



# Homeless and Foster Care Manual 2025-2026

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# **JCSD Homeless Education Plan**

## **Introduction**

The Jackson County School District is dedicated to ensuring each child who is homeless has equal access to the same free, appropriate public education available to other students. This commitment includes services to preschool students and unaccompanied youth who are homeless.

## **McKinney-Vento Law**

The McKinney-Vento Homeless Assistance Act (Act) requires all school districts McKinney Homeless Assistance Act of 1990, 42USC11431, it shall be the policy of this school district, to the extent practicable under requirements relating to education established by state law, that each eligible child of a homeless Individual and each eligible homeless youth will have access to a free appropriate education comparable to the education provided the children of district residents who are non-homeless, without isolation or stigma.

- Students who are homeless may attend their school of origin or the school where they are temporarily residing.
- Parents or guardians of homeless students must be informed of educational and related opportunities.
- Students who are homeless may enroll without school, medical, or similar records.
- Students who are homeless and their families receive referrals to health, dental, mental health, substance abuse, housing, and other needed services.
- Students who are homeless have a right to transportation to school.
- Students must be provided a statement explaining why they are denied any service or enrollment.
- Students must be enrolled in school and receive services, such as transportation, while disputes are being settled.
- Students are automatically eligible for Title I services.
- School districts must reserve a portion of Title IA funds to serve homeless students.
- School districts must review and revise policies that serve as barriers to homeless students.
- Schools must post information in the community regarding the rights of homeless students and unaccompanied youth in schools and other places where homeless families may frequent and written in a language they can understand.

## **JCSD Homeless Policy JQN**

### **Section: J Students**

#### **Policy Code: JQN Education for Homeless Children and Youth**

#### **Education of the Homeless School-Age Children**

All school-age children, including the homeless, who live within the Jackson County School District, shall be eligible to attend the district's schools. Homeless students in the district will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held. A liaison for students in homeless situations will be designated by the district to carry out duties as required by law.

The district will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A homeless student will be admitted to the district school in the attendance area in which the student is actually living or to the student's school of origin as requested by the parents and in accordance with the student's best interest. Transportation will be provided to and from the district school or school of origin in a manner that would be in the best interest of the child, as determined by the district Homeless Liaison for homeless students.

The Superintendent of Education has the authority to designate a student as homeless based on criteria outlined in this policy and the McKinney Vento Homeless Assistance Act. If it is determined by the Superintendent that a child or his/her parents are attempting to use a designation of homeless to change schools for reasons other than those delineated in the McKinney Vento Act (i.e. athletics, school choice or other non-related reason), the Superintendent may deny a homeless designation.

The district utilizes this policy as it guideline to explain the rights of homeless students and the responsibilities of the schools to meet their needs and eliminate barriers to school attendance. This information shall also be disseminated in writing and by other means designed to raise awareness of these rights and responsibilities to staff, homeless families and students, the public, and homeless service providers.

#### **DEFINITIONS**

For the purposes of this policy, children are deemed to be homeless under the following conditions:

1. Individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 11302 (a)(1);
2. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reasons are living in motels, hotels, trailer

3. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodation for human beings (within the meaning of section 11302 (a)(2)(C));
4. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
5. Migratory children (as such term is defined in section 6399 of title 20) who qualify as homeless because the children are living in circumstances described in numbers 2-4 above.

An unaccompanied is a homeless child not in the physical custody of a parent or guardian. 42 U.S.C. § 11434a

## **SERVICES TO BE PROVIDED**

1. Pursuant to and in compliance with the requirements of the Stewart B. McKinney Homeless Assistance Act of 1990, 42USC11431, it shall be the policy of this school district, to the extent practicable under requirements relating to education established by state law, that each eligible child of a homeless Individual and each eligible homeless youth will have access to a free appropriate education comparable to the education provided the children of district residents who are non-homeless, without isolation or stigma.
2. The placement of an eligible homeless child or youth will take into consideration the best interests of the homeless child or youth and placement requests made by a parent.
3. The choice of placement in either the "school of origin" or the school serving the "place of abode" will take place regardless of whether the child or youth is living with the homeless parent(s) or has been temporarily placed elsewhere by the parent(s).
4. Provided the homeless child or youth meets eligibility criteria, he/she will be provided transportation services; compensatory education programs for the disadvantaged; educational programs for the handicapped and for students with limited English proficiency; programs in vocational education; programs for the gifted and talented; and school meals programs.
5. Any and all records ordinarily kept by this school district, including immunization records, academic records, birth certificates, guardianship records, evaluations for special services and programs shall be kept on homeless children and youth and shall be forwarded in a timely fashion should a child or youth enter a new school or school district; and in a manner consistent with S1232g of Title 20.
6. Should this school district receive assistance under S11432 of the Act, it shall coordinate with local social service agencies and other agencies or programs providing services to such children or youth and their families.
7. Should this school district ever receive assistance under S11432 of the Act, it shall designate a homelessness liaison to ensure that homeless children and youth enroll in and succeed in the schools of their district; and, homeless families, children and

youth receive educational services for which they are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services.

8. The homelessness liaison shall inform school personnel, service providers and advocates working with homeless families of the duties of the liaison.

9. This school district has and will continue to review and revise, to the extent practicable under the requirements relating to education established by state law, any policies that may act as barriers to the enrollment of homeless children and youth in schools selected in accordance with paragraphs 2, 3 and 4 above.

10. In reviewing and revising such policies, to the extent practicable under the requirements relating to education established by state law, consideration shall be given to issues concerning transportation, requirements of immunization, residency, birth certificates, school records, or other documentation and guardianship.

11. Disputes which may arise regarding the assignment of a homeless child or youth will be promptly resolved according to the provisions of Policy JBCCA - Assignment of Pupils. Other issues or disputes will be directed to the attention of the school official responsible for that particular matter for prompt resolution. If this dispute cannot be resolved locally, any aggrieved party may make a written request for a review of the matter to:

**Coordinator of the Homeless Program  
Mississippi Department of Education  
P. O. Box 771  
Jackson, MS 39205**

Should the homeless child be living with a parent designee, a person with whom the parents have placed the child but who is not a legal guardian, school officials shall communicate directly with the parent designee concerning any school-related matters involving the homeless child and, in addition, shall use their best efforts to communicate the same information to the respective parent(s).

