

Board of Education Policy

HOMELESS CHILDREN

IDENTIFICATION OF HOMELESS STUDENTS

It is the policy of the Miller Place School District to determine whether there are homeless students within the District, encourage their enrollment and eliminate existing barriers to their education which may exist in District practices. The Board will provide homeless children attending the District's schools with access to the same free and appropriate public education and other school programs and activities, including preschool education, as other children.

DEFINITION OF HOMELESS CHILD AND UNACCOMPANIED YOUTH

A homeless child is defined as a child who lacks a fixed, regular, and adequate nighttime residence or whose primary nighttime location is in a public or private shelter designated to provide temporary living accommodations, or a place not designed for, or ordinarily used, as regular sleeping accommodations for human beings. This definition includes a child who is:

- sharing the housing of other persons due to loss of housing, economic hardship or similar reason;
- living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- living in a car, park, public space, abandoned building, substandard housing, bus or train stations or similar settings;
- abandoned in a hospital;
- a migratory child who qualifies as homeless because he or she is living in circumstances described above; or
- An unaccompanied youth is a homeless child for whom no parent or person in parental relation is available.

A homeless child has the right to attend school in either the school of origin (i.e., where he/she resided before becoming homeless, or the school he/she was last enrolled), the school in the district of current location (i.e., where he/she currently resides as a result of his/her homelessness) that he/she is entitled to attend based on attendance zone or general eligibility, or a school in a district participating in a regional placement plan. Such schools include publicly-funded preschools administered by the District or the State Education Department ("SED") and charter schools. The homeless child is entitled to attend the designated school on a tuition-free basis for the duration of his or her homelessness. If the child becomes permanently housed, the child is entitled to continue to attendance in the same school building until the end of the school year and for one additional year if that year constitutes the child's terminal year in such building. Additionally, for feeder schools, if a homeless child completes the final grade level in his/her school of origin, the child may also attend the designated receiving school at the next grade level within the school district of origin.

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The Superintendent of Schools shall develop procedures necessary to expedite the homeless child's access to the designated school. Such procedures shall include:

1. Admission: Upon designation, the District shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical or immunization records, proof of age or residency or other documentation, and even if there is a dispute with the child's parents regarding school selection or enrollment. During a dispute, the student may continue attending the school until final resolution of the dispute, including all available appeals. Homeless children will have the same opportunity as other children to enroll in and succeed in the district's schools. They will not be placed in separate schools or programs based on their status as homeless. The District shall eliminate barriers to identification, enrollment and retention of homeless children, including barriers to enrollment and retention due to outstanding fees, fines or absences.
2. Transportation: The District shall provide transportation for homeless students currently residing within the District as required by applicable law, as described in the accompanying regulation. In general, the District shall ensure that transportation is provided to homeless students enrolled in the district who attend a school of origin, including a publicly-funded preschool administered by the District or SED, even if the student lives outside the District's boundaries. Transportation shall be provided for the duration of homelessness, through the remainder of the school year in which the student becomes permanently housed, and one additional year if that is the student's final year in the school.
3. School Records: For homeless students attending school out of the District, the District shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship paper, if applicable. For homeless students attending school in the District, the District shall request the student's records (academic, medical, etc.) from the school the student last attended.
4. Coordination: The District shall coordinate with local social services agencies and other entities providing services to homeless children and their families for the provision of services to homeless children, and shall coordinate with other school districts on issues of prompt identification, transportation, transfer of records, and other inter-district activities. This shall include ensuring the provision of appropriate services to homeless students with disabilities who are eligible for services under either Section 504 or IDEA.

A portion of the District's Title I, Part A funds shall be set aside for homeless children and youth to provide educationally related support services and services not ordinarily provided to other students.

Information about a homeless child's living situation shall be treated as a student education record, and shall not be deemed to be directory information under FERPA (see policy 5500).

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DUTIES OF THE MANDATED LOCAL LIAISON FOR HOMELESS CHILDREN AND YOUTH

The Superintendent shall designate a local liaison for homeless children and youth ("homeless liaison"). The homeless liaison in the Miller Place School District serves as one of the primary contacts between homeless families and school staff, District personnel, shelter workers, and other service providers. The homeless liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed academically. Staff, including the homeless liaison, who provide services to homeless students receive required professional development and support on identifying and meeting the needs of homeless students

The homeless liaison's responsibilities shall include, but not be limited to, ensuring that:

- Homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies;
- Homeless students enroll in, and have full and equal opportunity to succeed in, the schools of the District;
- Homeless children and youth and their families receive educational services for which they are eligible;
- Parents or guardians of homeless children and youth are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children;
- Parents and guardians and unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing transportation services;
- Enrollment disputes are promptly mediated and resolved in accordance with the requirements of the McKinney-Vento Act; and
- Public notice of the educational rights of homeless students is disseminated in locations frequented by homeless unaccompanied youth and parents/guardians of homeless children, in a manner and form understandable to them.; and
- Homeless unaccompanied youth are informed of their rights, are enrolled in school, and have opportunities to meet the same State standards set for all students, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations.

In accordance with law and regulation, the District will offer a prompt dispute resolution process (described in more detail in the accompanying administrative regulation). A student shall be entitled to continued enrollment in the District's schools, and transportation, pending resolution of the dispute and all available appeals.

In accordance with Commissioner's regulations, the District shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children within the State.

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Reference: 42 USC §§11431 et seq.
School Enrollment Guidelines on the McKinney-Vento Act,
67 Fed. Reg. 10,697-10,701 (March 8, 2002)
Education Law §§207; 305; 3202; 3205; 3209
Executive Law §§532-b; 532-e
Social Services Law §§17; 62; 397
8 NYCRR §§100.2(x); 175.6

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