

Administrative Office

191 Big A School Road, Toccoa, GA 30577
Phone: 706-886-9415 | Fax: 706-886-3882

STEPHENS COUNTY SCHOOL SYSTEM HOMELESS EDUCATION AND YOUTH APPEAL PACKET

Items in this packet should be used to follow McKinney-Vento Homeless Education and Youth dispute procedures. The Georgia Department of Education recommends following local procedures for times when disputes arise regarding homeless status of students and unaccompanied youth. Local procedures are listed below:

1. An individual may file a complaint using the Georgia Department of Education online complaint form at any time: <http://programcomplaint.doe.k12.ga.us/everestwebportal/webform.asp>. However, it is recommended by Georgia Department of Education that an individual make every effort to resolve the issue through the Stephens County School System Dispute Process as outlined in the steps below (Steps 2-10). If an individual files a complaint form online, they should notify the Homeless Liaison/Social Worker so that the student may be enrolled. All disputes must be submitted within 30 days of the initial decision and resolved within 60 days of the initial presentment to the State Department, unless a written extension is granted. The student, parent, guardian or local board of education must submit the request in writing within 30 days of the decision to the Office of Legal Services at the Georgia Department of Education address: Office of Legal Services, 2052 Twin Towers East, Atlanta, GA 30334. Telephone Contact is (404) 656-4689. Fax Contact is (404) 657-8376.
2. Level 1 Dispute: If a dispute arises regarding the status of homelessness under the McKinney-Vento Act as a result of the denial of admission into Stephens County School System, the parent or unaccompanied youth may request a meeting with the district homeless liaison/social worker or submit a SCSS McKinney-Vento Dispute Appeal Form.
3. Level 1 Dispute: Central Enrollment staff will immediately enroll the student.
4. Level 1 Dispute: The Homeless Liaison/District Social Worker will coordinate with the SCSS Transportation to arrange transportation, if requested.
5. Level 1 Dispute: Within 5 business days of the receipt of the appeal form (complaint), the homeless liaison will issue a decision in writing on the Written Notification of Enrollment Decision Form to the enrolling individual or unaccompanied youth.
6. Level 2 Dispute: The enrolling individual or unaccompanied youth may appeal the decision of the district homeless liaison/social worker to the Superintendent within 5 business days of the issued Level 1 decision by filling out the Level 2 Appeal section of the form and submitting it, with all Level 1 Appeal Packet correspondence, to the Superintendent's office. (Day 5 of 30)
7. Level 2 Dispute: The Superintendent will issue a decision in writing on a new Written Notification of Enrollment Decision Form with supporting evidence and reasons within 10 business days of the submission of the Level 2 Appeal Packet. (Day 15 of 30)
8. Level 3 Dispute: The enrolling individual or unaccompanied youth may appeal the decision of the district homeless Superintendent within 10 business days of the issued Level 2 decision by filling out the Level 3 Appeal section of the form and submitting it, with all Level 1 and Level 2 Appeal Packet correspondence, to the Superintendent's office. (Day 25 of 30)
9. Level 3 Dispute: The Superintendent or designee should forward will forward all forms and other written documentation to the GADOE Department of Legal Services for review (address is noted in Step 1), within 5 business days of receiving written notification of the Level 3 appeal. (Day 30 of 30)
10. If the issue is not resolved after the Department of Legal Services submits their written review, the Department of Legal Services may assign members of the Georgia Department of Education to make an on-site visit to further clarify or resolve the issue.

Administrative Office

191 Big A School Road, Toccoa, GA 30577
Phone: 706-886-9415 | Fax: 706-886-3882

Items provided to the complainant in the SCSS Homeless Education and Youth Appeal Packet:

1. A list of Stephens County School System written procedures for McKinney-Vento Homeless Education and Youth appeals. (Page 1 of this packet)
2. Notification that appeals may be submitted at any time to the Georgia Department of Education Office of Legal Services and applicable contact information. (Page 1 of this Packet)
3. The Stephens County School System McKinney-Vento Act Dispute Form. (Pages 3-7 of this Packet).
4. Information regarding the McKinney-Vento Homeless Act. (Page 8 of this Packet).
5. Stephens County Board of Education Policy JBC: School Admissions. (Appendix)
6. Stephens County Board of Education Policy JBC (1): Homeless Students. (Appendix)
7. Stephens County Board of Education Policy JBC (4): Awarding Units and Transferring Credits. (Appendix).

