Book	Policy Manual
Section	200 Pupils
Title	Homeless Students
Code	251
Status	Active
Adopted	October 19, 2009
Last Revised	November 5, 2018

Authority

The Board recognizes the need to promptly identify homeless children and youths within the district, facilitate their immediate enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state laws and regulations.[1][2][3]

The Board shall ensure that homeless children and youths have equal access to the same educational programs and services provided to other district students.[1][2][3][4]

The Board, authorizes the Superintendent to waive district policies, procedures and administrative regulations that create barriers to the identification, enrollment, attendance, transportation, school stability and success in school of homeless children and youths.[3]

It is the policy of the Board that no student shall be discriminated against, segregated or stigmatized based on his/her homeless status.[5][6]

Definitions

Enroll or Enrollment means attending classes and participating fully in school activities.[7]

Homeless children and youths means individuals who lack a fixed, regular and adequate nighttime residence, and includes:[7][8]

1. Children and youths who are:

    a. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

    b. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;

    c. Living in emergency, transitional or domestic violence shelters; or

    d. Abandoned in hospitals.

2. 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;

3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings;

4. Migratory children who qualify as homeless because they are living in circumstances described above; and

5. School-aged parents living in houses for school-aged parents if they have no other available living accommodations.

School of origin is the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including preschool. When the child or youth completes the final grade level served by the school of origin, the school of origin shall include the designated receiving school at the next grade level for all feeder schools.[6]

Unaccompanied youth means a homeless child or youth not in the physical custody of a parent or guardian. This includes youth who have run away from home; been abandoned or forced out of home by a parent, guardian or other caretaker; or separated from a parent or guardian for any other reason.[7]

Delegation of Responsibility

The Board designates the Assistant Superintendent to serve as the district's liaison for homeless children and youths.[6]

The district's liaison shall ensure outreach and coordination with:[6]

1. Local social service agencies and other entities that provide services to homeless children and youths and families.

2. Other school districts on issues of prompt identification, transfer of records, transportation and other inter-district activities.

3. District staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act.[9]

4. State and local housing agencies responsible for comprehensive housing affordability strategies.

The district's liaison shall ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents/guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens. Such notice shall be provided in a manner and form understandable to the parents/guardians of homeless children and youths, and unaccompanied youths.[6]

The district's liaison shall provide reliable, valid and comprehensive data to the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program in accordance with federal and state laws and regulations.[6]

Guidelines

Enrollment/Placement

Best Interest Determination -

In determining the best interest of a child or youth, the district shall:

1. Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the parent/guardian or unaccompanied youth.[6]

2. Consider student-centered factors related to impact of mobility on achievement, education, health and safety, giving priority to the request of the parent/guardian or unaccompanied

youth.[6]

3. If, after such consideration, the district determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent/guardian or unaccompanied youth, the district shall provide the parent/guardian or unaccompanied youth with a written explanation of the reasons for its determination. The explanation shall be in a manner and form understandable to the parent/guardian or unaccompanied youth and shall include information regarding the right to appeal.[6]

Placement -

In accordance with the child's or youth's best interest, the district shall continue to enroll a homeless student in his/her school of origin while s/he remains homeless and through the end of the academic year in which s/he obtains permanent housing.[6]

Parents/Guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools.[6]

The district's liaison shall assist an unaccompanied youth in placement or enrollment decisions, giving priority to the views of the student in determining where s/he will be enrolled.[6]

The district shall provide the parent/guardian or unaccompanied youth with a written explanation of any district decision related to school selection or placement, including the right to appeal.[6]

Enrollment -

The selected school shall immediately enroll the student and begin instruction, even if:

1. The student is unable to produce records normally required for enrollment.[3][10][11][12][13][14][15]

2. The application or enrollment deadline has passed during any period of homelessness.[6][10]

The district's liaison shall immediately contact the school last attended by the child or youth to obtain relevant academics or other records.[6][10][11][12][13][14][15]

The district may require a parent/guardian to submit contact information.[6]

Assignment -

If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize appropriate means to determine the student's assignment within the school.[6][16]

Dispute Resolution -

If a dispute arises over eligibility, enrollment or school selection:[6]

1. The parent/guardian or unaccompanied youth shall be referred to the district's liaison, who shall assist in the dispute resolution process.

2. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.

3. The district's liaison shall issue a written decision of the dispute within twenty (20) business days of being notified of the dispute.

A parent/guardian or unaccompanied youth may appeal a district's written decision or file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

Education Records

Information about a homeless child's or youth's living situation shall be treated as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA), and shall not be deemed to be directory information.[15]

Comparable Services

Homeless students shall be provided services comparable to those offered to other district students including, but not limited to:[1][6][17]

1. Transportation services.[18]
2. School nutrition programs.[19]
3. Career and technical education.[20]
4. Preschool programs.
5. Educational programs for which the homeless student meets the eligibility criteria, such as:
    a. Services provided under Title I or similar state or local programs.[21]
    b. Programs for English Language Learners.[22]
    c. Programs for students with disabilities.
    d. Programs for gifted and talented students.[23]

Transportation

The district shall provide transportation for homeless students to their school of origin or the school they choose to attend within the school district.[1][6][18]

If the school of origin is outside district boundaries or homeless students live in another district but will attend their school of origin in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation.[6]

Training

The district's liaison shall participate in professional development programs and other technical assistance activities offered by the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.[6]

The district's liaison shall arrange professional development programs for school staff, including office staff.[6]

School personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to:[6]

1. Improve identification of homeless children and youths and unaccompanied youths;
2. Understand the rights of such children, including requirements for immediate enrollment and transportation; and
3. Heighten the awareness of, and capacity to respond to, the educational needs of such children.

Legal

1. 24 P.S. 1306
2. 22 PA Code 11.18
3. 42 U.S.C. 11431 et seq
4. 34 CFR 299.19
5. 42 U.S.C. 11431
6. 42 U.S.C. 11432
7. 42 U.S.C. 11434a
8. 34 CFR 200.30
9. Pol. 103.1
10. Pol. 200
11. Pol. 201
12. Pol. 203
13. Pol. 204
14. Pol. 209
15. Pol. 216
16. Pol. 206
17. Pol. 146
18. Pol. 810
19. Pol. 808
20. Pol. 115
21. Pol. 918
22. Pol. 138
23. Pol. 114

22 PA Code 403.1

20 U.S.C. 1232g

20 U.S.C. 6301 et seq

34 CFR Part 99

67 Fed. Reg. 10698

PA Education for Homeless Children and Youth State Plan