Homeless Students

I. Definitions

1. *Homeless children and youths* are individuals who lack a fixed, regular, and adequate nighttime residence. The categories of children who are "homeless" and entitled to the protections of the federal include:

   (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;

   (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; (iv) *migratory children* who qualify as homeless under federal law because the children are living in circumstances described in clauses (i) through (iii) above. The term "migratory children" means children who are (or whose parent(s) or spouse(s) are) migratory agricultural workers, including migratory dairy workers or migratory fishermen, and who have moved from one school district to another in the preceding 36 months, in order to obtain (or accompany such parents or spouses in order to obtain) temporary or seasonal employment in agricultural or fishing work; and

   (vi) *unaccompanied homeless youth* (i.e. a youth experiencing homelessness while not in the physical custody of a parent or guardian). This category of students could include youths who have run
   away from home, been thrown out of their home, or been abandoned by parents or guardians.

2. *School of origin* means the school the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled.

3. *Students experiencing educational instability* are students who have one or more changes in school entity enrollment during a single school year due to homelessness, involvement in child protective services or the juvenile justice system, or due to their placement in foster care.

4. *Supervised or licensed shelters* are those facilities which provide temporary shelter for a specified, limited period of time.

5. *Enroll and "enrollment"* are defined as attending classes and participating fully in school activities.

II. Procedures for Homeless Students

1. The District will immediately enroll the homeless child or youth in school, even if the child or youth lacks records normally required for enrollment, such as previous academic records, medical or immunization records, or proof of residency.

2. The District will immediately enroll an unaccompanied homeless student without documents and without the help of an adult.

3. The District shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, as provided to other children and youths and shall, according to the child's best interest:

    a) continue the child's or youth's education in the school of origin for the duration of homelessness in any case in which a family becomes homeless between academic years or during an academic year; or

    b) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or

    c) enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

4. The District designates the Director of Individualized Student Services as the District's liaison for homeless children and youth. The Director of Individualized Student Services or that Director's designee is responsible for the following:

    a) Identifying homeless children and youths with assistance by school personnel and through coordination activities with other entities and agencies;

    b) Informing parents or guardians of educational rights and related opportunities available to their homeless children and provide them with meaningful opportunities to participate in the education of their children;

    c) Disseminating public notice of the educational rights of homeless students where children and youths receive services under the McKinney-Vento Act (such as schools, family shelters and food pantries);

    d) Mediating enrollment disputes in accordance with the Enrollment Dispute

section;

e) Informing the parent or guardian of a homeless child, youth and any unaccompanied youth, of all transportation options, including to the school of origin, and assist in accessing these transportation services;

f) Ensuring that unaccompanied youth are immediately enrolled in school pending resolution of disputes that might arise over school enrollment or placement;

g) Assisting homeless children and youths who do not have documentation of immunizations or medical records to obtain necessary immunizations or necessary medical documentation;

h) Understanding the guidance issued by the Pennsylvania Department of Education (PDE) for the education of homeless students and be ready to explain this guidance related to homeless education to District staff;

i) Getting to know the resources in the community to assist families with referrals for things such as shelter, counseling, food and transportation;

j) Distributing information on the subject of homeless students and arrange staff development workshops and presentations for school personnel, including office staff;

k) Providing standard forms and information about enrollment procedures and key school programs to each shelter in the District;

l) Becoming familiar with the various program materials that are available from PDE;

m) Collaborating with the District's special education program to ensure that homeless children who are in need of special education and related services are located, identified and evaluated. This is a requirement under the Individuals with Disabilities Education Act, which mandates that highly mobile children with disabilities, including homeless children, be identified and served. Liaisons should also ensure that homeless youths who have or may have disabilities have a parent or a surrogate parent to make special education or early intervention decisions. In the case of unaccompanied homeless youth, if a student is disabled or may be disabled and the youth does not have a person authorized to make special education decisions, the following people can be temporary surrogate parents: staff in emergency shelters; transitional shelters; independent living programs; street outreach programs; and state, local educational agency or child welfare agency staff involved in the education or care of the child. This rule applies only to unaccompanied homeless youth;

n) Identifying preschool-aged homeless children by working closely with

shelters and social service agencies in the area. In addition, the liaison should inquire, at the time they are enrolling homeless children and youths in school, whether the family has preschool-aged children;

o) Identifying unaccompanied homeless youth while respecting their privacy and dignity by providing specific outreach to areas where eligible students who are out of school may congregate;

p) Ensuring that public notice of the educational rights of homeless students is disseminated in locations frequented by parents and guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians and unaccompanied youth;

q) Ensuring that unaccompanied youths are enrolled in school, and have opportunities to meet the same challenging state academic standards as the state establishes for other children and youths, are informed of their status as independent students under Section 480 of the Higher Education Act of 1965 and their right to receive verification of this status from the local liaison.

5. In determining the best interest of the homeless child or youth, the District shall:

a) to the extent feasible, keep a homeless child or youth in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian;

b) provide a written explanation, including a statement regarding the right to appeal, to the homeless child's or youth's parent or guardian, if the District sends such child or youth to a school other than the school of origin or a school requested by the parent or guardian; and

c) in the case of an unaccompanied homeless youth, ensure that the homeless liaison assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied homeless youth and provides notice to such youth of the right to appeal.

6. Homeless students shall be provided services comparable to those offered to other District students including, but not limited to, transportation services; school nutrition programs; vocational programs and technical education; preschool programs; programs for students with limited English proficiency; and educational services for which students meet eligibility criteria, such as programs for disadvantaged students, students with disabilities, and gifted students.

