FILE: JBCC

SCHOOL ADMISSION POLICY FOR HOMELESS, MIGRANT, IMMIGRANT, ENGLISH LEARNERS, AND STUDENTS IN FOSTER CARE

Notwithstanding anything to the contrary in Policy JBC and in accordance with federal and state law, children who are homeless children and youth and children living in foster care will have equal access to a free, appropriate education as provided to other youth. In accordance with federal and state law, the enrollment of such children shall not be denied or delayed due to any reason related to their homelessness or placement in foster care, including but not limited to the following barriers:

- Lack of birth certificate
- Lack of school records or transcripts
- Lack of immunization or health records
- Lack of proof of residency
- Lack of transportation
- Guardianship or custody requirements

In the event of a dispute regarding eligibility or placement of a student as a homeless child, the parent or guardian shall be given notice and provided an opportunity for review of the dispute as prescribed by the State Board of Education's administrative regulations. If the dispute is not resolved within five (5) school days, the parent , guardian or student may present a written complaint to the homeless liaison. The written complaint must include the following information: the date of the complaint is given to the homeless liaison; a summary of the events surrounding the dispute; the name(s) of the school division personnel involved in the enrollment decision; and the result of the presentation of the oral complaint to the homeless liaison. Within Five (5) school days after receiving the written complaint, the homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore to the Complainant. The liaison will inform the Superintendent of the formal complaint and its resolution.

A student who moves in foster care (due to entering the foster care system or changing placements) who is enrolled in an Athens City school of origin will remain in that school of origin, unless it is determined that remaining in the school of origin is not in such student's best interest. If it is not in a student's best interest to stay in a school of origin (whether in an Athens City school or origin or otherwise), then a student in foster care may be enrolled in any school in the Athens City system that serves the attendance area in which the student is living, even if the student is unable to produce records normally required for enrollment. In the event of a dispute regarding the best interest placement of a student living in foster care, the student will be immediately enrolled in the school requested by the student, guardian, or education decision maker until the dispute is resolved.

Notwithstanding anything to the contrary in Policy JBC, migrant, immigrant, and language minority (or non-English speaking) children who are bona fide residents of the area served by the School System and the appropriate school zone, in accordance with federal and state law, will have equal access to a free, appropriate education as other youth, and such students will not be prohibited from school attendance due to barriers such as:

- Lack of birth certificate
- Lack of a social security number
- Lack of immigration documentation
- Lack of immunization records
- Language barriers

Where permitted by state and federal law, should such students be admitted without the documents otherwise required, administrators will take necessary steps to secure the required documents (such as immunization documentation).

SOURCE: Athens City Board of Education, Athens, AL
ADOPTED: November 17, 2011: REVISED: August 17, 2015; REVISED: March 23, 2017, REVISED June 9, 2021: REVISED: April 17, 2025
LEGAL REF: Ala. Admin Code §290-3-1-.02 (2008); 42 U.S.C. 11434a (2009); 42 U. S.C. 11431, *et seq.* (2009); *Plyler v. Doe,* 457 U.S. 202 (1982); *Martinez v. Byrum,* 461 U.S. 321 (1983); 20 USC §§ 6311(g)(1)(E).