If a dispute arises over any issues covered in this policy, the school where the dispute arises will provide the parent/guardian or unaccompanied homeless youth with a written explanation of its decision and the right to appeal and will refer the parent/guardian or youth to Director of Student Services/Federal Programs in the Jackson County School District Office immediately. The Superintendent shall designate the Director of Student Services/Federal Programs in the district office to investigate and report complaints that are believed to be in non-compliance with the Stewart B. McKinney Homeless Assistance Amendment Act and/or issues that deal with the educational placement of homeless children and youth which cannot be resolved at the attendance center. If a parent or guardian has a complaint, he/ she should go first to the building principal. If the dispute cannot be resolved at this point, then it should be presented to the Assistant Superintendent of the Attendance Center. If the dispute is not resolved at this point, it will be presented to the Director of Student Services/ Federal Programs in the district office. If the dispute cannot be resolved at this level,

a request will be made to the State Department of Education's Coordinator of the Homeless Program for a formal review. The review must be requested in writing immediately after the dispute takes place. The parent/guardian or youth will be given every opportunity to participate in the resolution of the dispute.

Reference: Stewart B. McKinney Act, P.L. 100-77 Mississippi Code 37 -13-91; 37-15-9; 37-7-301; 41-23-37; 37-3 -49; 37-15-1 through 37-15-3 National School Lunch Act, 1946 Family Educational Rights and Privacy Act, 1974

LEGAL REF: McKinney-Vento Homeless Education Assistance Improvements Act of 2001 P L. 107-110 (No Child Left Behind Act of 2001)

CROSS REF: Policies JAA - Equal Educational Opportunities JBCCA - Assignment of Pupils IB - Instructional Goals



## **JCSD Homeless Policy JQO**

### **Section: J Students**

#### **Policy Code: JQO JQO Foster Care Plan**

### **Foster Care Plan**

The Jackson County School District is dedicated to promoting high achievement and educational stability to those students in foster care. The District will collaborate with the Mississippi Department of Education (MDE), the Mississippi's Child Welfare Agency, and the Mississippi Department of Child Protection Services (MDCPS) as needed to provide educational services for students in foster care.

#### **DEFINITIONS**

1. Best Interest Determination (BID) – refers the collaborative process between MDCPS and local school districts based on the individual student's unique best interests. The determination involves input from multiple parties to make decisions about whether a student placed in foster care should continue to attend his or her school of origin.
2. School of Origin – refers to the school that a student was attending at the time of placement in foster care or the last school the student attended, despite a change in home. To ensure continuity in education, remaining in the school of origin is preferred.
3. School District of Origin – refers to the Mississippi school district in which a school of origin is physically located.

#### **DISTRICT POINT OF CONTACT (POC)**

The District will coordinate with MDCPS to finalize a BID within seven (7) school days from the date the District is notified, by MDCPS, of a child's placement in foster care or change in the child's living arrangement, except in emergency removal situations.

During the BID determination period, the District will ensure the child is permitted to remain in his or her school of origin and the District will document how transportation shall be provided, arranged, and funded during the pendency of the BID decision. See Policy EDD

The BID decision will involve input from multiple, relevant parties who have the authority to make decisions regarding the child in foster care, and who have the knowledge and expertise about the child and the child's circumstances to determine whether a student in foster care should continue to attend his or her school of origin. These parties may include:

1. MDCPS representative;
2. Student, if applicable;
3. Child's foster family;
4. Individual from receiving school district;
5. Counselor;
6. Guardian Ad Litem; and,
7. Biological Parent, if determined by MDCPS or Court Order.

If there is disagreement regarding school placement for a student in foster care, MDCPS is the final decision maker. Students should continue to attend their schools of origin while BIDs are determined.

The District will consider all factors relating to a child's best interest. In evaluating the appropriateness of the current educational setting, the District will consider:

1. Appropriateness of the current educational setting (the school of origin),
2. Proximity to the school in which the child is enrolled (the school of origin) at the time of placement in foster care,
3. Preferences of the child's parent(s) or education decision maker(s) (individual legally authorized by the court to make educational decisions for a child in foster care);
4. Holistic and well-informed determination, utilizing a variety of student-centered factors including, but not limited to –
  1. Student's age and grade level;
  2. Student's preference, when age appropriate;
  3. Student's attachment to the school, including meaningful relationships with staff and peers;
  4. Placement of the student's sibling(s);
  5. Distance/length of time to travel to/from school;
  6. Time of academic year, academic performance, and skills;
  7. Current educational goals and services; anticipated length of time in placement, and whether reunification is the family goal;
  8. Number of placements to date;
  9. Child's participation in specialized instruction (e.g., gifted programming, career technical education program, College Credit Plus, Advanced Placement classes);
  10. Availability of required special education and/or related services in a school other than the school of origin when the student has an identified disability under IDEA or Section 504;

- 11. Availability of language services in a school other than the school of origin when the student has been identified as an English learner;
- 12. A child's ability to earn full academic credit, the ability to proceed to the next grade, or the ability to graduate on time;
- 13. School climate, peer support, supportive adults, and involvement in extracurricular activities;
- 14. Availability and quality of the services in the school to meet the child's educational and socio-emotional needs;
- 15. Impact the commute to and from school would have on the child, based on developmental functioning. For children with disabilities, consider the IDEA's federal requirements when determining best interest;
- 16. Any other relevant factors pertinent to the child.

- 5. Whether the student needs to remain in the school of origin for a limited time (e.g., until the end of the school year, the end of a testing or grading period).
- 6. Determine if it is appropriate to revisit the question of whether it is in the student's best to remain in the school of origin or enroll locally, and if so, document a specific time to reassess; and,
- 7. NOT consider the cost of transportation when determining a child's best interest.

## REMAIN IN SCHOOL OF ORIGIN

When the District has determined that it is in the best interest of the child to remain in the school of origin, the District will document in the individualized student's plan regarding how transportation will be provided, arranged, and funded for the student.

