Kutztown Area School District McKinney-Vento Act Procedures

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INTRODUCTION

The Kutztown Area School District Board of Education recognizes fully the constitutional rights of students enrolled in its schools. Also, the Kutztown Area School District board ensures that students with limited resources are educated and aware of any and all rights to which the child may be entitled. Pursuant to the Stewart B. McKinney Homeless Assistance Act, all homeless, migratory, immigrant and Limited English Proficiency (LEP) children must have access to the same free appropriate public education, including public preschool education, provided to other children and youth. Such children will be provided the opportunity to meet the same challenging state content and state student performance standards to which all students are held without being stigmatized or isolated. All students will be educated that fall under KASD Guidelines.

HOMELESS DEFINITION

- An individual who lacks a fixed, regular, and adequate nighttime residence;
- An individual who has 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, including a car, park, abandoned building, bus or train station, airport, or camping ground;
- An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing);
- An individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided;
- An individual or family who will imminently lose their housing (as evidenced by a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days, having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days, or credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause); has no subsequent residence identified; and lacks the resources or support networks needed to obtain other permanent housing; and
- Unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who have experienced a long-term period without living independently in permanent housing, have experienced persistent instability as measured by frequent moves over such period, and can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.
- An individual may be considered to be homeless if that person is “doubled up” a term that refers to a situation where individuals are unable to maintain their housing situation and are forced to stay with a series of friends and/or extended family members. In addition, previously homeless individuals who are not to be released from a prison or a hospital may be considered homeless if they do not have a stable housing situation to which they can return. A recognition of the instability of an individual’s living arrangement is critical to the definition of the homelessness. (HRSA/Bureau of Primary Health Care, Program Assistance Letter 99-12, Health Care for the Homeless Principles of Practice).

LOCAL HOMELESS LIAISON RESPONSIBILITIES

Policies and Procedures

Review local policies and procedures that impact homeless children and youth, such as school enrollment and access to school programs. (This is an LEA requirement that may be assumed by the homeless liaison.)

Ensure that homeless students are identified by school personnel and other partners.

Enrollment and Access to Educational Services

Ensure that homeless students enroll in, and receive equal opportunity to succeed in, the schools of the LEA.

Legally Required Activities

Assist children and youth who do not have immunizations or medical records in obtaining the necessary immunizations or records.

Ensure that homeless families, children, and youth receive educational services for which they are eligible, including free school meals, Head Start, and preschool programs administered by the LEA; as well as referrals to health, mental health, dental, and other appropriate services.

Ensure that parents and guardians are informed of educational and related opportunities that are available to their children and are provided meaningful opportunities to participate in their children's education.

Carry out the resolution of disputes, ensuring that they are mediated in accordance with the state's dispute resolution process.

Facilitate transportation arrangements.

Inform school personnel, service providers, and advocates who work with homeless families and youth about the duties of the local liaison.

Collaborate and coordinate with State Coordinators, community service providers, Title I Coordinators, and other school personnel responsible for the provision of education and related services to homeless children and youth.

Outreach

Ensure that the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all educational rights, including the right to remain in, and receive transportation to and from, the school of origin.

Post the educational rights of homeless children and youth in all schools in the district.

Post the educational rights of homeless children and youth in the community in places where homeless families and youth may receive services (e.g., shelters, public health clinics, libraries, and soup kitchens).

Unaccompanied Homeless Youth

Assist unaccompanied homeless youth in school enrollment and placement decisions, while considering the youth's wishes in those decisions and providing notice to the youth of the right to appeal such decisions through the dispute resolution process.

Ensure that unaccompanied homeless youth are enrolled in school immediately pending the resolution of any dispute that arises over school enrollment and placement.

Suggested Activities

Provide professional development for school district staff to build awareness of the educational needs of homeless students, legal responsibilities of the school and LEA, and local policies and procedures to remove barriers and expedite services for homeless students.

Maintain ongoing communication with LEA programs, such as pupil transportation and Title I, to work collaboratively across programs to serve homeless children and youth.

Provide outreach to community service providers through presentations, announcements, and dissemination of relevant resources.

Provide training for parents on McKinney-Vento rights and services and ways they support their children's education when experiencing homelessness.

Obtain school supplies, clothing, and other helpful resources from community partnerships and distribute them to schools.

Conduct a needs assessment to prioritize activities and services to support the educational needs of homeless children and youth.

