

**EDUCATION FOR HOMELESS CHILDREN AND
CHILDREN IN FOSTER CARE**

BP 5112.6(a)

Note: The Every Student Succeeds Act (ESSA) amended the federal McKinney-Vento Homeless Assistance Act. The primary purpose of the law is to provide continuity and necessary services to homeless students so they can achieve the educational standards set for all children. The law reiterates that homeless students are to be permitted to participate in all programs for which they are eligible: Head Start, Title I, special education, bilingual, free and reduced price meals, etc. The amendments require that districts, under most circumstances, either allow a homeless child to continue to attend his or her “school of origin,” or allow the student’s parent to choose another school – the one the student would attend based on current living arrangements, or the one the student is eligible for under open enrollment plans, as examples.

Note: Title I of the ESSA also includes new obligations for school districts to children in foster care. School districts are to collaborate with the State or local child welfare agency to designate a point of contact and to develop and implement written procedures governing transportation to maintain children in foster care in their school of origin when in their best interest, for the duration of the time in foster care. Further information regarding these obligations is contained in USDOE and USDHHS Non-Regulatory Guidance: Ensuring Education Stability for Children in Foster Care, dated June 23, 2016 and AS 47.10.080.

HOMELESS CHILDREN

The Board believes that all students should have stability in school attendance and services and that this stability should not be denied as a result of homelessness. To this end, it is the Board’s intent to remove barriers to the enrollment and retention of homeless children and youths in school. Special attention will be given to ensuring the enrollment and attendance of homeless youth not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, and school nutrition programs. Homeless students will not be segregated in a separate school or in a separate program within a school.

(cf. 5111 – Admission)

(cf. 5112.1 – Exemptions from Attendance)

(cf. 5112.2 – Exclusions from Attendance)

Homeless Student Liaison

Note: The ESSA requires districts to designate a homeless student liaison to perform various services to meet the needs of homeless youth and their families. Specifically, the liaison must: (a) Ensure that school personnel providing services under the McKinney-Vento Act receive professional development and other support, (b) ensure that unaccompanied homeless students are enrolled in school, have opportunities to meet the same challenging State academic standards as other students, and are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid, and (c) ensure that public notice of the educational rights of homeless students is disseminated in locations frequented by parents or guardians of such students, and unaccompanied homeless students, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is understandable. In addition, LEA liaisons who receive appropriate training may affirm that a child or youth who is eligible for and participating in a program provided by the LEA, or the immediate family of such a child or youth, is eligible for homeless assistance programs administered under Title IV of the McKinney-Vento Act.

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The [Superintendent/Chief School Administrator] shall designate at least one staff person to serve as the Homeless Student Liaison to fulfill the duties set forth in law. The Liaison shall work to identify homeless children and facilitate each homeless child's access to and success in school. The Liaison will: assist parents, students, and unaccompanied youth in enrolling and attending school, with the opportunity to meet the same high academic standard as other students; mediate disputes concerning school enrollment; assist in making transportation arrangements; assist in requesting the student's records; provide information and give referrals on services and opportunities, including assistance with status verifications for federal student aid applications; provide public notice of educational rights for homeless students in locations frequented by homeless youth and their families; and assist any homeless child who is not in the custody of a parent or guardian with enrollment decisions. The Liaison will also be responsible for periodic review and evaluation of this policy and recommending changes to reduce barriers for homeless children enrolling in and attending school.

Homeless Student Defined

Note: Homeless student is defined in the Every Student Succeeds Act. Districts must ensure that all students who fall within the federal definition are served by the policy.

A homeless child is defined as a child or youth between the ages of 5 and 21 who lacks a fixed, regular and adequate nighttime residence and includes a child or youth who is living on the street, in a car, tent, or abandoned building or some other form of shelter not designed as a permanent home; who is living in a community shelter facility; or who is living with non-nuclear family members or with friends, who may or may not have legal guardianship over the child or youth of school age.

School Enrollment and Attendance

Note: For purposes of the enrollment procedures below, "school of origin" is defined in ESSA as the school the student attended at the time of becoming homeless including preschools. If the student became homeless at a time when the student was not in school, including summer break, the last school attended shall be the school of origin. When a student completes the final grade level served by the school of origin, the designated receiving school at the next grade level is the school of origin.

