Billings School District 2 STUDENTS

Education of Students Experiencing Homelessness and Students in Foster Care

Every child of a homeless individual and every homeless child, and every foster child, are entitled to equal access to the same free, appropriate public education.

The district must assign and admit any student identified as experiencing homelessness of in foster care to the school regardless of residence and without regard to the student's ability to produce records normally required for enrollment (e.g., proof of residency, immunization, birth certificate, or prior school records).

The District may not require tuition or an out-of-district attendance agreement for a student experiencing homelessness or a student placed in foster care.

School Stability and School of Origin

If a student becomes homeless or enters foster care during the school year, the student has the right to remain in the school of origin unless it is determined, based on the best interest of the students, that reenrollment in another school is more appropriate. If a change in placement is determined to be in the best interested of the students, the District will immediately enroll the student in the new school and provide written notice of the decision and appeal rights.

Enrollment and Records

The Superintended will review and revise as necessary any procedures that create barriers to enrollment, attendance, or academic success for students experiencing homelessness or in foster care. IN doing so, the Superintendent will address transportation, immunizations, residency, documentation, and school records required to ensure compliance with the McKinney-Vento Homeless Assistance Act and the Every Student Succeeds Act (ESSA).

The District shall immediately enroll any student identified as homeless or in foster care, even if the student lacks required documentation. The District will promptly request and obtain missing records for the student's previous school.

Transportation

Upon request, the District shall provide transportation to enable a student's experiencing homelessness or in foster care to remain in the school of origin. When the student resides outside the District boundaries, the District will coordinate with other districts or child welfare agencies to arrange transportation and share costs in accordance with federal and state law.

Comparable Services and Programs

Students experiencing homelessness or placed in foster care will have access to educational and support services comparable to those provided to other students, including but not limited to:

1. Transportation services;
2. Educational services for which a student meets eligibility criteria (e.g., Title I);
3. Educational programs for children with disabilities and limited English proficiency;
4. Programs in vocational and technical education
5. Programs for gifted and talented students; and

6. School nutrition programs.

Liaisons and Coordination

The Superintendent will ensure that homeless and foster care students are identified, enrolled, and attending school. The Superintendent shall designate:

- A District Homeless Liaison responsible for implementing McKinney-Vento protections, assisting with enrollment, dispute resolution, and staff training; and
- A District Foster Care Point of Contact responsible for coordinating with local child welfare agencies, facilitating school stability decisions, and supporting transition and record transfers. Contact information for both positions shall be publicly posted on the District's website.

Definitions

A "homeless child or youth" is defined as provided in the McKinney-Vento Homeless Assistance Ace (42 U.S.C. §§11431 et seq.).

A "child in foster care" means a child placed away from the home of the parent or guardian under the responsibility of a child welfare agency, including placements in foster family homes, group homes, emergency shelters, residential facilities, or pre-adoptive homes, consistent with the Every Student Succeeds Act (ESSA).

Complaint and Dispute Resolution

Anyone having a concern or complaint regarding the placement, school selection, or education of a student experiencing homelessness or a student in foster care shall first present it orally and informally to the appropriate District Liaison or Point of Contact. If the matter is not resolved, the complainant may submit a written complaint using the District's Uniform Complaint Procedure (Policy 1700).
The student shall remain enrolled and receive transportation and services in the requested school pending resolution of the dispute.
The District shall also maintain and make available the McKinney-Vento Dispute Resolution Form (Policy 3125F).

Confidentiality

Information about a student's living situation or foster care status is confidential and shall be protected in accordance with FERPA and applicable state laws. Staff will receive training on confidentiality and appropriate sharing of information.

Training and Review

The District will provide annual training for staff involved in registration, enrollment, counseling, transportation, and support services to ensure compliance with McKinney-Vento and ESSA foster care requirements. The Superintendent will review this policy and related procedures annually and report updates as needed.

Cross References:
1700 – Uniform Complaint Procedure
3110 – Entrance, Placement, and Transfer
3141 –Nonresident Student Enrollment
3125F – McKinney-Vento Dispute Resolution Form
3126 – Education of Students in Foster Care (if adopted as standalone procedure)

Legal References:
42 U.S.C. §§11431 et seq. (McKinney-Vento Homeless Assistance Act)
Every Student Succeeds Act, 20 U.S.C. §6311(g)(1)(E) (Educational Stability for Children in Foster Care)
§ 20-5-101, MCA – Admittance of Child to School

Policy History:

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