The District will document, in collaboration with MDCPS, the Transportation Plan that supports the District's obligations under state and federal law and follows all guidelines in MDE Rule 30.8, in order for the student to receive transportation services on the first day of the student's attendance. See also policy EDD.

## LEAVE SCHOOL OF ORIGIN

When the District has determined it is in the best interest of the child to leave the school of origin, the enrolling district will:

- 1. Ensure enrollment in the new school takes place on the same day the student is enrolled, even if the child is unable to provide records normally required for enrollment.
  - 1. A student in foster care must be enrolled by a MDCPS representative.
  - 2. The District will confirm, in writing, the person responsible for making educational decisions. If a student is removed from the school, by anyone other than a MDCPS employee, the district will notify MDE immediately,

unless a court order states otherwise.

3. The District will contact the school last attended (school of origin), within one (1) school day of enrollment, to obtain relevant academic and other records.
2. Update the student database and contact information for the student within one (1) school day of notification of enrollment from the custodial agency (MDCPS).
3. Ensure the student is assigned to a school in the district in the same manner and according to the same process used for all other students in the district.
4. Give foster children transferring into the District credit for full and/or partial coursework completed at their school of origin, in accordance with the District's policy on transfer credits.
5. Ensure each student in foster care shall be provided services comparable to other students in the school of attendance.
6. Ensure that it is documented that a student was withdrawn prior to the best interest determination, if applicable.

## STUDENT RECORDS

Upon receipt of a written request for school records from a new school, the school district of origin shall forward, in a manner consistent with state and federal law, a complete copy of the records of the student in foster care. Information needed by the receiving school district shall include, but is not limited to:

1. Proof of age;
2. Immunization records;
3. Cumulative education file, if the child is attending a public school.
4. Copy of the current IEP, if the child is eligible for special education services;
5. Copy of the current Section 504 Plan, if the child has a Section 504;
6. Copy of health records kept by the school; and,
7. Any other pertinent information needed to assist the enrolling school in providing appropriate educational services.

The inability to receive records shall not delay student enrollment. Once a foster student is disenrolled by MDCPS, no other sharing of information shall occur. The District will comply with all state and federal law in order to protect student privacy.

LEGAL REF: 20 U.S.C. §§ 6311(g)(1)(E); 6312(c)(5); Uninterrupted Scholars Act (USA), P.L. No: 112-278; Every Student Succeeds Act (ESSA); Equal Educational Opportunities Act of 1974 (EEOA); Family Educational Rights and Privacy Act (FERPA)

## **Homeless**

### **Requirements**

Jackson County School District is required to maintain compliance with the McKinney-Vento Act which provides specific rights for homeless students. Every school district must designate a McKinney-Vento Liaison to assist in identifying, supporting, and ensuring the rights of homeless students and families. These rights include waiving certain requirements, such as proof of residency, when students are enrolling and allowing categorical eligibility for certain services, such as free lunch. The Act also states:

- Students who are homeless may attend their school of origin or the school where they are temporarily residing.
- Parents or guardians of homeless students must be informed of educational and related opportunities.
- Students who are homeless may enroll without school, medical, or similar records.
- Students who are homeless and their families receive referrals to health, dental, mental health, substance abuse, housing, and other needed services.
- Students who are homeless have a right to transportation to school.
- Students must be provided a statement explaining why they are denied any service or enrollment.
- Students must be enrolled in school and receive services, such as transportation, while disputes are being settled.
- Students are automatically eligible for Title I services.
- School districts must reserve a portion of Title IA funds to serve homeless students.
- School districts must review and revise policies that serve as barriers to homeless students.
- Schools must post information in the community regarding the rights of homeless students and unaccompanied youth in schools and other places where homeless families may frequent and written in a language they can understand.
- School districts must identify a McKinney-Vento Liaison to assist students and their families.

### **Definition**

**Subtitle VII-B of the McKinney-Vento Homeless Assistance Act (per Title IX, Part A of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act) defines homeless as follows:**

The term "homeless children and youths"--

(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and

(B) includes--

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;\*

(ii) 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 (within the meaning of section 103(a)(2)

(C));

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

## **District Procedures**

When a parent/guardian completes the Title IX form, at the time of registration, and marks one of the situations listed at the bottom of the form, **the school counselor will interview** the parent and make sure that they have a clear understanding of the circumstances.

- a. Unaccompanied Homeless Youth (Child does not reside with a parent or legal guardian)
- b. Family resides in substandard housing (Lacks or has inadequate utilities, excessive holes in floors, cardboard walls/windows, camping ground, etc).
- c. Child/family resides in temporary or public/private operated shelter (Runaway, domestic violence, substance abuse, emergency, etc.)  
Temporarily child/family resides with relatives or friends (due to loss of job, housing, income or similar reason) Please explain: \_\_\_\_\_
- d. Child/family resides in non-sub-standard domiciles or on the "streets" (tents, vehicles, buses, abandoned buildings, condemned areas, etc.)
- e. Parent/guardian in placement of institution (i.e. jail/prison, mentally ill facility, etc)
- f. Child who is initially housed in an emergency placement by DHS and awaiting foster care placement.

2. Then the counselor will send the Title IX forms (part 1 and 2) & Caregiver Authorization form, if applicable, to **the Federal Programs Director and the Homeless Liaison** and make every effort to inform them of any extenuating circumstances in a brief synopsis.
3. The Homeless Liaison will review the form and decide on whether the student should be considered as homeless. If the student is considered homeless then the following must occur:
  - a. The counselor must mark the student as homeless in SAMS (Go to the student's folder, then to the At-Risk tab, scroll down and click on edit, and check the box next to "homeless" under the At-Risk section).
  - b. Please store all forms in the student's cumulative folder for a period of one academic school year. **(This documentation will need to be removed from the cumulative folder at the end of the year).**
  - c. **The Homeless Liaison** will send Food Services a copy of the homeless student's Title IX (form 1) for their records.
4. Once each school uploads MSIS MSD files for the month, please go into MSIS (under the view student data to make sure that the title x indicator has turned to "y" instead of "n". If the student was marked in SAMS before you upload, then all should go well.
- 5. A student is marked homeless for 1 year, and will have to reapply every year. Please clear out all of your homeless indicators in SAMS at the end of the school year after your final Month 9 upload to MSIS.**

## **MSIS**

### **Homeless Services**

After JCSD's student data is certified each month in MSIS, the Homeless Liaison will enter the required monthly homeless services that were provided to the student in the MSIS portal.

