

- 3.14.1. An out-of-school youth is a student 16 years of age or older whose high school class has not graduated and who is no longer enrolled in a K-12 program of instruction.
- 3.14.2. The student shall be allowed to return to a District school; to be determined by the Director of Admissions prior to the time his/her class graduates with the understanding and expectation that all necessary requirements of the traditional K-12 diploma shall be completed, provided that the student:
 - [a] is released from the adult education program; and
 - [b] has not completed the requirements necessary for an Adult Education secondary Diplomas; or
 - [c] has not successfully passed all high school equivalency exam modules and has not received a Utah High School Completion Diploma.

3.15. **YOUTH IN CUSTODY OR SIMILARLY DESIGNATED STUDENTS**

- 3.15.1. Youth in custody (YIC) students and the case manager of the custodial agency, if one is involved, shall make an appointment and meet personally with the Case Management Team and the District's YIC Administrator prior to the registration process.
- 3.15.2. In providing educational services to YIC students, the District will comply with state law and [Utah Administrative Code R277-709](#).

3.16. **HOMELESS STUDENTS AND EMANCIPATED MINORS**

Under the McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11432 through 11435, homeless children are entitled to immediate enrollment and full participation even if they are unable to produce records normally required for enrollment which may include medical records, birth certificates, school records, or proof of residency.

- 3.16.1. **“Homeless child”** or **“homeless youth”** means a child who:
 - [a] lacks a fixed, regular, and adequate nighttime residence;
 - [b] has primary nighttime residence in a homeless shelter, welfare hotel, motel, congregate shelter, domestic violence shelter, car, abandoned building, bus or train station, trailer park, or camping ground;
 - [c] sleeps in a public or private place not ordinarily used as a regular sleeping accommodation for human beings;
 - [d] is, due to loss of housing or economic hardship, living with relatives or friends usually on a temporary or emergency basis due to lack of housing; or
 - [e] if a runaway, a child or youth denied housing by his family, or school-age unwed mother living in a home for unwed mother, who has no other housing available.
- 3.16.2. A homeless child or homeless youth shall:
 - [a] be immediately enrolled even if the homeless youth does not have documentation required under state law and this policy;
 - (i) If the child or student lacks immunizations or immunization records, the school must refer the parent or youth to the District's Homeless Liaison, who shall help obtain necessary immunizations or immunization records
 - [b] be allowed to continue to attend his school of origin, to the extent feasible, unless it is against the parent's wishes; be permitted to remain in the student's school of origin for the duration of the homelessness and until the end of any academic year in which the student moves into

- permanent housing; or
[c] _____ transfer to the school district of residence for a homeless child or youth-;
and
~~[c]~~[d] have all school fees waived
- 3.16.3. A determination of a residence or domicile for a homeless youth or emancipated minor may include consideration of the following criteria:
- [a] the place, however temporary, where the child actually sleeps;
 - [b] the place where an emancipated minor or an unaccompanied youth or accompanied youth's family keeps the family's belongings;
 - [c] the place which an emancipated minor or an unaccompanied youth or accompanied /youth's parent considers to be home; or
 - [d] such recommendations concerning a child's domicile as made by the State Department of Human Services.
- 3.16.4. Determination of a residence or domicile for a homeless youth or emancipated minor may not be based upon:
- [a] rent or lease receipts for an apartment or home;
 - [b] the existence or absence of a permanent address; or
 - [c] a required length of residence in a given location.
- If there is a dispute as to the residence or the status of an emancipated minor or an unaccompanied youth, the issue may be referred to the State Superintendent for resolution.
- 3.16.5. The purpose of federal homeless education legislation is to ensure that a child's education is not needlessly disrupted because of homelessness. If a child's residence or eligibility is in question, the child shall be admitted to school until the issue is resolved.

3.17. CHILDREN OF MILITARY FAMILIES

To remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents which addresses the educational transition issues of children of military families. This legislation provides some exceptions in the law for children of military families regarding education records, enrollment age, immunization, guardianship, and graduation requirements.

3.17.1. **“Children of Military Families”** means a child enrolled in kindergarten through grade 12 who is legally residing in the household of an active duty service member.

3.17.2. **Education Records**

- [a] If the parent or guardian furnishes unofficial copies of education records the school shall enroll and appropriately place the child of a military family pending validation by the official records. The school shall request a certified copy of a military child's official education records, directly from the military child's previous school, simultaneous with enrolling the military child.
- [b] If a school receives a request to forward a certified copy of a military child's official education record, the school shall comply within ten (10) days of the request.

3.17.3. **Enrollment Age**

The District shall enroll a military child who is not five (5) years of age before September 2 of the year in which enrollment is sought if the military child was previously enrolled and attended a public school in kindergarten or a higher grade as a resident in another state.

3.17.4. **Immunization**

- [a] A child of a military family who at the time of school enrollment has not