The District, in consultation with the child's parent or guardian, will consider the best interest of the child in determining whether the child should be enrolled in the school of origin or the current neighborhood school. The District presumes that keeping a homeless student in the school of origin is in the student's best interest unless doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the youth. To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing, except when contrary to the wishes of the parent or guardian. Instead of remaining in the school of origin, parents or guardians of homeless

Instruction

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students may request enrollment in the school in which attendance area the student is actually living, or other schools.

(cf. 5116 – School Attendance Boundaries)

(cf. 5117 – Interdistrict Attendance)

The school selected shall immediately enroll the homeless child, even if the child is unable to produce records normally required for enrollment, such as previous academic records, immunization and health exam records, proof of residency, or other documentation. However, the District may require a parent or guardian of a homeless student to submit contact information.

(cf. 5141.3 – Health Examinations)

(cf. 5141.31 – Immunizations)

The District must provide a written explanation, including a statement regarding the right to appeal, to the homeless student's parent or guardian, or the homeless student if unaccompanied, if the District sends the student to a school other than the school of origin or other than a school requested by the parent or guardian. If a dispute arises over school selection, the student shall immediately be admitted to the school in which enrollment is sought by the parent or guardian or by the youth if unaccompanied, pending resolution of the dispute. The child, parent or guardian shall be referred to the Homeless Student Liaison, who will carry out the dispute resolution process as expeditiously as possible.

Transportation

In the event that it is in the best interest of the homeless child or youth to attend the school of origin, transportation to and from that school may be provided at the request of the parent or guardian or, in the case of an unaccompanied student, the Homeless Student Liaison. Policies or practices regarding transportation of students which might cause a barrier to the attendance of a homeless child or youth may be waived by the [Superintendent/Chief School Administrator].

Records

Any records ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records and evaluations for special services or programs of each homeless child shall be maintained so that appropriate services may be given the student, so that necessary referrals can be made, and so that records may be transferred in a timely fashion when a homeless child or youth enters a new school district. Copies of records shall be made available upon request to students or parents. Information about a homeless student's living situation is an education record and shall not be deemed to be directory information.

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CHILDREN AND YOUTH IN FOSTER CARE

Note: AS 47.10.080 provides for continuity in the educational services of foster youth who are moved from one setting to another. Specifically, in cases where the Department of Health and Social Services transfers a child to a new placement setting in the same municipality and connected by road to the student's current school, and it is reasonable and in the child's best educational interests, the department shall immediately, and in advance of the transfer if possible, coordinate with the current school to ensure the child is permitted to continue in attendance through the end of the school term. The department shall consult with the school district regarding the child's best interests, but the school district may not override the department's decision to allow a child to remain in the current school through the end of the school term.

The [Superintendent/Chief School Administrator] will designate a District point of contact regarding children in foster care in order to facilitate communication and cooperation with child welfare agencies.

School Enrollment and Attendance

The District recognizes that educational stability is critical for all students and particularly for children in foster care. Accordingly, educational disruption should be minimized for children with changing foster care placements by maintaining foster children in their schools of origin for the remainder of the school term, unless it is determined to be in their best interest to change schools.

The school of origin is the school in which a child is enrolled at the time of placement in foster care or when foster care placement changes. In determining whether it is in a child's best interest to remain in his or her school of origin, the District should take into consideration all factors relating to a child's best interest, including the appropriateness of the current educational setting and proximity of placement.

Districts should coordinate with State and local child welfare agencies when a foster child is transferred from one placement setting to another to ensure the child is permitted to attend their school of origin through the end of the school term when reasonable to do so and in the child's best educational interest.

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Transportation

Note: AS 47.10.080 provides that if federal funds and school district transportation funds are not available to pay for the cost of transportation for the child, DHSS shall pay the costs of transporting the child to school.

In the event that it is in the best interest of the foster youth to attend their school of origin, transportation to and from that school may be provided through coordination with State or local child welfare agencies. This coordination shall address transportation to their school of origin in a prompt and cost effective manner.

Legal Reference:

UNITED STATES CODE

*McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431, et seq.
Elementary and Secondary Education Act, 20 U.S.C. § 1112(c)(5), as amended by Every Student Succeeds Act.*

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g

FEDERAL REGISTER

McKinney-Vento Education for Homeless Children and Youths Program, Vol. 81 No. 52, Department of Education (March 17, 2016).

ALASKA STATUTES

AS 47.10.080 Judgments and Orders.

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