### **Homeless Barriers**

After JCSD's student data is certified each month in MSIS, the Homeless Liaison will enter the required homeless barriers in the MSIS portal.

## Disputes

### Chapter 40 McKinney-Vento Homeless Education Dispute Resolution Procedure

#### 1. INTRODUCTION

The McKinney-Vento Homeless Assistance Act (Act) acknowledges that disputes may arise

between a local educational agency (LEA) and the parent or guardian of a homeless child

or youth, or unaccompanied youth, when the LEA seeks to place him or her in a school other than the school of origin or the one requested by the parent, guardian, or unaccompanied youth. Guidance regarding the definition of homeless, the responsibilities

of the LEA in serving homeless children and youth, school selection, eligibility and enrollment is provided in the Act. The Act includes dispute resolution among the required

duties of the LEA liaison and the State Educational Agency (SEA). The following procedures are specified in the Act:

a. **Enrollment:** Immediately enroll the homeless child or youth in the school preferred by the parent, guardian or unaccompanied youth until the dispute is settled and all available appeals have been exhausted. The statutory definition of “enroll” includes attending classes and participating fully in school activities.

b. **Written explanation:** Written explanations provided by the LEA shall be in a manner and form understandable to the parent, guardian, or unaccompanied youth of any decisions related to school selection, eligibility or enrollment made by the school or LEA, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions.

c. **Parent/Guardian/Unaccompanied Youth Rights:** It is the responsibility of the LEA to inform the parent or guardian, or unaccompanied youth of the McKinney-Vento rights and the dispute resolution process. While the dispute is being resolved, the child or children in question must be enrolled in school and receive all services for which they are eligible, including transportation services. If the dispute is concerning the school of “best interest,” the child must be enrolled in the school preferred by the parent/guardian or unaccompanied youth.



## **2. ADMINISTRATIVE PROCEDURE**

The Mississippi Department of Education (MDE), Office of Federal Programs, has adopted a dispute resolution process at the local and state levels. If a dispute arises regarding the eligibility, school selection, or school enrollment of a homeless child or youth, or unaccompanied youth, the following procedures are to be followed:

**Local Educational Agency Level:** If the LEA makes a determination regarding school selection or enrollment that would result in the child or youth attending a school other than the one requested by the parent, guardian, or unaccompanied youth, a written explanation shall be provided in a manner and form understandable to the parent, guardian, or unaccompanied youth. The parent, guardian, or unaccompanied youth shall be informed of the right to appeal and the written decision shall include a statement of the right to appeal to the LEA superintendent. The dispute resolution process shall be initiated at the local level by the parent/guardian or unaccompanied youth who wishes to appeal the school district's decision. The LEAs shall develop written policies and procedures with timelines that govern the dispute resolution process and shall include, at a minimum, the following:

- a. Each LEA is required to have a designated McKinney-Vento liaison. In addition, each school should have a contact who has been trained on the McKinney-Vento Act.
- b. If the parent, guardian or unaccompanied youth disagrees with the LEA's decision and wishes to appeal to the LEA superintendent or his/her designee, the parent, guardian, or unaccompanied youth shall file a request for dispute resolution with the LEA liaison by completing a dispute resolution form or submitting a written request after receiving notification of the LEA's decision. The LEA superintendent's designee shall be someone other than the LEA liaison. The parent, guardian, or unaccompanied youth shall be informed of the right to appeal and the LEA superintendent's written decision shall include a statement of the right to appeal to the local school board of education.
- c. If the parent, guardian, or unaccompanied youth disagrees with the LEA superintendent's decision and wishes to appeal to the local board of education, the parent, guardian, or unaccompanied youth shall inform the LEA liaison of the intent to appeal. The LEA liaison shall ensure an appointment is made for the next, regularly scheduled board meeting to address the dispute. The LEA liaison shall also provide the parent, guardian, or unaccompanied youth with the documentation collected up to that point, including the parent, guardian or unaccompanied youth request for dispute resolution, the LEA liaison and local superintendent's written decision and

any other additional information submitted by the parent, guardian, or unaccompanied youth. The parent, guardian, or unaccompanied youth shall be informed of the right to appeal and the local school board of education's written decision shall include a statement of the right to appeal to the MDE if aggrieved.

State Educational Agency Level: Appeals made to the MDE shall be submitted in writing, signed by the complainant, and forwarded by the LEA. The following steps are to be taken:

a. Address the complaint to:

Mississippi Department of Education Office of Federal Programs  
State Homeless Education Coordinator 359 North West Street, Suite 111  
Jackson, MS 39205

b. The complaint shall include the following:

1. A description of the situation that prompted the dispute
2. The name(s) and age(s) of the homeless child or youth
3. The name(s) of the LEA and personnel involved
4. A description of the attempts that were made to resolve the issue at the local level, including copies of any documentation used in making the decisions.

c. The State Homeless Coordinator will gather needed information from statements of the parties involved and forward the information to the Executive Director of the Office of Federal Programs, along with a recommendation for resolution or for further investigation.

d. Within ten (10) business days after receiving a complaint, the Executive Director of the Office of Federal Programs will recommend a resolution and will inform interested parties, in writing, of the decision.

e. If the parent, guardian, or unaccompanied youth disagrees with the decision, that party may, within ten (10) business days, appeal to the State Superintendent. This appeal shall be made in writing and state why the party disagrees with the decision of the Executive Director of the Office of Federal Programs.

f. Within ten (10) business days after receiving an appeal, the State Superintendent or his/her designee will render a final administrative decision and notify all parties in writing. If the parent, guardian, or unaccompanied youth disagrees with the decision of the State Superintendent in a matter

concerning homeless children or youth, the party may request a review of the decision by the United States Secretary of Education in accordance with 34 CFR Part 299.11.

