42 U.S.C. § 1758 School Lunch Programs – Program Requirements

42 U.S.C. § 9831, *et seq.* Head Start Programs

42 U.S.C. § 11301, *et seq.* McKinney-Vento Homeless Assistance Act of 1987

I.C. § 33-1404 Districts to Receive Pupils

June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.

POLICY HISTORY:

Adopted: 6-15-2015 (as Policy 417)

**Originally issued as Policy 417, revised and reissued as Policy 3060:
August 16, 2021**

Revised and reissued: TBD

**Written Notification of Placement and Enrollment Decision
(Form 3060-1)**

To be completed by the receiving school when eligibility is denied or an enrollment request is denied.

Date: _____

Name of person completing form: _____

Title of person completing form: _____

Name of district/school: _____

In compliance with section 722(g)(3)(E) of the McKinney-Vento Homeless Assistance Act, the following written notification is provided to:

Name of Parent(s)/Guardian(s): _____

Name of Student(s): _____

After reviewing your request to enroll the student(s) listed above, the enrollment request is denied. This determination was based upon:

You have the right to appeal this decision by completing the second page of this notice or by contacting the school district's local homeless education liaison.

Name of local liaison: _____

Title: _____

Phone number: _____

In addition:

- The student listed above has the right to enroll immediately in the requested school pending the resolution of the dispute.
- You may provide written or verbal communication(s) to support your position regarding the student's enrollment in the requested school. You may use the form attached to this notification.
- You may contact the State Coordinator for Homeless Education if further help is needed or desired. Contact information for the State Coordinator: Tina Naillon, 208.332.6904.
- You may seek the assistance of advocates or an attorney.

Written Notification of Placement and Enrollment Decision

To be completed by the parent, guardian, caretaker, or unaccompanied youth when a dispute arises. This information may be shared verbally with the local liaison as an alternative to completing this form.

Date: _____

Student(s): _____

Person completing form: _____

Relation to student(s): _____

I may be contacted at (phone or e-mail): _____

I wish to the appeal the enrollment decision made by:

Name of district/school: _____

I have been provided with (please check all that apply):

_____ A written explanation of the school's decision.

_____ The contact information of the school district's local homeless education liaison.

_____ A copy of the state's dispute resolution process for students experiencing homelessness.

Optional: You may include a written explanation in the space below to support your appeal or you may provide your explanation verbally.

The school provided me with a copy of this form when I submitted it. _____
(initial)

**Notificación por escrito de la colocación y decisión de inscripción
(Forma 3060-1)**

Ser completado por la escuela de recepción cuando elegibilidad o una petición de inscripciones denegado.

Fecha: _____

Nombre de persona que llena este formulario: _____

Título de persona que llena este formulario: _____

Nombre de distrito/escuela: _____

Conforme al artículo 722 (g) (3) (E) de McKinney-Vento Homeless Assistance Act (Acto de Ayudar Personas sin Hogar), la notificación por escrito siguiente se proporciona a:

Nombre de Padre(s)/Tutor(es) Legal: _____

Nombre de estudiante(s): _____

Después de revisar su solicitud de inscribir al estudiante(s) mencionado(s) anteriormente, la solicitud de inscripción es negada. Esta determinación estaba basada en:

Usted tiene el derecho a apelar esta decisión completando la segunda página de este aviso o por poniéndose en contacto con el oficial de enlace, de la educación para los estudiantes sin hogar, del distrito escolar local.

Nombre del oficial de enlace local: _____

Título: _____

Numerotelefónico: _____

Adicionalmente:

- Los estudiantes mencionados tienen derecho a inscribirse inmediatamente en la escuela solicitada pendiente la resolución de la controversia
- Usted puede proporcionar comunicación(es) escritas o verbales para apoyar su posición con respecto a la inscripción del alumno en la escuela solicitada. Usted puede utilizar el formulario adjunto a este.
- Usted puede contactar el Coordinador Estatal para Educación de Personas sin Hogar si hay más ayuda es necesaria o deseada. Información de contacto del Coordinador Estatal: Tina Naillon, 208.332.6904
- Usted puede solicitar la asistencia de defensores o un abogado.

Notificación por escrito de la colocación y decisión de inscripción

Ser completado por el padre, tutor, guardián, o joven no acompañado cuando surge una controversia. Esta información podrá ser compartida verbalmente con el oficial de enlace local como una alternativa para completar este formulario.

Fecha: _____

Estudiante(s): _____

Nombre de persona que llena este formulario: _____

Relación al estudiante(s): _____

Puedo ser contacto por (teléfono o e-mail): _____

Deseo apelar la decisión sobre inscripción por:

Nombre del distrito/escuela: _____

Me han provisto con (por favor marque todas las que aplican):

_____ Una explicación escrita de la decisión de la escuela.

_____ La información de contacto de la oficina de educación para estudiantes sin hogar del distrito escolar local

_____ Una copia del proceso de resolución de disputas del estado para estudiantes sin hogar

Opcional: puede incluir una explicación escrita en el espacio abajo para apoyar su apelación o puede proporcionar su explicación verbalmente.

La escuela me proporcionó una copia de esta forma cuando lo presenté. _____
(Firmar con iniciales)