Conduct an evaluation of your district's homeless education program.

Participate in community task forces and agency advisory committees to create awareness of the needs of homeless children and youth, identify opportunities for collaboration, and share resources.

ENROLLMENT PROCEDURES

Enrolling homeless students is a core concept in the McKinney-Vento Act because the law's purpose is to ensure that every homeless child or youth has equal access to a free, appropriate, public education. The term *enrollment* is a critical part of the law and is defined as, "attending classes and participating fully in school activities" [42 U.S.C. §11434(a)(1)]. Schools are required to enroll students immediately, regardless of the point in the school year in which a homeless student presents for enrollment.

Pursuant to the requirements of the Elementary and Secondary Education Act as amended by the Improving America's Schools Act of 1994 and the Stewart B McKinney Homeless Assistance Act, all homeless, migratory, immigrant and Limited English Proficiency (LEP) children must have equal access to the same free appropriate public education, including public preschool education, provided to other children and youth. Such will be provided the opportunity to meet the same challenging state content and state student performance standards to which all students are held without being stigmatized or isolated. The enrollment of homeless, migrant, and English Learner (EL) children and youth shall not be denied or delayed due to any of the following barriers:

1. Lack of birth certificate
2. Lack of school records or transcripts
3. Lack of immunization or health records
4. Lack of proof of residency
5. Lack of transportation
6. Guardianship or custody requirements
7. Lack of social security card

Parents will be asked to complete the Kutztown School District Homeless Questionnaire. However, this is done only on a volunteer basis.

HOMELESS VERIFICATION PROCEDURES

It will be determined by the school's homeless committee if a child/youth qualifies as homeless under the definition set forth by the McKinney-Vento Homeless Assistance Act (McKinney-Vento Act). Homeless status and classification will be determined by the following:

- The student/youth is enrolled in school.
- If the parent/guardian/caregiver provides the school with information that may qualify their child as homeless, they will be asked to complete the Kutztown School District Homeless Questionnaire (The questionnaire is part of the KASD enrollment packet but is **not** required to be completed).
- The questionnaire is then sent/faxed to the district's liaison in the Assistant Superintendent's office.
- The liaison will contact the school's homeless committee and the committee will begin verifying the status of the child/youth (This verification process may involve home visit(s), verifying phone numbers from hotels, motels and shelters via caller ID; conversations with parents and youth about their situations, focusing on basic questions and using care and sensitivity.
- After completion of verification, the committee will determine the student/youth classification:(Unaccompanied Homeless Youth, doubled-up, awaiting foster care placement, substandard housing and natural disasters).
- The parent/guardian/caregiver is given a list of community resources that they may help them in the aide of their situation. Also, the parent/guardian/caregiver will be informed of all rights pertaining to students/youth that are classified as homeless (transportation and school origin rights).
- Should any parent/guardian/caregiver disagree with the decision made by the school homeless committee, they are entitled to dispute the decision by filing a Dispute Resolution Form (while disputes are pending, students have the right to participate fully in school and receive all services which they would normally receive).

- All paperwork will be filed and reviewed by the school homeless committee at the end of every school year.

Note: *The status of Homeless will carry with the student/youth for one (1) academic school year.*

CHOICE OF SCHOOL

According to the McKinney-Vento Act, students have two school placement options:

- the school of origin
- the school that non-homeless students who live in the attendance area where the homeless student is temporarily residing are eligible to attend [42 U.S.C. §11432(g)(3)(A)].

School of origin is defined as "the school the child or youth attended when permanently housed or the school in which the child or you were last enrolled" [42 U.S.C. 11432(g)(3)(G)]. Issues that should be considered include, but not limited to:

- the student's age,
- the length of the commute to and from school and its impact on the student's education. • personal safety issues,
- the need for special instruction,
- the anticipated length of stay in a temporary residence or area, and
- the time remaining in the school year.

All decisions about school placement must be made on a case-by-case basis. If the district decides to send a student/youth to a school other than the school requested by the parent/guardian/caregiver, the school will provide a written explanation to the student's family or the unaccompanied youth. This decision can be appealed through the Dispute Resolution process.

