Homeless Students: Enrollment Rights and Services

Enrollment

A. The district will consider the best interest of the child in enrollment decisions;

B. The district will not deny or delay enrollment of homeless students;

C. The district's need for student contact information will not be in a form or manner that creates a barrier for homeless students. For example, homeless students may not be excluded for failure to have a mailing address or emergency contact information; and

D. The district's liaison will:

1. Ensure that public notice is disseminated where homeless children receive services;
2. The district's liaison will assure that students are identified by school personnel, enrolled in school and have a full and equal opportunity to succeed; and
3. The district liaison will inform parents and guardians of educational and related activities and inform parents of transportation services.

Definitions

A. **Homeless Children and Youth**

Homeless Children and Youth means individuals who lack a fixed, regular, and adequate nighttime residence. This includes children and youth who are:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodation;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings; or
8. Migratory children living in conditions described in the previous examples.

B. **Unaccompanied Youth**

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.

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.

A. **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, the school district will inform the parent or the unaccompanied youth of the right to appeal. The district will provide the parent or unaccompanied youth with written notice including:

1. An explanation of the child's placement and contact information for the district and the OSPI homeless liaison, including their roles;
2. Notification of the parent's right to appeal(s);
3. Notification of the right to enroll in the school of choice pending resolution of the dispute;

4. 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
5. A summary of the federal legislation governing placement of homeless students (McKinney-Vento Act).

B. **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 fifteen 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.

1. A copy of the complaint must be forwarded to the liaison's supervisor and the superintendent;
2. Within five business days of the receiving the complaint, the liaison must provide the parent or unaccompanied youth with a written decision and notification of the parent's right to appeal;
3. The district will verify receipt of the Level I decision; and
4. If the parent or unaccompanied youth wishes to appeal, notification must be provided to the district liaison within ten business days of receipt of the Level I decision. The liaison will provide the parent with an appeals package containing:
    a. The complaint filed with the district liaison at Level I;
    b. The decision rendered at Level I; and
    c. Additional information provided by the parent, unaccompanied youth and/or homeless liaison.

C. **Appeal to the School Superintendent – Level II**

The parent or unaccompanied youth may appeal the district liaison's decision to the superintendent or the superintendent's designee using the appeals package provided at Level I.

1. The superintendent or designee will arrange for a personal conference to be held with the parent or unaccompanied youth within five business days of receiving the Level I appeals package;
2. Within five business days of the conference with the parent or unaccompanied youth the superintendent or designee will provide that individual with a written decision with supporting evidence and notification of their right to appeal to the OSPI;
3. The district will verify receipt of the Level II decision;
4. A copy of the superintendent's or designee's decision will be forwarded to the district's homeless liaison; and
5. If the parent or unaccompanied youth wishes to appeal to the OSPI, notification must be provided to the district homeless liaison within ten business days of receipt of the Level II decision.

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

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

2. The 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 business days of receiving the appeal;
3. The OSPI's decision will be forwarded to the district's homeless liaison. The liaison will distribute the decision to the parent or unaccompanied youth and the local superintendent;
4. The OSPI's decision will be the final resolution for placement of a homeless child or youth in the district; and
5. The district will retain the record of all disputes, at each level, related to the placement of homeless children.

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 the OSPI seeking resolution.

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