Administrative Office

191 Big A School Road, Toccoa, GA 30577
Phone: 706-886-9415 | Fax: 706-886-3882

STEPHENS COUNTY SCHOOL SYSTEM MCKINNEY-VENTO ACT DISPUTE FORM

Complainant and Student Information

First Name: _____ **Last Name:** _____

Address: _____

City, State, and Zip Code: _____

Phone Number(s): _____

Email: _____

Other Best Contact Information: _____

Contact Method Preference: _____

Student Name (student attempting to enroll): _____

Complainant Relationship to Student: _____

Is the student an unaccompanied youth? _____

Place where the student is known to reside if different from the address above: _____

Other pertinent information regarding the situation (attach supporting documentation as needed): _____

Date of Dispute/Complaint: _____

Briefly explain your dispute and/or alleged violation of Federal Law applicable to the McKinney-Vento Act (which provision has been allegedly violated) and list any attached documentation or supporting evidence in the space below:

Administrative Office

191 Big A School Road, Toccoa, GA 30577
Phone: 706-886-9415 | Fax: 706-886-3882



LEVEL 1 APPEAL - WRITTEN NOTIFICATION OF ENROLLMENT DECISION (Office Use):

This section is to be completed within 5 business days after the dispute/complaint notification by the District Homeless Liaison/Social Worker.

After consideration of the appeal, review of the applicable policies and laws, the enrollment decision has been:

UPHELD

OVERTURNED

If the enrollment decision is upheld: 1) provide a brief explanation; (2) cite the policy, regulation, and/or provision of Federal law; (3) attach supporting evidence/documentation (if any).

Signature: _____ Date: _____
District Homeless Liaison/Social Worker

Signature of Receipt: _____ Date: _____
Complainant Signature (if notified in person)

Other Method(s) of Notification (attach documentation): _____ Email _____ Regular Mail with Certificate of Mailing

You have 5 business days to appeal this decision in writing to the Superintendent. Please return this packet with your signature and date below to the district office within 10 business days if you disagree with the decision and desire to appeal the decision.

LEVEL 2 -APPEAL STATEMENT

Yes, I desire to appeal the decision to the Superintendent based my statement provided on page 2 of this dispute packet.

Meeting Request with the Superintendent (circle one): YES NO

Signature: _____ Date: _____

If indicated, district office personnel will contact you to schedule a meeting with the Superintendent.

The Superintendent will issue a decision within 5 business days of receiving this appeal notification.

Administrative Office

191 Big A School Road, Toccoa, GA 30577
Phone: 706-886-9415 | Fax: 706-886-3882

A parent, guardian, caretaker, interested person, organization or agency may file a complaint at any time if he or she believes Stephens County School System has violated a provision of the McKinney-Vento Act in one of two ways:

1. In writing (signed by the complainant) to the following address:

Office of Legal Services
2052 Twin Towers East
Atlanta, GA 30334

2. Online at <http://programcomplaint.doe.k12.ga.us/everestwebportal/webform.asp>

The complaint should contain the following information:

- **Contact information of the complainant**
- **Statement that the LEA has violated a provision of the McKinney-Vento Act**
- **Federal requirement alleged to have been violation**
- **How the provision and/or federal requirement was violated**
- **Date on which the violation occurred**
- **Timeline to ensure that deadlines are not missed**
- **Contact information for the local liaison and the State Coordinator including their roles**
- **Contact information for individuals who can provide additional information**
- **Whether or not the complaint has been filed with any other governmental agency**
- **Copies of all applicable documents supporting the complainants decision**

All disputes must be resolved within 60 days of initial presentment to the Department, unless a written extension is granted.

The student, parent, guardian or local board must submit the request in writing within 30 days of the decision to the Office of Legal Services.