Note: *Regardless of the school option chosen, the placement of students/youth experiencing homelessness will always be based on the student's best interest.*

SCHOOL HOMELESS COMMITTEE

Each school shall have a school homeless committee which will consist of the following:

- the school's Counselor
- the school's administrative assistant
- the school's principal and/or program specialist

The role of the school homeless committee will be to verify the status of the student; review all

homeless questionnaires; determine the category of homeless for the student; ensure that parent/guardian/caregiver of student is aware of any and all resources available to them; ensure transportation is readily and available (if necessary);

- The parent/guardian/caregiver is aware of dispute procedures, ensure and maintain the privacy of the student's status.
- All decisions made by the school homeless committee will be determined on a case-by-case basis.

DISPUTE RESOLUTION

Parents/guardians/caregiver or unaccompanied youth experiencing homelessness and schools or school districts may disagree on issues related to the homeless status. In most cases, parties can resolve these issues before entering into a formal dispute; however, there are times when an informal resolution is not possible and a formal dispute resolution must be pursued.

A Formal dispute resolution:

- ensures that each party's views are represented,
- enables the facts of the case to be considered objectively, and
- allows student to attend school while bringing the disagreement to closure.

If the parent/guardian/caregiver disagrees with the decision that has been made by the school's homeless committee, the following must be taken to complete a dispute resolution.

- The student/youth remains in the school the entire time of the dispute resolution. • The parent/guardian/caregiver will be notified, in writing, if the school's homeless committee has determined that the student/youth does not or no longer qualifies for the McKinney-Vento services.
- The parent/guardian/caregiver is given an opportunity to complete the homeless dispute resolution form.
- The district liaison will have five (5) days to review and notify the parent/guardian/ caregiver of a decision.
- The district liaison will inform the parent/guardian/caregiver that they can appeal to the Pennsylvania Department of Education.
- The district must provide the appeal from to the parent/guardian/caregiver/ unaccompanied youth to send to the Pennsylvania Department of Education.

Note: *The student must remain enrolled and provided with transportation (if feasible) until the district makes a final determination and for a maximum of 20 days after the determination to give the parent/guardian/caregiver/unaccompanied youth the opportunity to appeal to and receive a decision from the Pennsylvania State Department of Education.*

TRANSPORTATION

Transportation is one of the biggest barriers to regular school attendance and school stability for homeless students. While many local educational agencies (LEAs) struggle to meet the McKinney Vento requirements for transporting homeless students, the importance of enabling homeless students to continue in their school of origin or to participate fully in school without being hampered by the lack of transportation cannot be overestimated. Transportation for student that are classified as homeless will be in accordance with the following:

1. If the homeless child or youth continues to live in the area served by the LEA in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the LEA in which the school of origin is located.

2. If the homeless child's or youth's living arrangements in the area served by the LEA of origin terminate and the child or youth, though continuing his or her education in the school of origin, 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 shall 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 are unable to agree upon such a method, the responsibility and costs for transportation shall be shared equally...[42 U.S.C. 11432(g)(1)(J)(iii)].

3. With regard to the role of the local liaison, the law states that liaisons must ensure: "...the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin...and is assisted in accessing transportation to the school that is selected..." ...[42 U.S.C. 11432(g)(6)(J)(vii)]. The Non-Regulatory Guidance further cements this position, by affirming the responsibility of the liaison to coordinate transportation services for homeless students (ED, 2004, F-2).

APPENDICES

PLEASE COMPLETE THIS FORM ONLY IF IT PERTAINS TO YOU

This questionnaire is in compliance with the McKinney-Vento Act, U.S.C. 42 § 11431 et seq. Your answers will help determine if the student meets eligibility requirements for services under the McKinney-Vento Act.

Student _____ Parent/Guardian _____

School _____Phone/Pager _____

Age _____ Grade _____ D.O.B. _____ Address

_____ City _____ Zip

Code _____ Is this address Temporary or Permanent? (circle one)

Please choose which of the following situations the student currently resides in (you can choose more than one):

_____ House or apartment with parent or guardian
_____ Motel, car, or campsite
_____ Shelter or other temporary housing
_____ With friends or family members (other than or in addition to parent/guardian)

If you are living in shared housing, please check all of the following reasons that apply:

_____ Loss of housing
_____ Economic situation
_____ Temporarily waiting for house or apartment
_____ Provide care for a family member
_____ Living with boyfriend/girlfriend
_____ Loss of employment
_____ Parent/Guardian is deployed
_____ Other (Please explain)

Are you a student under the age of 18 and living apart from your parents or guardians? Yes No

Residency and Educational Rights

Students without fixed, regular, and adequate living situations have the following rights:

1) Immediate enrollment in the school they last attended or the local school where they are currently staying even if they do not have all of the documents normally required at the time of enrollment without fear of being separated or treated differently due to their housing situations;
2) Transportation to the school of origin for the regular school day;
3) Access to free meals, Title I and other educational programs, and transportation to extra-curricular activities to the same extent that it is offered to other students.