Visit the Mississippi Department of Education website, Office of Federal Programs, Title IX, Part A Education for the Homeless Children and Youth Program (McKinney-Vento) for more information.

Sources:

42 U.S. Code § 11432(g)(1)(C) (Rev. 2017);

42 U.S. Code § 11432(g)(3)(E)(i)-(iv) (Rev. 2017);

Miss. Code Ann. § 37-3-11(c) (Rev. 2017);

Miss. Code Ann. § 37-1-3 (Rev. 2017)

## **Transportation**

### **Section 7.2 School of Origin Transportation Requirements**

The McKinney-Vento Act requires every state and its LEAs to adopt policies and practices to ensure that transportation is provided at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin in accordance with the following, as applicable. If the homeless child or youth:

- 1) continues to live in the area served by the LEA in which the school of origin is located, transportation to and from the school of origin shall be provided or arranged by the LEA in which the school of origin is located [42 U.S.C. § 11432(g)(1)(J)(iii)(I)].
- 2) begins living in an area served by another LEA but remains enrolled in the school of origin, 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 method, the responsibility and costs for transportation shall be shared equally [42 U.S.C. § 11432(g)(1)(J)(iii)].

The law requires LEAs to coordinate inter-district activities with other LEAs, specifically mentioning the coordination of transportation [42 U.S.C. § 11432(g)(5)(A)(ii)]. It is important to note that this requirement applies to all LEAs whether or not they receive subgrant funds and whether or not they provide transportation to other students.

Homeless children and youth have the right to remain in their school of origin for the duration of homelessness, in any case in which a family becomes homeless between academic years or during the academic year, and for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year [42 U.S.C. § 11432(g)(3)(A)].

Related to transportation, “The State and its LEAs in the State will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin” [42 U.S.C. § 11432(g)(1)(J)(iii)].

Liaisons must ensure that “...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)(A)(viii)].

## Homeless Transportation Flowchart

### Homeless Transportation Flowchart

When the school representative (school counselor) is made aware that the homeless student is in need of transportation they will notify their building Principal.

The principal will contact the Assistant Superintendant and the Transportation Director to ensure transportation is provided for the quilifying homeless student.

The Transportation Director will communicate with the parent/legal guardian on arranging transportation to ensure the education services of the student is not interrupted.

## Title IX, Part A Referral and Eligibility Form



*"Raising the Standard"*

**Title IX, Part A  
Education for Homeless Children and Youth Program  
Student Identification  
For  
Referral and Eligibility Form**

**Section I: Student Information, Fill in all blanks if Possible.**

Student Name: \_\_\_\_\_

Current Age: \_\_\_\_\_ Current Grade: \_\_\_\_\_ Sex: \_\_\_\_\_ Race: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Home Phone #: \_\_\_\_\_ Work Phone #: \_\_\_\_\_

**Section II: Eligibility Criteria**

\_\_\_\_\_ Unaccompanied Homeless Youth (Child meets the definition of homeless and does not reside with a parent or legal guardian)

\_\_\_\_\_ Family resides in substandard housing (Lacks or has inadequate utilities, excessive holes in floors, cardboard walls/windows, camping ground, etc).

\_\_\_\_\_ Child/family resides in temporary or public/private operated shelter (Runaway, domestic violence, substance abuse, emergency, etc.)

\_\_\_\_\_ **Temporarily** child/family resides with relatives or friends (due to loss of job, housing, income or similar reason)  
Please explain: \_\_\_\_\_

\_\_\_\_\_ Child/family resides in non-sub-standard domiciles or on the "streets" (tents, vehicles, buses, abandoned buildings, condemned areas, etc.)

\_\_\_\_\_ Parent/guardian in placement of institution (i.e. jail/prison, mentally ill facility, etc)

\_\_\_\_\_ Child who is initially housed in an emergency placement by DHS and awaiting foster care placement.

If one or more of the above items are marked, parent must complete Displaced Student Residency Form.

## Title IX Displaced Student Residency Form

# JACKSON COUNTY

*School District*  
**"Raising the Standard"**  
**Displaced Student Residency Form**  
**Editable**

This form is intended to address the requirements of the McKinney-Vento Act (Title IX, Part A of the Every Student Succeeds Act). The question below is to assist in determining if the student meets the eligibility criteria for services provided under the McKinney-Vento Act. In the event that the child is not staying with his/her parent(s) or guardian(s), use the caregiver authorization form to address guardianship issues.

**Where does the student sleep at night?** (Click in box to check; use tab key to move between lines for typing answers)

- |   |  |
|---|--|
| <input type="checkbox"/> in a shelter     |  |
| <input type="checkbox"/> in a motel/hotel | <input type="checkbox"/> in another location that is not appropriate for people                    |
| <input type="checkbox"/> in a foster home |  |
| <input type="checkbox"/> in a car         | <input type="checkbox"/> temporarily with more than one family in a home (Due to loss or hardship) |
| <input type="checkbox"/> at a campsite    |  |

Name of School: \_\_\_\_\_ Grade: \_\_\_\_\_

Name of Student: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
mm/dd/yyyy

I, (name) \_\_\_\_\_, declare as follows:

I am the parent/legal guardian of (name of student) \_\_\_\_\_ who is  
of school age and is seeking enrollment in (name of school district) \_\_\_\_\_.

Since (date) \_\_\_\_\_, our family has not had a permanent residence.  
mm/dd/yyyy

Under penalty of perjury under the laws of this state, I declare that the information provided here is true and correct and of my own personal knowledge and that, if called upon to testify, I would be competent to do so:

Name of person completing this form: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
mm/dd/yyyy

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

xxx-xxx-xxxx  
I can be reached for emergencies at : \_\_\_\_\_

Jackson County School District

## Caregiver Authorization Form



### Caregiver Authorization Form

This form is intended to address the McKinney-Vento Homeless Assistance Act (P.L. 107-110) requirement that homeless children have access to education and other services for which they are eligible. The McKinney-Vento Homeless Assistance Act states specifically that barriers to enrollment must be removed. In some cases, a child or youth who is homeless may not be able to reside with his/her parent or guardian; however, this fact does not nullify the child's/youth's right to receive a free, appropriate public education.

