

**Exhibit A**  
**Homeless Children and Youth Policy**

**Purpose:**

The purpose of this policy is to ensure that all children and youth have equal access to the same free and appropriate public education, including preschool education as non-homeless children and youth.

**Definitions:**

*A. Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include those who meet any of the following criteria:*

- Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as doubled-up);
- Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
- Living in emergency or transitional shelters;
- Abandoned in hospitals; or
- Awaiting foster care placement;
- Children and youth 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;
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
- Migratory children who qualify as homeless because they are living in circumstances described above.
- Children displaced from their housing during naturally occurring disasters:
- When children and their families are displaced from their housing as a result of a natural disaster, there is often a period of instability in which various private organizations and local, State, and Federal agencies provide assistance. The School should determine such children's eligibility for McKinney-Vento services on a case-by-case basis. In making this determination, they should take into consideration the services that are available through these other sources.
- Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs administered by the School District.

If a child or youth's living situation does not clearly fall into the situations described above, the School should consider the relative permanence of the living arrangements. Determinations of homelessness should be made on a case-by-case basis. Incarcerated children and youth and children and youth in foster care are not considered homeless.

*B. Unaccompanied Youth*

The term unaccompanied youth includes a youth not in the physical custody of a parent or guardian. This would include youth living in runaway shelters, abandoned buildings, cars, on the streets, or in other inadequate housing and children and youth denied housing by their families, and school-age unwed mothers, living in homes for unwed mothers, who have no other housing available.

*C. School of Origin*

The school of origin is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

**II. School Liaisons For Homeless Children**

The School liaison serves as one of the primary contacts between homeless families and Staff, School personnel, shelter workers, and other service providers. The liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed academically.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent. 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.

The homeless liaison will assist, to the extent feasible, the homeless students and their parent(s) or guardian(s) or unaccompanied homeless students in their efforts to provide documentation to meet State and local requirements for entry into school.

Homeless students will be provided services comparable to other students in the District including:

- A. transportation services;
- B. educational services for which the homeless student meets eligibility criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- C. programs in vocational and technical education;
- D. programs for gifted and talented students;
- E. school nutrition programs; and
- F. before - and after-school programs;
- G and referrals to health, mental health, dental, and other appropriate services.

School liaisons must ensure that:

- Homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies;
- Homeless students enroll in, and have full and equal opportunity to succeed in the School;
- Parents or guardians of homeless children and youth are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children;
- Enrollment disputes are mediated in accordance with the requirements of this policy; and
- Public notice of the educational rights of homeless students is disseminated to locations where they receive services.

In meeting these responsibilities, the School liaison should also collaborate with the school district special education program. The Individual with Disabilities Education Act (“IDEA”) requires that highly mobile children with disabilities, such as migrant and homeless children who are in need of special education and related services, are located, identified and evaluated. Additionally, IDEA requires that homeless preschoolers and all homeless children be included in the “Child Find” process for early identification of special education needs.

### **III. School Placement and Enrollment**

The District shall remove barriers to the enrollment and retention of homeless students in schools in the District. Homeless students shall be enrolled immediately, even if they do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship, birth certificate, school records, and other documentation.

The School must make school placement determinations on the basis of the “best interest” of the homeless child or youth. The School must:

- Continue the child’s or youth’s education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year; or
- In determining a child’s or youth’s best interest, the School must, to the extent feasible, keep a homeless child or youth in the “school of origin” unless doing so is contrary to the wishes of the child or youth’s parent or guardian. If the School wishes to send a homeless child or youth to a school other than the school of origin or a school requested by the parent or guardian, the School must provide a written explanation of its decision to the parent or guardian, together with a statement regarding the right to appeal the placement decision. If a School is selected on the basis of a “best interest determination”, it must immediately enroll the homeless child or youth, even if the child or youth is unable to produce the records normally required for enrollment (such as previous academic records, medical records, proof of residency, birth certificates, or other documentation). The School must immediately contact the school last attended by the child or youth to obtain relevant academic or other records. If a child or youth needs to obtain immunizations, or medical or immunization records, the School must immediately refer the parent or guardian to the School homeless liaison, who must assist in obtaining the immunizations or records. The records must be

maintained so that they are available in a timely fashion when the child enters a new school or school district.