Any questions about these rights can be directed to the local McKinney-Vento Liaison, Mr. Darius McKay at 334-793-1397 ext.236220 or you may email him at damckay@dothan.k12.al.us.

By signing below, I acknowledge that I have received and understand the above rights.

_____

Signature of Parent/Guardian/Unattached Youth Date

_____

Signature of McKinney-Vento Liaison Date

SCHOOL SELECTION CHECKLIST FOR DECISION-MAKING

School of Origin Considerations	Local Attendance Area of School Considerations
€ Continuity of Instruction *Student is best served due to circumstances that look to his or her past.*	**€ Continuity of Instruction** *Student is best served due to circumstances that look to his or her future.*
€ Age and Grade Placement of the Student *Maintaining friends and contacts with peers is critical to the student's meaningful school experience and participation. The student has been in this environment for an extended period of time.*	**€ Age and Grade Placement of the Student** *Maintaining friends and contacts with peers in the school of origin is not particularly critical to the student's meaningful school experience and participation. The student has attended the school of origin for only a brief time.*
€ Academic Strength *The child's academic performance is weak and the child would fall further behind if he/she transferred to another school.*	**€ Academic Strength** *The child's academic performance is strong and at grade level; the child would likely recover academically from a school transfer.*
€ Social and Emotional State *The child is suffering from the effects of mobility, has developed strong ties to the current school, and does not want to leave.*	**€ Social and Emotional State** *The child seems to be coping adequately with mobility, does not feel strong ties to the current school, and does not mind transferring.*
€ Distance of the Commute and Its Impact *The advantages of remaining in the school of origin outweigh any potential disadvantages presented by the length of commute.*	**€ Distance of the Commute and Its Impact** *A shorter commute may help the student's concentration attitude, or readiness for school. The local attendance area school can meet all of the necessary educational and special needs of the student.*
€ Personal Safety of the Student *The school of origin has advantages for the safety of the student.*	**€ Personal Safety of the Student** *The local attendance area school has advantages for the safety of the student.*
€ Student's Need for Special Instruction *The student's need for special instruction, such as Section 504 or special education and related services, can be better met at the school of origin.*	**€ Student's Need for Special Instruction** *The student's need for special instruction, such as Section 504 or special education and related services, can be met at the local attendance area of school.*
€ Length of Anticipated Stay *The student's current living situation is outside of the school of origin's attendance zone, but the living situation continues to be uncertain. The student will benefit from the continuity offered by remaining in the school of origin.*	**€ Length of Anticipated Stay** *The student's current living situation appears stable and unlikely to change suddenly; the student will benefit from the developing relationships with peers in school who live in the local community.*

Once this form is completed, keep a copy for your records and then send the original to
Dr. Steven Leever, Assistant Superintendent via district mail (sleever@kasd.org)

Kutztown Area School District

TRANSPORTATION MEMORANDUM OF UNDERSTANDING

Dear Parent/Guardian/Student,

Your child(ren) or you, as an unaccompanied homeless youth, are currently eligible for the McKinney Vento program. Per the McKinney-Vento Act, transportation will be provided to your child(ren) or you, as an unaccompanied youth, to and from school.

The following describes our agreement with you regarding transportation.

Pick-Up
Students must be at the bus stop at the time provided by the transportation department. Drivers can wait no more than 1 minutes from your scheduled time.

Drop-Off
An adult pre-approved by parents and guardians must be present at the bus stop to pick-up students too young to be left unsupervised. The transportation department will provide the time that the adult must be present for pick-up of students; parents and guardians must notify the liaison or the transportation department if an adult other than the parent or guardian will be picking up the student.

Communication of Absences
If a student is going to be absent from school and therefore does not need transportation for part or all of a day, parents or guardians must call and inform the designated driver no later than 7 a.m. on the day of the absence so the driver can adjust the route accordingly.

Driver's Name:

_____ **Contact Phone**

Number: _____

Violating the Pick-Up, Drop-Off, or Absence agreement more than 3 times could result in the loss of transportation services or other consequences.