Administrative Office

191 Big A School Road, Toccoa, GA 30577
Phone: 706-886-9415 | Fax: 706-886-3882

The McKinney-Vento Homeless Assistance Act

Subtitle VII-B of The McKinney-Vento Homeless Assistance Act authorizes the federal Education for Homeless Children and Youth (EHCY) Program and is the primary piece of federal legislation related to the education of children and youth experiencing homelessness. It was reauthorized in December 2015 by Title IX, Part A, of the Every Student Succeeds Act (ESSA).

The McKinney-Vento Definition of Homeless

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act (per Title IX, Part A of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act) defines *homeless* as follows:

The term "homeless children and youths"--

(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and

(B) includes--

(i) 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;*

(ii) 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 (within the meaning of section 103(a)(2)(C));

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

*Per Title IX, Part A of the Every Student Succeeds Act, "awaiting foster care placement" was removed from the definition of homeless on December 10, 2016; the only exception to his removal is that "covered states" have until December 10, 2017 to remove "awaiting foster care placement" from their definition of homeless.

View more information regarding the McKinney-Vento Act:

National Center for Homeless Education website: <https://nche.ed.gov/mckinney-vento/>

Administrative Office

191 Big A School Road, Toccoa, GA 30577
Phone: 706-886-9415 | Fax: 706-886-3882

STEPHENS COUNTY BOARD OF EDUCATION POLICY JBC: SCHOOL ADMISSIONS

I. Definitions

The terms used in this policy shall be defined as such terms are defined in State Board of Education Rule 160-5-1-.28 Student Enrollment and Withdrawal ("state enrollment rule") or applicable state or federal law or regulation.

II. Age Eligibility for Enrollment - The following individuals are eligible for enrollment in the school system:

1. Students who have attained the age of five by September 1, unless they attain the age of 21 by September 1 or they have received high school diplomas or the equivalent, provided they have not dropped out of school for one quarter or more as prescribed in O.C.G.A. § 20-2-150. Students who have dropped out of school for one quarter or more are eligible to enroll unless they attain the age of 20 by September 1.
2. Special education students with IEPs may attend through the age of 21 or until they receive a regular high school diploma.
3. Students who were legal residents of one or more other states for a period of two years immediately prior to moving to Georgia and were legally enrolled in an accredited public kindergarten or first grade may be enrolled if they will attain the age of five for kindergarten or six for first grade by December 31 and are otherwise eligible for enrollment.

III. Authorization to Enroll Eligible Students

1. The student's parent, legal guardian, or other person enrolling the student under the provisions of O.C.G.A. 20-2-690.1 (or the student in the case of an emancipated minor) must be a resident of the school district.
2. A kinship caregiver with a properly executed kinship caregiver affidavit may enroll the a child not in the custody of a state agency and serve as the school's point of contact for the child regarding activities for which parental consent is usually required, such as the receipt of educational services; the receipt of medical services directly related to enrollment; participation in extracurricular activities; and matters related to educational progress, discipline, and truancy; for as long as such affidavit is valid. The affidavit shall not be valid for more than one school year after the date on which it is executed.
3. A non-custodial parent or registering person acting in loco parentis under the authority of a power of attorney properly executed by a parent or guardian serving in the military shall be allowed to enroll a transitioning military child and perform all other actions requiring parental participation and consent. Children of transitioning military families shall be enrolled and placed in accordance with the requirements specified in the state enrollment rule.
4. A grandparent who resides in the school district and who has a properly executed power of attorney for a minor child may enroll such grandchild, without court approval, if the specific conditions set forth in state law are met. The grandparent empowered to enroll the child shall have the same rights, duties, and responsibilities that would otherwise be exercised by the parent, except where limited by the executed power of attorney or federal law.
5. Homeless children and unaccompanied youth, as defined in the state enrollment rule and the McKinney-Vento Act, shall be enrolled immediately with the assistance of the district's homeless liaison, as needed, and placed in accordance with the requirements specified in the state enrollment rule.
6. Students in the physical or legal custody of the Department of Human Services (DHS) or the Department of Juvenile Justice (DJJ), students placed by DHS or DJJ in a residential facility within the school system, foster children awaiting permanent placement, immigrants, non-visa-holders, and non-immigrant, foreign students on various visas who meet age and residency requirements will be enrolled and placed in accordance with the requirements specified in the state enrollment rule. The school system is not responsible for making determinations regarding students' immigration and visa status.

