

580 ADMINISTRATIVE PROCEDURE - EDUCATION OF HOMELESS STUDENTS

I. PURPOSE

The purpose of this procedure is to ensure that children and youth who are experiencing homelessness receive the same educational opportunities as other students who are not homeless. This procedure is intended to ensure that the district is in full compliance with the McKinney-Vento Homeless Assistance Act.

II. GENERAL STATEMENT OF PROCEDURE

The district intends that children and youth who are experiencing homelessness have the opportunity to meet the same challenging state and district standards expected of all students. Students in homeless situations should have access to all education, fine arts, co-curricular, and other services they need to achieve the expectations of the UDV and the State standards; including the school choice provisions of the district. Children and youth who are homeless are to be provided educational services comparable to those received by any student in the district.

III. DEFINITION OF HOMELESS CHILDREN AND YOUTH

- A. The term “the Act” means Subtitle B of title VII of the McKinney-Vento Homeless Assistance Act 42 U.S.C. 11431 et seq.
- B. The term “homeless children and youth” means individuals who lack a fixed, regular and adequate nighttime residence as those terms are defined in law. They include:
 - 1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or 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; are abandoned in hospitals; or are awaiting foster care placement;
 - 2. 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;
 - 3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and,
 - 4. Migratory children, as this term is defined in section 1309 of the Elementary and Secondary Education Act of 1965, who qualify as homeless for the purposes of this definition because the children are living in circumstances described in the

McKinney-Vento Homeless Assistant Act.

- C. School of Origin means the school the student attended when they last had permanent housing or the school last attended.
- D. Homeless Liaison is a person designated by the district as the district contact for students in homeless situations. A Homeless Liaison must carry out the provisions of law.
- E. The above definitions shall automatically be modified if the Act modifies these Definitions.

IV. SCHOOL SELECTION AND ENROLLMENT

The District shall keep students who are in homeless situations, in their school of origin as that term is defined in section III. B. of this procedure or enroll the student in a school that non homeless students who live in the attendance area where the student is actually living are eligible to attend. In determining the best interest the District will, to the extent feasible, keep students in the school of origin unless it is against the parent's or guardian's wishes. If the school of origin is in another district, the student has the right to continue to attend that school at no cost. The cost of transportation shall be borne by the two school districts.

Students may stay in their school of origin the entire time they are homeless and until the end of any academic year in which they move into permanent housing.

- A. Students may choose to enroll in any public school that students living in the same attendance area are eligible to attend.
- B. If a student is sent to a school other than the school of origin or the school requested by a parent or guardian, the district must provide a written explanation of its decision and inform the parent or guardian of their right to appeal regardless of whether the parent or guardian disputes the placement. The superintendent shall develop a dispute resolution process consistent with the provisions of Section VI. of this policy.
- C. The district Homeless Liaison must assist unaccompanied youth, who are not in the custody of a parent or guardian, choose and enroll in a school consistent with the provisions of the Act.
- D. Notwithstanding the provisions of Policy Number 530AP (Immunization Requirements), the district must immediately enroll students in homeless situations even if they do not have required documents such as school records, medical records, proof of residency or other documents required by the district. If a student does not have immunizations or immunization or other medical records, the Homeless Liaison must immediately assist in obtaining them. The student must be enrolled in school in the interim. Educational and medical records must be obtained as soon as possible consistent with the provisions of Minnesota law.
- E. Homelessness alone is not a reason to separate students from the mainstream school environment. These students shall not be segregated in separate schools, separate

programs within schools or separate settings. This does not prohibit special programs for short periods of time for health and safety emergencies or to provide temporary, special and supplemental services for the students.

- F. Services provided with revenue from the Act must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the school's regular academic program.

V. TRANSPORTATION

- A. At the request of the parent or guardian, homeless students must be provided transportation to and from their school of origin consistent with the district regulations regarding miles from school and other transportation policies and regulations. This includes transportation necessary to attend before school and after school activities and co-curriculars. For unaccompanied youth, such transportation shall be provided when requested by the Homeless Liaison.
- B. If homeless student's school of origin is outside of the district, the two districts shall apportion the transportation cost.

VI. DISPUTE RESOLUTION PROCESS

- A. Any disputes regarding the educational placement of homeless children and youth shall be expeditiously addressed through a dispute resolution process developed by the superintendent consistent with the provisions of the Act.
- B. Pending the result of the dispute resolution process, the student must be immediately placed in the school of the parent's choice.

VII. RESPONSIBILITIES OF THE SUPERINTENDENT

- A. The superintendent, or Homeless Liaison, shall develop regulations and processes deemed necessary to carry out this procedure.
- B. The superintendent shall appoint a person(s) to function as the Homeless Liaison.

Legal References: *McKinney-Vento Homeless Assistance Act, Subtitle VII-B – Education for Homeless Children and Youths, January 2002*

Cross References: *707AP - Transportation of Public School Students (District Administrative Procedure)*
530AP - Immunization Requirements (District Administrative Procedure)
[RAS Policy 102.1 Equity Policy](#)