#### Instructions:

Complete this form for a child/youth presenting himself/herself for enrollment while not in the physical custody of a parent or guardian.

- To authorize the enrollment in school of a minor, complete items 1 through 4 and sign the form.
- To authorize the enrollment and school-related medical care of a minor, complete all items and sign the form.

I am 18 years of age or older and have agreed to fulfill the role of caregiver for the minor named below.

1. Name of Minor: \_\_\_\_\_

2. Minor's date of birth: \_\_\_\_\_

3. My name (adult giving authorization): \_\_\_\_\_

4. My home address: \_\_\_\_\_  
\_\_\_\_\_

5. Check one or both (for example, if one parent was advised and the other could not be located):

☐

I have advised the parent(s) or other person(s) having legal custody of the minor as to my intent to authorize medical care and have received no objection.

☐

I am unable to contact the parent(s) or legal guardian(s) at this time to notify them of my intended authorization.

6. My date of birth: \_\_\_\_\_

7. My state driver's license or identification card number: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of Mississippi that the foregoing information is true and correct.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



# **JCSD**

# **Foster Care**

# **Education**

# **Plan**

## **Foster Care**

### Requirements

Jackson County School District will collaborate with MDCPS to implement the educational stability provisions for students in foster care. JCSD will work closely with MDCPS, during the best interest determination, to ensure that processes and procedures are in place to meet the unique needs of students in foster care including:

- Students in public preschool – Districts must meet the educational stability requirements for children in foster care who were enrolled in preschool at their time of placement in a foster home.
- English language learners (ELLs) - students identified as having limited English proficiency in speaking, listening, reading, or writing English through procedures established by school districts. Title VI and the Equal Educational Opportunities Act of 1974 (EEOA) require public schools to ensure that all English learner students, including English learner students in foster care, can participate meaningfully and equally in educational programs.

### **JCSD Foster Care Point of Contact**

Given that educational stability for children in foster care provisions will largely be implemented at the local level, LEAs must designate a Point of Contact. The contact information for the LEA point of contact should be made public so the designee may be easily reached when required. Roles and responsibilities of the LEA point of contact may include:

- Coordinating implementation of the Title I, Part A provisions, as it relates to Foster Care provisions outlined in the Every Student Succeeds Act;
- Leading the development of a process for making the best interest determination;
- Documenting the best interest determination; 7 Educational Stability for Children in Foster Care December 2016
- Facilitating the transfer of records for immediate enrollment;

- Facilitating data sharing with the MDCPS consistent with Family Education Rights to Privacy Act and other privacy protocols;
- Developing and coordinating local transportation procedures;
- Managing best interest determinations and transportation cost disputes;
- Ensuring that children in foster care are enrolled in and regularly attending school; and,
- Coordinating and implementing the child's IEP if applicable. If the child is a child with a disability the school of origin should collaborate with the new school to ensure services begin day one. Foster Care Law

### **Best Interest Determination (BID)**

The LEA and MDCPS must collaborate to determine or ensure a determination is made as to whether it is in the child's best interest to remain in his/her school of origin. The school of origin is defined as the school in which a child is enrolled at the time of initial foster care placement or at the time a change in foster placement is made. The custodial agency must notify the school and district within one school day of the child being placed in foster care or of a change in the foster child's living arrangement. A district must ensure that a child in foster care remains in his or her school of origin unless a determination is made that it is not in the child's best interest to do so. The LEA must take into consideration all factors relating to a child's best interest. Although there is flexibility in determining which factors should be considered as part of evaluating the appropriateness of the current educational setting, to make a holistic and well-informed determination, a variety of student-centered factors should be considered such as:

- The child's participation in specialized instruction (e.g., gifted programming, career technical education program, College Credit Plus, Advanced Placement classes); 8 Educational Stability for Children in Foster Care December 2016
- The availability of required special education and/or related services in a school other than the school of origin when the student has an identified disability under IDEA or Section 504;
- The availability of language services in a school other than the school of origin when the student has been identified as an English language learner pursuant to Title VI and the Equal Educational Opportunities Act;
- The student's ability to earn full academic credit, the ability to proceed to the next grade, or the ability to graduate on time;

- School climate, peer support, supportive adults, and involvement in extracurricular activities;
- The availability and quality of the services in the school to meet the child's educational and socioemotional needs;
- The impact the commute to and from school would have on the student, based on developmental functioning. For children with disabilities, the Fostering Connections Act, and Individuals with Disabilities Education Act (IDEA) federal requirements are to be factored in when determining best interest; and
- The cost of transportation or the appropriate services should not be a consideration when determining a child's best interest. Best interest determinations are only required when there is a potential change in the school; however, the custodial agency should inform the student's school and district the next school day when there is an out of home placement or a change in placement. This process will ensure the LEA has correct information. The LEA must update the student database and contact information for the student upon notification. Timely notification allows the school and district to adjust necessary services and interventions (e.g., counseling, school-based health services) for the student. When it is not in the best interest of the child to remain in his or her school of origin, a child must be immediately enrolled in his or her new school even if the student doesn't have the necessary documentation for enrollment.

## **Procedure**

### **District**

### **Identifying Foster Care Students**

The Child Protection Services (CPS) will identify for the LEA when a student is placed in foster care, is attending or is to be enrolled in Jackson County School District. CPS will also be responsible for notifying JCSD of any foster care living placement changes.

### **Request to Participate in the Best Interest Determination**

CPS will notify JCSD immediately upon learning that a student attending JCSD has been placed in foster care or will be moved to a new home placement that is located outside the JCSD and a best interest decision must be made.

### **Notice of Final Best Interest Decision**

1. When it is determined that it is in a student's best interest not to remain at their school of origin after being placed or changing foster care living placement CPS will contact the school counselor and together they will complete a BID for the student.

O R

2. When it is determined that it is in a student's best interest to remain in their school of origin after changing foster care placement to reside outside of JCSD; CPS must notify JCSD of the final decision and submit a BID form to the school. This decision determines the need for the parties to collaborate under this agreement and procedure to establish the most cost- effective transportation available for the student.