IV. Required Enrollment Documentation

1. Age Verification - The school system requires evidence of the student's date of birth and accepts as evidence a certified copy of a birth certificate, a certified hospital issued birth record or an alternate document from the prioritized list in the state enrollment rule.
2. Immunization Certificate - The school system requires proof of immunization as required by O.C.G.A. 20-2-771, which includes an exemption for religious grounds.
3. Nutritional Screening and Eye, Ear and Dental Exam Certificate - The school system complies with the provisions of O.C.G.A. 20-2-770 concerning nutritional screening and eye, ear, and dental examinations of students entering the first grade.
4. Social Security Number - The school system complies with the provisions of O.C.G.A. 20-2-150, which requires a person enrolling the student to provide a copy of the student's social security number or to sign a form stating that the person does not wish to provide the social security number.
5. Academic and/or Transfer Records, if applicable - Student enrollment and placement decisions are based on performance in previous schools or programs. A transferring student in a grade higher than the sixth grade must present a certified copy of his or her academic transcript and disciplinary record from the school previously attended.
6. Documentation for Homeless Students - Homeless students, as defined by the McKinney-Vento Act, shall be enrolled immediately with full participation in school activities, regardless of whether required documentation can be provided at the time of enrollment. The designated employee responsible for care of homeless students shall assist the person enrolling the homeless student or the unaccompanied youth in acquiring the necessary documents for enrollment in accordance with the requirements of the state enrollment rule and the Act.
7. Proof of Residence shall be required in accordance with regulations developed by the superintendent or designee.

V. Provisional Enrollment

A student shall be enrolled on a provisional basis and allowed to attend a school for 30 calendar days while awaiting evidence of age, residence, or other local requirements, unless enrollment may be properly denied in accordance with a provision of law or the state enrollment rule. If evidence is not provided within 30 days, the superintendent or designee shall withdraw the student at the end of the 30th day. The 30-day period may be extended for extenuating circumstances in the discretion of the superintendent or designee. Prior notice of withdrawal to the parent or registering person and, as appropriate, reports to appropriate agencies of non-compliance with attendance laws shall be provided in accordance with the requirements of the state enrollment rule.

Note: This policy, along with other legal references may be accessed on the Stephens County Board of Education Policies Listing webpage: https://simbli.eboardsolutions.com/SB_ePolicy/SB_PolicyOverview.aspx?S=4145

Administrative Office

191 Big A School Road, Toccoa, GA 30577
Phone: 706-886-9415 | Fax: 706-886-3882

STEPHENS COUNTY BOARD OF EDUCATION POLICY JBC(1): HOMELESS STUDENTS

The term "homeless children and youths" is defined as provided in the McKinney-Vento Homeless Assistance Act (the Act).

In accordance with the Act, every child of a homeless individual and every homeless child or youth shall have equal access to the same free, appropriate public education as provided to other students. The District shall assign and admit a child or youth who is homeless to a District school regardless of residence or whether the parent or student is able to produce records normally required for enrollment.

The Superintendent shall appoint a liaison for homeless children and youths.

The School District will work with homeless children and youths and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless children and youths not currently attending school in a manner that will not stigmatize or segregate them on the basis of their status as homeless. Homeless students will be provided district services for which they are eligible, including transportation services, Head Start and comparable pre-school programs, Title I and similar state or local programs, educational programs for student with disabilities or limited English proficiency, career, and technical education programs, gifted and talented programs and school nutrition programs. Appropriate secondary education and support services will be provided to ensure that homeless youths receive appropriate credit for full or partial coursework satisfactorily completed while attending a prior school.

The Superintendent or designee will review and revise as necessary regulations or procedures that may be barriers to the enrollment of homeless children and youths. In reviewing and revising such regulations or procedures, the District will consider issues of transportation, immunization, residence, birth certificates, transfer of school records and other documents required for enrollment.

Anyone having a concern or complaint regarding eligibility, school selection, or enrollment of a homeless child or youth should first present it orally and informally to the District homeless liaison, who shall carry out the dispute resolution process as defined in the state plan for the education of homeless children and youths.

