

ADMISSION OF HOMELESS STUDENTS

Code **JFABD** Issued **10/15**

Purpose: To establish the basic structure for the admission of homeless students to schools within the district.

Homeless students in the district will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held.

A liaison for students in homeless situations will be designated by the district to carry out duties as required by law.

The district will ensure that homeless students are not stigmatized or segregated on the basis of their status. A homeless student will be admitted to the district school in the attendance area in which the student is actually living or to the student's school of origin as requested by the parent/legal guardian and in accordance with the student's best interest. Transportation will be provided to and from the student's school of origin at the request of the parent/legal guardian or, in the case of an unaccompanied student, the district's liaison for homeless students.

An unaccompanied youth or the parent/legal guardian of a homeless student may request a state-level review of the district's final decision regarding an enrollment issue. Under no circumstances will the resolution of a dispute delay the enrollment of said student.

The district will not deny admission to any student on the basis of race, religion, sex, disability, national origin, immigration or English-speaking status.

The superintendent will develop administrative procedures to implement this policy.

Issued 10/5/15

Legal references:

A. Federal Law:

1. McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C.A. Section 11431 et seq. - Provides that homeless children are entitled to a public education, including a public preschool education.
2. No Child Left Behind Act of 2001, Pub. L. No 107-110, 115 Stat. 1425, Section 4155. - Qualifications for teachers and paraprofessionals.
3. Title IV of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000c et seq. - Prohibits discrimination on the basis of race, color or national origin, among other factors, by public elementary and secondary schools.
4. Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d - No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance.

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- B. S. C. Code, 1976, as amended:
 - 1. Section 59-63-40 - Discrimination on account of race, creed, color or national origin prohibited.
- C. Federal Cases:
 - 1. Parents Involved in Community Schools v. Seattle School District No. 1, 551 U.S. 701 (2007).
 - 2. Plyler v. Doe, 457 U.S. 202 (1982).
- D. State Board of Education Regulations:
 - 1. R43-272.2 - Review process for homeless children and unaccompanied youth.