III. Homeless Students Residing in Shelters, Facilities or Institutions

1. Children in temporary shelters and children who "lack a fixed, regular, adequate night time residence" – homeless children – are entitled to free school privileges

from either the school district in which their person or the shelter is located or the school district of origin.

2. Where there is an agency, supervised or licensed shelter, group home, maternity home, residence, facility, orphanage or other institution for care or training of children or adolescents located in the District, the District shall admit to its schools school-aged children who are living at or assigned to the facility or institution.

IV. Homeless Students Not Residing in a Shelter, Facility or Institution

1. In order to maintain continuity and school stability for homeless children in compliance with law, homeless children are entitled to attend school in any school district where a parent, guardian, an adult caring for them or where an unaccompanied child:

   A. spends the greatest percentage of their time; or

   B. has a substantial connection such as where they are:

      a) regularly receiving day shelter or other services involving any of the 16 McKinney-Vento Activities (42 U.S.C.A. 11433(d)) for individuals who are homeless;

      b) conducting daily living activities; or

      c) staying overnight on a recurring basis.

V. School/Health Records

1. The District should immediately enroll and begin to provide instruction to homeless children. The District may contact the district of origin for oral confirmation that the child has been immunized. Oral confirmation between professionals is a sufficient basis to verify immunization with written confirmation to follow within 30 days. The instructional program should begin as soon as possible after the enrollment process is initiated and should not be delayed until the procedure is completed.

2. If the homeless child or youth needs to obtain immunizations, or immunization or medical records, the District shall immediately refer the parent or guardian of the child or youth to the liaison who shall assist in obtaining necessary immunizations, or immunization or medical records.

VI. Transportation

1. If the homeless student continues to live in the area served by the District, the District must provide or arrange transportation on equal terms as it provides to other students living within the District. If the homeless student moves to an area served by another school district, though continuing his or her education at the

District as the school district of origin, the District and the school district in which the student is living must agree upon a method to apportion responsibility and costs for transportation to the District. If the districts cannot agree upon such a method, the responsibility and costs must be shared equally. Distance, time of year, options available, the effects of a transfer, etc., should all be addressed.

2. The provision of transportation to the school of origin is based on a students' status as homeless. The provision to remain in the school of origin during the remainder of the academic year is offered to provide for school stability. The District shall continue to provide transportation to and from the school of origin to formerly homeless students who have become permanently housed for the remainder of the academic year during which the child or youth becomes permanently housed.

VII. Dispute Resolution Process

1. Level 1 – A dispute may be raised with the District

A. If a dispute arises over school selection or enrollment, the homeless child or youth involved must immediately be admitted to the school in which they are seeking enrollment, pending resolution of the dispute.

B. The parent, guardian or unaccompanied youth who initiates the dispute should contact the District liaison for individuals experiencing homelessness as soon as possible after receiving notice of the dispute. If the person initiating the dispute does not contact the District liaison directly, the District shall be responsible for contacting the District liaison regarding the dispute as soon as possible and referring the family or youth involved to the liaison.

C. The District liaison shall ensure that the homeless child or youth is immediately enrolled, explain the dispute resolution process to families and help them to use it.

D. The District shall issue a written disposition of the dispute within 20 business days after the District liaison is notified of the dispute. The disposition shall be provided to the parent, guardian or unaccompanied youth and shall explain the basis for the decision and advise the parent, guardian or youth of the right to appeal.

E. NOTE: The District should use and maintain copies of PDE's "Notice of Procedural Safeguards" form (https://www.education.pa.gov/Documents/Codes%20and%20Regulations/Basic%20Education%20Circulars/US%20Code/Procedural%20Safeguards%20Notice%20of%20Denial%20of%20Enrollment.pdf) which ensures that all Districts (a) inform families of the basis of their decision regarding enrollment or school selection; (b) notifies families of their right to remain in their school of choice pending resolution of the dispute and (c) explains the procedures for challenging the decision of the District.

2. Level 2 – A complaint may be filed with a McKinney-Vento Coordinator

A. If the parent, guardian or unaccompanied youth is dissatisfied with the District's disposition of a dispute or would like to raise any issue of McKinney-Vento Act noncompliance, they may file a complaint or appeal with a McKinney-Vento site or regional coordinator or with the state coordinator.

VIII. Title I

Title I of the Elementary and Secondary Education Act (reauthorized December 2015 by the Every Student Succeeds Act) mandates that funds be reserved to serve homeless children.

The District shall reserve such funds as are necessary to provide services comparable to those provided to children in schools funded under Title I to serve homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live.

The Business Manager will ensure that sufficient funds are reserved as are necessary to comply with the mandates of Title I.

IX. Procedures for Other Students Experiencing Educational Instability

The District shall designate a point of contact for students experiencing educational instability. This may be the same liaison as the liaison for homeless students. No student shall be discriminated against, segregated or stigmatized based on their status as a student experiencing educational instability.

The District shall ensure that students experiencing educational instability have fair and equal access to the same educational programs, activities and services provided to other District students.

The Superintendent shall waive specific requirements in Board policies, procedures and administrative regulations to the extent that they create barriers for the enrollment and attendance of students experiencing educational instability. Such waivers include, but are

not limited to, requirements regarding:

1. Dress code

2. Transportation

3. School-sponsored or extracurricular activities for which students meet placement and qualification requirements, including, but not limited to, clubs, athletics, performing arts, class trips, social events, career and technical education, internships and specialized classesFees related to school-sponsored or extracurricular activity participation fees, and other fees including, but not limited to, school identification (badges, cards, etc.), uniforms, materials, lost or damaged items, athletic physical exams, parking or driving, food services, library, locker or padlock rental or replacement, summer school or credit recovery, technology and graduation regalia

4. Graduation

5. Registration deadlines

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