STUDENTS IN HOMELESSNESS: ENROLLMENT RIGHTS AND SERVICES: 3115P

A. Definitions

1. **Homeless children and youths** means individuals who lack a fixed, regular, and adequate nighttime residence. This includes children and youths who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason, living in motels, parks or campgrounds; or children or youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a sleeping accommodation by human beings; or children or youths living in cars, abandoned buildings or substandard housing or similar situations; or migratory children because they are living in circumstances like those described above. "Substandard housing" may be determined by considering factors such as whether the setting in which the child or youth is living lacks water, electricity or heat; is infested with vermin or mold; lacks a working kitchen or toilet, or presents unreasonable dangers to adults, children or persons with disabilities. Cities, counties and states have varying housing codes that further define housing deemed substandard by law.

2. **Unaccompanied youth** means a youth not in the physical custody of a parent or guardian and includes youth living on their own in any of the homeless situations described in the McKinney-Vento Homeless Education Act.

3. **School of origin** means the school or preschool that a child or youth attended when permanently housed, or the school in which the child or youth was last enrolled. When a child or youth completes the final grade level served by the school of origin, the school of origin includes the designated receiving school at the next grade level for all feeder schools.

4. **Best interest determination** means that the district must make school placement decisions for homeless students and youths on the basis of their best interest, as determined by student-centered factors including impact of mobility on achievement, education, health and safety. Priority should be given to the request of the child or the parent and/or guardian or unaccompanied youth. Placement of siblings should also be considered.

5. **Excess cost of transportation** means the difference between what the district normally spends to transport a student to school and the cost of transporting a homeless student to school. For example, there is no excess cost of transportation if the district provides transportation to a homeless student by a regular bus route. However, if the district provides special transportation to a homeless student (e.g., by private vehicle or transportation company), the entire cost would be considered excess costs of transportation. The additional cost of the district's re-routing of

buses to transport a homeless student can be considered excess cost of transportation. The district may use McKinney-Vento sub-grant funds and Title I, Part A funds to defray excess cost of transportation for homeless students.

B. Identification

The district will:

1. Use a housing questionnaire in its enrollment process. The questionnaire will be distributed universally so as to avoid stigmatizing homeless children and youths and their families;

2. Ensure that referral forms used to identify and support homeless students are accessible and easy to use;

3. Include its homeless liaison's contact information on its website;

4. Provide materials for homeless students and parents and/or guardians, if necessary and to the extent feasible, in their native language;

5. As practical, provide annual guidance for school staff on the definition of homelessness, signs of homelessness, the impact of homelessness on students and steps to take when a potentially homeless student is identified, including how to connect the student with appropriate housing and support service providers;

6. Develop interagency partnerships to serve homeless families and youths; and

7. Work with the state homelessness coordinator to facilitate services to families and youths made homeless by natural disasters or other catastrophic events.

C. Enrollment: Placement and Enrollment

The district will:

1. Consider the best interest of the child when deciding placement, presume that allowing the homeless student to remain in their school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent and/or guardian or unaccompanied youth;

2. If the parent and/or guardian contests the district's decision, make a best interest determination based on factors such as the impact of mobility on the student's educational achievement, health and safety. If the best interest determination is re-

quested by an unaccompanied youth, the process will give priority to the views of the youth;

3. After conducting a best interest determination, provide to the parent and/or guardian of the student in a timely manner and in a language they can understand, a written explanation of the final decision and the right to appeal the decision (see Dispute Resolution Procedure below);

4. Pending resolution of disputes that arise over eligibility, school selection or enrollment, immediately enroll a homeless student in the school in which the parent and/or guardian or unaccompanied youth seeks enrollment;

5. The district will not avoid, delay or deny the enrollment of homeless students, even if they have missed application or enrollment deadlines during any period of homelessness or are unable to produce records required for enrollment (e.g., previous academic records, immunization records, health records, proof of residency, proof of guardianship, birth certificates);

6. Avoid requirements for student contact information to be in a form or manner that creates a barrier for homeless students;

7. Provide transportation for homeless students to their school or preschool of origin. Once the student has obtained permanent housing, the district will continue to provide such transportation until the end of the academic year. If the homeless student remains in their school of origin but begins living in an area served by district, the district of origin and the district in which the homeless student is living must agree upon a method to apportion the responsibility and costs for the student's transportation to and from their school of origin. If the districts cannot reach an agreement, the responsibility and costs for transportation will be shared equally;

8. Continue to provide transportation to their school of origin pending the outcome of enrollment or transportation disputes; and

9. Immediately contact the school last attended by the homeless student to obtain relevant academic and other records.

D. District's Homeless Liaison

The district liaison will ensure that:

1. That homeless children and youths are identified by school personnel and through coordination of activities with other entities and agencies;

2. Homeless children and youths enroll in and have a full and equal opportunity to succeed in school;

3. Homeless families, children and youths receive educational services for which such families, children and youths are eligible, including Head Start and Even Start programs and preschool programs administered by the district and referrals to health care services, dental services, mental health services, and other appropriate services;

4. The parents and/or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

5. Homeless students are identified and provided proper access to free school meals;

6. Ensure that public notice of the educational rights of homeless children and youths is disseminated where such children receive services (e.g., schools, family shelters, soup kitchens);