### **MSIS**

#### **Foster Care Services**

After JCSD's student data is certified each month in MSIS, the Foster Care Point of Contact will enter the required foster care services in the MSIS portal.

#### **Foster Care Barriers**

After JCSD's student data is certified each month in MSIS, the Foster Care Point of Contact will enter the required foster care barriers in the MSIS portal.

### **Disputes**

#### **Transportation**

Some children in foster care may need transportation to remain in their school of origin. Any child in foster care needing transportation to their school of origin must promptly receive transportation services. If the child remains in their school of origin and moves outside the current school's attendance zone, the LEA must collaborate with the local MDCPS to develop and implement clear written transportation procedures in accordance with 34 C.F.R. § 299.13(c)(1)(ii). The two entities must establish a system that expedites transportation for children placed in foster care. The goal is to

maintain educational stability for the student. There are various modes of transportation available for students. Examples of no-cost or low-cost options for transportation that LEAs and the MDCPS could explore include whether:

1. MDCPS will arrange for the child to be dropped off at a school bus stop for the school of origin;
  2. MDCPS will arrange for the foster parent or other designee to transport the child to school (mileage reimbursable through foster care maintenance payments);
  3. MDCPS and the LEA will review pre-existing bus routes or stops close to the foster care placement that cross district boundaries, such as bus routes for magnet schools and transportation for homeless students as required by the McKinney-Vento Act;
  4. MDCPS and the LEA will determine if the child is already eligible for transportation covered by other programs;
  5. MDCPS and LEA will address how the child welfare agency will use foster care maintenance payments and administrative funds to pay for transportation to the school;
  6. MDCPS and LEA will specify how “additional costs” of transportation will be calculated, to delineate clearly the LEA’s responsibility to provide transportation when there are no additional costs;
  7. MDCPS and LEA will specifically describe how transportation to the school of origin will be provided in situations where there are no additional costs; and
  8. MDCPS and LEA will specify the timing and procedures for the child welfare agency to reimburse the LEA for transportation costs.
- In the event of a dispute between the LEA and MDCPS concerning the cost of transportation, the two entities must consider what is in the best interest of the student. If the disagreement continues, the cost will be divided equally between the LEA and MDCPS. The dispute shall be brought before the state appointed POCs ( MDE and MDCPS).

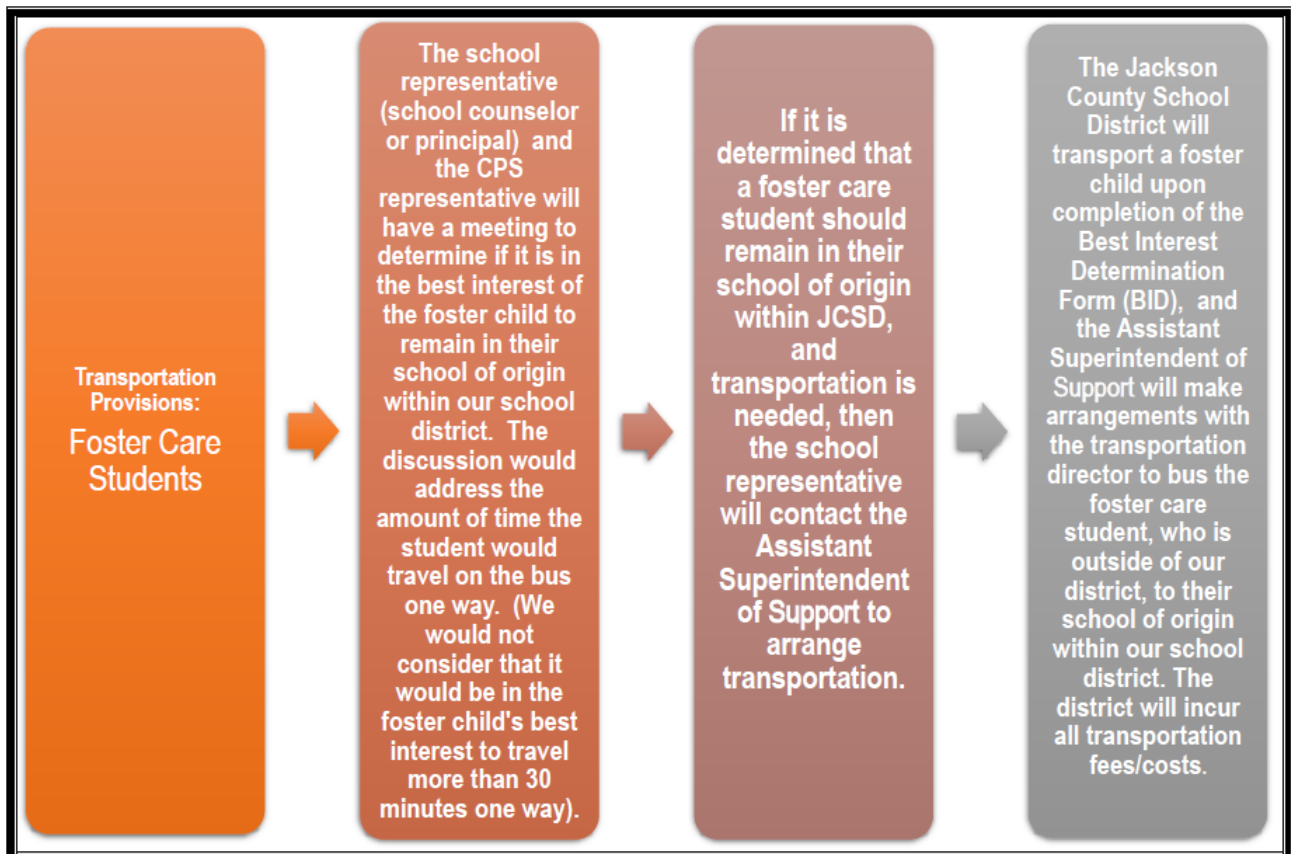
Current transportation expenses shall remain in effect until a decision is rendered to maintain the student’s status quo.

**Funding Source for Transportation:** In addition to state and local funds that may be available for providing transportation, certain federal funds may be available to cover additional transportation costs to the school of origin for students in foster care.