Behavioral Expectations
Students and parents are expected to follow the Kutztown Area School District policies for behavior. Disciplinary actions for students who violate the behavior policies will be followed as they are for any student in the district.

> If Kutztown Area School District fails to provide the agreed upon transportation services, the liaison should be contacted. Your liaison is Dr. Steven Leever and may be reached at 484-651-5522

If a student's residence changes the transportation department must be contacted within 48 hours to allow for transportation to be arranged. Transportation requests and changes may take up to three (3) days to be routed, so temporary transportation may be provided while routing is arranged. The transportation department may be contacted at: 484-651-5531 (Ms. Tammy Warning).

Please sign below to acknowledge that you understand and agree with these expectations and terms.

_____

Date Parent/Guardian Name (PRINTED) Signature

_____

Date Name of Liaison (PRINTED) Signature

Kutztown School District
Dispute Resolution
Parent Challenge Form

Student Name:	**School Name:**
Parent/Guardian/Unaccompanied Youth Name:	**Relationship to Student:**
Street Address (City, State, Zip)	**Phone Number:**

I dispute that the above-named student is entitled to McKinney-Vento Homeless Services for the above named school due to the following reasons:

_____

_____

_____

_____

If you would like to appeal this initial decision, please contact the Homeless Liaison at 484-651-5522, within____working days of the challenge. If you decide to appeal, you will be given a final decision in writing within five (5) working days of the appeal. I understand that the above student must remain enrolled and provided with transportation (if feasible) until the district makes a final enrollment determination.

Print Name:	**Title:**
Signature:	**Date:**
Homeless Liaison: Dr. Steven Leever	**Homeless Liaison Contact Information:** Assistant Superintendent's Office 251 Long Lane Kutztown, PA 19530 484-651-5522

Kutztown School District
Dispute Resolution
Parent Appeal Form

Student Name:	**School Name:**
Parent/Guardian/Unaccompanied Youth Name:	**Relationship to Student:**
Street Address (City, State, Zip)	**Phone Number:**

I wish to appeal the enrollment decision made by the above-named school.

I have been provided with a written explanation of the school's decision (check one): ___Yes ___No

I understand that the above-named student **MUST** remain enrolled and provided with transportation (if feasible) until the district makes a final enrollment determination.

You may include a written explanation to support your appeal in this space, or you may provide your explanation verbally by calling the Homeless Liaison at 484-651-5522.

_____

_____

_____

_____ _____ (Signature) (Date)

Return completed form to school or deliver to: Kutztown Area School District
Assistant Superintendent's Office
251 Long Lane
Kutztown, PA 19530
484-651-5522

Completed form may be emailed to: sleever@kasd.org

----------For School Use----------

Fax a copy of this completed form to the Homeless Liaison at 484-651-5522. Give a copy to the parent/guardian or unaccompanied youth
Date received by the Homeless Liaison:_____

KASD Dispute
Resolution Parent
Appeal Form

Student Name:	**School Name:**
Parent/Guardian/Unaccompanied Youth Name:	**Relationship to Student:**
Street Address (City, State, Zip)	**Phone Number:**

Based on the investigation conducted by _____, it has been determined that the above named student _____IS or _____IS NOT (check one) entitled to enrollment in and/or transportation to the above named school due to the following reasons:

_____

_____

_____

_____

You may appeal this decision to the Pennsylvania State Department of Education within three (3) working days. If you do not file an appeal, the district's decision will go into effect on _____. (Date)
If you would like to appeal this decision, you must complete the appeal information below. For help completing the appeal, please contact the Homeless Liaison at 484-651-5522. If you are an unaccompanied youth and would like to file an appeal, the Homeless Liaison must help you.

Signed: _____ Date:_____
Steven A. Leever
Assistant Superintendent

_____

Parent/Guardian/Unaccompanied Youth Appeal to the Pennsylvania State Department of Education

I understand that I have the right to appeal the district's decision to deny enrollment of my child to the requested school and that my right to appeal must be exercised within three (3) working days of the above date. I understand that the above student must remain enrolled and provided with transportation (if feasible) until the State makes a determination (within ten days).

Based on the explanation provided:

____ I do not wish to appeal this decision.

____ I wish to appeal this decision to the Pennsylvania State Department of Education. Please forward this information to:

State Coordinator
Education for Children and Youth
Experiencing Homelessness
Pennsylvania Department of Education
333 Market Street, 5th Floor
Harrisburg, PA 17126-0333