- To the extent feasible, the School must educate a homeless child or youth in his or her school of origin, unless doing so is contrary to the wishes of the parent or guardian. The placement determination should be a student-centered, individualized determination. Factors that a School may consider include the age of the child or youth; the distance of a commute and the impact it may have on the student's education; personal safety issues; a student's need for special instruction (e.g., special education and related services); the length of anticipated stay in a temporary shelter or other temporary location; and the time remaining in the school year.

#### **IV. Placement disputes between a School and a parent**

If a dispute arises over school selection or enrollment, the LEA must immediately enroll the homeless student in the school in which enrollment is sought by the parent or guardian, pending resolution of the dispute. Similar provisions apply to placement of unaccompanied youth.

The School must provide the parent, guardian, or unaccompanied youth with a written statement of the school placement decision and the appeal rights. The School must refer the unaccompanied youth, parent, or guardian to the School liaison, who must expeditiously carry out the dispute resolution process.

The School should consider the following strategies for effectively resolving school enrollment disputes:

1. Disputes should be resolved at the district level rather than the school level;
2. When inter-district issues arise, representatives from all involved districts and the SEA should be present to resolve the dispute;
3. A State-level appeal process, involving the State coordinator, should be available for appeals of district-level decisions and resolution of inter-district disputes;
4. The dispute resolution process should be as informal and accessible as possible, and allow for impartial and complete review;
5. Parents, guardians, and unaccompanied youth should be able to initiate the dispute resolution process directly at the school they choose, as well as at the district or LEA homeless liaison's office;
6. States should establish timelines to resolve disputes at the local and State level;
7. Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their position;
8. Students should be provided with all services for which they are eligible while disputes are resolved;
9. Written notice should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand. The notice should include:

- a. Contact information for the School homeless liaison and State coordinator, with a brief description of their roles;
- b. A simple, detachable form that parents, guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process. (The School should copy the form and return the copy to the parent, guardian or youth for their records when it is submitted);
- c. A step-by-step description of how to dispute the School's decision;
- d. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
- e. Notice that "immediate enrollment" includes full participation in all school activities;
- f. Notice of the right to appeal to the State if the district-level resolution is not satisfactory; and
- g. Timelines for resolving district- and State-level appeals.

## **V. Prohibition Against Segregation**

Homelessness alone is not sufficient reason to separate students from the mainstream school environment. Services provided with McKinney-Vento Act funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the School's regular academic program.

- If a State receives funds under the McKinney-Vento program, every district in that State – whether or not it receives a McKinney-Vento sub grant from its SEA – is prohibited from segregating homeless students in separate schools or in separate programs within schools, based on the child's or youth's status as homeless.
- Schools may not provide services with McKinney-Vento funds on school grounds in settings that segregate homeless children and youth from other children and youth [except as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youth].

## **VI. Transportation**

At the request of the parent or guardian (or, in the case of an unaccompanied youth, the liaison), transportation shall be provided to or from the "school of origin" in accordance with the following requirements:

- If the homeless child or youth continues to live in the area in which the school of origin is located, that School must provide or arrange for the child's or youth's transportation to or from the school of origin.
- If the homeless child or youth continues his or her education in the school of origin but begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.

## **VII. Comparable and Coordinated Services**

The School must provide services to each homeless child and youth that is comparable to services offered to other students in the School. Homeless children are also entitled to participate in the regular after-school program provided by the School, and the School must address all barriers to their full participation in these programs. If no after-school programs are provided by the school or the programs provided do not meet the needs of homeless children, McKinney-Vento funds may be used for after-school services for homeless children, and for non-homeless children who are at risk of failing in, or dropping out of, school. The School must provide comparable services to a homeless student who does not attend a Title I school. School must reserve funds for homeless children who do not attend participating Title I schools and may, for instance, provide support services to children in shelters and other locations where homeless children live. Services should be provided to assist homeless students to effectively take advantage of educational opportunities.

*42 U.S.C. 11431 et seq.*

Education for Homeless Children and Youth Program, Title VII-B of the McKinney-Vento Homeless Assistance Act, As Amended by the No Child Left Behind Act of 2001 Non-regulatory Guidance  
See **Appendix 297-A** Identification of Homeless or Unaccompanied Youth Enrollment and Decision Appeal Form.