7. Enrollment disputes are mediated in accordance with Paragraph C, Placement and Enrollment above;

8. The parent and/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 selected;

9. Unaccompanied youths are enrolled in school, have opportunities to meet the same challenging state academic standards as the state establishes for other children and youths, are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (HEA) (20 U.S.C. 1087vv) for federal student aid purposes, and their right to receive verification of this status from the local liaison;

10. Barriers that prevent homeless students from receiving credit for full or partial coursework satisfactorily completed while attending a prior school are identified

and removed;

11. Affirm whether homeless students meet the U.S. Department of Housing and Urban Development (HUD) definition of homelessness to qualify them for HUD homeless assistance programs and refer homeless families and students to housing and other services;

12. Assist parents and/or guardians and unaccompanied youths in obtaining immunizations, health screenings, guardianship records and other documents normally required for enrollment; and

13. Assist unaccompanied youths in connecting with needed supports such as housing assistance, health care and other services.

In additional to the duties and responsibilities listed above, the district liaison will work to improve systems to identify homeless students and coordinate with the district's nutrition program to ensure that each homeless student has proper access to free school meals, and that applicable accountability and report requirements are satisfied.

The district will inform school personnel, service providers and advocates working with homeless families of the duties of the district homeless liaison.

E. Dispute Resolution Procedure

The district will ensure that the child/youth attends the school in which they sought enrollment while the dispute process is being carried out.

1. **Notification of Appeal Process**
   If the district seeks to place a homeless child in a school other than the school of origin or the school requested by the parent and/or guardian, the school district will inform the parent and/or guardian or the unaccompanied youth of the right to appeal. The district will provide the parent and/or guardian or unaccompanied youth with written notice including:

   a. An explanation of the decision regarding the child's placement and contact information for the district and the Office of the Superintendent of Public Instruction (OSPI) homeless liaison, including their roles;

   b. Notification of the parent and/or guardian's right to appeal(s);

c. Notification of the right to enroll in the school of choice pending resolution of the dispute;

d. A description of the dispute resolution process including a petition form that can be returned to the school to initiate the process and timelines; and

e. A summary of the federal legislation-governing placement of homeless students (McKinney-Vento Act).

2. **Appeal to the School District Liaison – Level I**
If the parent or unaccompanied youth disagrees with the district's placement decision, they may appeal by filing a written request for dispute resolution with the school, the district's homeless liaison or a designee. If submitted to the school, it will be immediately forwarded to the homeless liaison. The request for dispute resolution must be submitted within 15 business days of receiving notification of the district's placement.

The liaison must log the complaint including a brief description of the situation and reason for the dispute and the date and time of the complaint was filed.

a. A copy of the complaint must be forwarded to the liaison's supervisor and the superintendent;

b. Within five business days of the receiving the complaint, the liaison must provide the parent and/or guardian or unaccompanied youth with a written decision and notification of the parent and/or guardian's right to appeal;

c. The district will verify receipt of the Level I decision; and

d. If the parent and/or guardian or unaccompanied youth wishes to appeal, notification must be provided to the district liaison within 10 business days of receipt of the Level I decision. The liaison will provide the parent and/or guardian or unaccompanied youth with an appeals packet containing:

i. The complaint filed with the district liaison at Level I;

ii. The decision rendered at Level I; and

iii. Additional information provided by the parent and/or guardian, unaccompanied youth and/or homeless liaison.

3. **Appeal to the School Superintendent – Level II**
The parent and/or guardian or unaccompanied youth may appeal the district liaison's decision to the superintendent or the superintendent's designee using the appeals packet provided at Level I.

   a. The superintendent will arrange for a personal conference to be held with the parent and/or guardian or unaccompanied youth within five business days of receiving the Level I appeals packet;

   b. Within 5 business days of the conference with the parent and/or guardian or unaccompanied youth, the superintendent will provide that individual with a written decision with supporting evidence and notification of their right to appeal to OSPI;

   c. The district will verify receipt of the Level II decision;

   d. A copy of the superintendent's decision will be forwarded to the district's homeless liaison; and

   e. If the parent and/or guardian or unaccompanied youth wishes to appeal to OSPI, notification must be provided to the district homeless liaison within 10 business days of receipt of the Level II decision.

4. **Appeal to the Office of the Superintendent of Public Instruction – Level III**

   a. The district superintendent will forward a copy of the Level II decision and all written documentation to the OSPI homeless liaison within 5 days of rendering a decision. The district will submit the entire dispute packet to OSPI in one complete package by U.S. Mail;

   b. OSPI's homeless education coordinator or designee, along with the appropriate agency director, and/or agency assistant superintendent will make a final decision within fifteen (15) business days of receiving the appeal;

   c. OSPI's decision will be forwarded to the district's homeless liaison. The liaison will distribute the decision to the parent and/or guardian or unac-

companied youth and the local superintendent;

d. The OSPI's decision will be the final resolution for placement of a homeless child or youth in the district; and

e. The district will retain the record of all disputes, at each level, related to the placement of homeless children.

F. Inter-district Disputes

If districts are unable to resolve a dispute regarding the placement of a homeless student, either district may submit a written request to OSPI seeking resolution.

OSPI will resolve the dispute within ten (10) business days of notification of the dispute and inform all interested parties of the decision.