Districts may use Title I funds to pay for additional costs needed to transport children in foster care to their schools of origin. Additionally, Title IV-E funds which are earmarked for the child welfare training program was created as part of the Child Welfare and Adoption Assistance Act of 1980 (P.L. 96-272) to support training in both foster care and adoption services. These funds are provided through the Mississippi Department of Child Protection Services to aid with reasonable transportation costs that will enable foster care students to attend his or her school of origin. LEAs will need to consult with MDCPS regarding individual student's eligibility of Title IV-E child welfare funds. It is important to note that if a foster care student receives Title IV-E reimbursement, it is only available for the federal portion of transportation costs, LEAs are responsible for the non-federal portion. Cost-sharing to meet the match requirements for federal reimbursement is allowable, and is one way for LEAs and MDCPS to collaboratively meet their responsibilities for providing transportation and maximize use of available federal funds. The following will aid the LEA Multiple factors are utilized in determining reasonable transportation, including costs, distance, and duration. The MDCPS has sole authority in determining which cost to include in a child's foster care maintenance payment. These factors must be considered and part of the plan developed collaboratively between the LEA and local MDCPS. Furthermore, the Every Student Succeeds Act requires that districts must ensure that transportation is provided for a child in foster care, regardless of whether the district provides transportation otherwise. This requirement includes students in foster care who attend public preschools. If an LEA offers a public preschool education, an LEA must meet the Title I requirements for children in foster care in preschool, including ensuring that a child in foster care remains in his or her preschool of origin, unless a determination is made that it is not in the child's best interest. (See Elementary and Secondary Education Act Section 1111(g)(1)(E)). Additional costs incurred in providing transportation to the school of origin should reflect the difference between what an LEA otherwise would spend to transport a student to his or her assigned school and the cost of transporting a child in foster care to his or her school of origin. U.S. Departments of Education and Health and Human Services (2016), Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster

## Flowchart

### Foster Care Transportation Flowchart



Revised 7/17/2025



## Appendices

### BID – Best Interest Determination Form

BEST INTEREST DETERMINATION FOSTER CARE SCHOOL PLACEMENT FORM				
<b>BID Timeframe</b> A BID must be completed every time a youth comes into care or there is a placement change while in care. BID conferences/meetings with the school district POC must take place within five (5) business days of a child entering foster care or changing placement. <b>The youth shall not be withdrawn/enrolled until a BID is completed.</b>				
<b>Student Information</b>				
Student Name: (first, middle, last)		Grade:	Date of BID:	
Address/District of Residence:		MSIS:	IEP Ruling <input type="checkbox"/> Yes <input type="checkbox"/> No	
School/District of Origin: (enter school name)				
<b>Mississippi Department of Child Protection Services Information</b>				
Case Worker: _____		COR:	Phone: ( ) ____-____	
ASWS: _____			Phone: ( ) ____-____	
<b>Determination</b>				
<input type="checkbox"/> The student shall remain in the district/school in which the child was enrolled at the time of placement (school of origin). <b>Name of School District/School:</b> (enter school name)				
<input type="checkbox"/> Based on the best interest determination, a change in school placement is recommended. In accordance with ESSA, the child will be enrolled in the district/school of current residence (receiving school). <b>Name of School District/School:</b> (enter school name)				
<b>NOTE:</b> If a change in educational placement is necessary, enrollment in the new school must take place <i>immediately</i> . All educational records must be provided to the receiving school. * An IEP Placement meeting should be scheduled with the new school district's POC.				
<b>BID Participants</b>				
Title	Participated	Printed Name	Signature	Agree with Determination
Student	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
Birth Parent(s) if applicable	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
MDCPS POC- Case Worker or Supervisor	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
Guardian Ad Litem	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
POC for School of Origin	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
POC for New School District (if applicable)	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
IEP Team Member (if applicable)	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
Foster Parent (If applicable)	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
Ed. Decision Maker (if applicable)	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No

### Supporting Documentation

Indicate and attach any supporting documentation which was used in making this best interest determination interest. Send documentation to the receiving school district if applicable. (The following is checklist of sample documents that may be considered. The list is not intended to be exhaustive.)

- ☐ Report cards
- ☐ Progress reports
- ☐ Achievement data (test scores)
- ☐ Attendance data
- ☐ E-mails or correspondence from individuals consulted
- ☐ Disciplinary referrals
- ☐ Health reports/records
- ☐ IEP or 504 Plan\*\*

A copy of the BID form must be sent to the receiving school district and [BID@mdcps.ms.gov](mailto:BID@mdcps.ms.gov). When applicable, a copy of the BID form must be sent to the group home and/or treatment facility.

### Special Education Decision Maker /Surrogate Parent Checklist

**\*\*Education Decision Maker/Surrogate Parent needed-** The local school district must appoint one if (Check all that apply)

- ☐ Parental rights have been terminated.
- ☐ Biological/adoptive parent cannot be located or not attempting to act
- ☐ Foster parent/relative is not willing or able to serve as the education decision maker
- ☐ Child/Youth placed in congregate care or residential treatment facility **IF** the first two boxes are checked

The Youth Court with jurisdiction of the child's case may appoint an Education Decision Maker/Surrogate parent.

\_\_\_\_\_ is authorized to make special education decisions as an Education Decision Maker/Surrogate Parent under IEAS. See 34C.F.R.300.30(a)(3) and 34 C.F. R.300.519(c).

### Transportation Plan

☐ **A transportation plan is needed.** (Only check if needed)

*Any child in foster care needing transportation to their school of origin must promptly receive transportation services, regardless of whether the district provides transportation otherwise. This requirement includes students in foster care who attend public pre-schools. The LEA must collaborate with the local MDCPS to develop and implement clear written transportation procedures in accordance with 20 U.S.C. § 6312(c)(5)(B) if the child remains in their school of origin but moves outside the school's attendance zone. The two entities must establish a system that expedites transportation for children placed in foster care. (MDE ESSA Guidance, December 2016)*

### BID Impasse

The COR Worker must forward the BID Packet to the MDCPS Education Unit if an impasse is reached between the LEA and MDCPS. The LEA POC must forward a copy to the MDE Compulsory School Attendance Unit if an impasse is reached.