Note: This policy, along with other legal references may be accessed on the Stephens County Board of Education Policies Listing webpage: https://simbli.eboardsolutions.com/SB_ePolicy/SB_PolicyOverview.aspx?S=4145

Administrative Office

191 Big A School Road, Toccoa, GA 30577
Phone: 706-886-9415 | Fax: 706-886-3882

STEPHENS COUNTY BOARD OF EDUCATION POLICY JBC(4): AWARDING UNITS AND TRANSFERRING CREDITS

The Board of Education ("Board") shall fully comply with the requirements of Georgia Board of Education Rule 160-5-1-.15 Awarding Units of Credit and Acceptance of Transfer Credit and/or Grades and the State Department of Education's *Guidelines for Awarding Units of Credit*. All terms used in this policy are as defined in the Rule and its *Guidelines*.

The requirements of this policy shall apply to all students regardless of the date they first entered the ninth grade.

Awarding Units of Credit

1. Students shall be awarded credit only for courses that include concepts and skills based on the state-adopted curriculum for grades 9-12 approved by the State Board of Education (SBOE) in accordance with the provisions for each program or course described in the State Board Rule(s) and State Department Guidelines.
2. The Board shall award units of credit for middle school courses that are based on the state-adopted curriculum for grades 9-12.
3. The superintendent or designee is authorized to establish procedures whereby a student may earn course credit by demonstrating subject area competency without regard to the amount of instructional time the student spends in the course. Students and parents shall be advised of such opportunities through the student handbook and/or advisement materials and on the school website.
4. A student may successfully demonstrate subject area competency through a pre-defined score on state-adopted or approved assessment instruments as outlined in the Georgia Department of Education's *Guidelines for Awarding Units of Credit*. Students may earn no more than three units of credit by demonstrating subject area competency under this paragraph.

Accepting Transfer Credit and Grades

1. The Board will accept student course credit earned in an accredited school, which must have been accredited or hold provisional status at the time the credit was earned.
2. The Board will not substitute courses and exempt students from the required secondary minimum core curriculum unless the student transferred from an accredited secondary school or the courses presented for credit include concepts and skills based on the state-adopted curriculum for grades 9-12 approved by the SBOE.
3. Transfer credit shall be validated for courses taken at non-accredited schools, home study programs, and non-traditional educational centers.
 - a. Elementary and middle school students transferring from home study programs, non-accredited schools or non-traditional educational centers will be placed at the appropriate grade level in a probationary placement based on the student's records in prior schools or programs and satisfactory performance in a district school for one grading period.
 - b. High school students transferring from home study programs, non-accredited schools or non-traditional educational centers will be placed in the appropriate grade level based on the number of units earned toward graduation. Units of credit shall be granted for courses that meet state-adopted curriculum standards for grades 9-12; **OR** based on satisfactory performance on standardized or locally developed tests focusing on subject area. High school transfer students must take any state-mandated assessments, including applicable End of Course tests.
4. For student transcript purposes, grades for courses taken by transferring students will be accepted as recorded on the transcript from the issuing school or program. Letter grades for high school transfer students will be converted to numerical grades using either a conversion scale provided by the prior school or, if a scale is not available, using a conversion formula established by the Superintendent or designee. Transferred course titles, if necessary, will be changed to appropriate course titles in the list of state funded courses.
5. The Superintendent or designee(s) will be responsible for having a process in place for:
 - a. Determining whether transfer courses meet the state-adopted curriculum;
 - b. Placing transfer students at the appropriate level and granting units of credit for high school students based on this policy;
 - c. Administering any required EOC in accordance with state assessment guidelines and the state rule concerning transfer credit; and
 - d. Ensuring that grades are placed on student transcripts.

Note: This policy, along with other legal references may be accessed on the Stephens County Board of Education Policies Listing webpage: https://simbli.eboardsolutions.com/SB_ePolicy/SB_PolicyOverview.aspx?S=4145

Administrative Office

191 Big A School Road, Toccoa, GA 30577
Phone: 706-886-9415 | Fax: 706-886-3882

ATTACH ALL SUPPORTING DOCUMENTATION AND EVIDENCE AFTER THIS PAGE.