Title: **Procedure - Students Experiencing Homelessness - Enrollment Rights and Services**
Code: 3115P
Section: 3000 - Students

I. Definitions

A. "Enroll" and "enrollment" include attending classes and participating fully in school activities.

B. "Homeless children and youths" means individuals who lack a fixed, regular, and adequate nighttime residence and includes individuals in the following circumstances:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reasons; 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.

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.

4. Migratory children, as the term is defined in 20 U.S.C. Sec. 6399, who qualify as homeless under state or federal law because the children are living in circumstances described in 1 through 3 above.

C. "School of origin" means the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool. When the child or youth completes the final grade level served by the school of origin, the term "school of origin" includes the designated receiving school at the next grade level for all feeder schools.

D. "Unaccompanied youth" includes a homeless child or youth not in the physical custody of a parent or guardian.

II. Coordination
The district will coordinate the provision of services to homeless children and youths with local social services agencies and other agencies or entities providing services to homeless children and youths and their families, including services and programs funded under the Runaway and Homeless Youth Act.

The district will coordinate transportation, transfer of school records, and other interdistrict activities with other districts.

If applicable, the district will coordinate with state and local housing agencies responsible for developing the comprehensive housing affordability strategy under the Cranston-Gonzalez National Affordable Housing Act to minimize educational disruption for children and youths who become homeless.

The coordination addressed under this section will be designed to do the following:

A. Ensure that all homeless children and youths are promptly identified.

B. Ensure that all homeless children and youths have access to, and are in reasonable proximity to, available education and related support services.

C. Raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

III. District Homeless Liaison

The district homeless liaison will ensure that the following occurs:

A. Homeless children and youths are identified by school personnel and through coordination of activities with other entities and agencies.

B. Homeless children and youths enroll in and have a full and equal opportunity to succeed in school.

C. Homeless families, children, and youths have access to and receive educational services for which such families, children, and youths are eligible, including services through head start programs (including early head start programs under the head start act), early intervention services under the IDEA, and other preschool programs administered by the district.

D. Homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services.

E. The parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.

F. Public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or 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.

G. Enrollment disputes are mediated in accordance with this procedure.

H. 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 selected as part of the best interest determination.

I. School personnel providing services to homeless student and youths receive professional development and other support.

J. Unaccompanied youths are enrolled in school, have opportunities to meet the same challenging state academic standards as the state establishes for other children and youths, and are informed of their status as independent students under 20 U.S.C. 1087vv and that they may obtain assistance from the district liaison to receive verification of such status for purposes of the free application for federal student aid.

The district liaison will work to improve systems to identify homeless students and coordinate with the district's nutrition program to ensure that each homeless student has proper access to free school meals, and that applicable accountability and reporting requirements are satisfied.

The district liaison will coordinate and collaborate with the OSPI homeless education coordinator and community and school personnel responsible for providing education and related services to homeless children and youths. The liaison will participate in professional development and other technical assistance activities, as determined by the OSPI homeless education coordinator.

If the district liaison receives the appropriate training, they may affirm whether homeless students or youths are eligible for a program or service offered by the U.S. Department of Housing and Urban Development.

The district liaison will review and recommend amendments to policies that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such policies, the liaison and the district will consider issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship.

The district will inform school personnel, service providers, and advocates working with homeless families of the duties of the district homeless liaison.

IV. Identification

The district will do the following to identify homeless students and unaccompanied youth:

A. Use a housing questionnaire in its enrollment process. The questionnaire will be distributed universally so as to avoid stigmatizing homeless children and youths and their families.

B. Ensure that referral forms used to identify and support homeless students are accessible and easy to use.

C. Include its homeless liaison's contact information on its website.

D. Provide materials for homeless students and parents, if necessary and to the extent feasible, in their native language.

E. As practicable, provide annual guidance for school staff on the definition of homelessness, signs of homelessness, the impact of homelessness on students, and steps to take when a potentially homeless student is identified, including how to connect the student with appropriate housing and support service providers.

F. Develop interagency partnerships to serve homeless families and youths.

G. Work with the state homelessness coordinator to facilitate services to families and youths made homeless by natural disasters or other catastrophic events.

The district will include in existing materials that are shared with students at the beginning of the school year or at enrollment information about services and support for homeless children and youths.

The district will use a variety of communications each year to notify students and families about services and support available to them if they experience homelessness, including, but not limited to, distributing and collecting an annual housing intake survey, providing parent brochures directly to students and families, announcing the information at school-wide assemblies, or posting information on the district's website or linking to OSPI's website.

All staff are strongly encouraged to annually review the video posted on OSPI's website on how to identify the signs that indicate a student may be homeless, how to provide services and support to homeless students, and why this identification and support is critical to student success to ensure that homeless students are appropriately identified and supported.**V. Best-Interest Determination**

According to the best interest of a homeless child or youth, the district will continue the child's or youth's education in the school of origin for the duration of homelessness if the family becomes homeless between academic years or during an academic year and for the remainder of the academic year if the child or youth becomes permanently housed during an academic year. The district may also enroll the child or youth in any school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

The following will occur in considering the best interest of the student.

A. The district will presume that keeping the child or youth in the school of origin is in their best interest, except when doing so is contrary to the request of their parent or guardian (or youth in the case of an unaccompanied youth).

B. The district will consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parents or guardian (or youth in the case of an unaccompanied youth).

C. If, after conducting the best interest determination based on the presumption and factors described above, the district determines that it is not in the child's or youth's best interest to attend the school or origin or the school requested by the parent or guardian (or the youth in the case of an unaccompanied youth), the district will provide the parent or guardian (or unaccompanied youth) with a written explanation of the reasons for the determination in a manner and form they can understand, including information regarding their right to appeal.

D. In the case of an unaccompanied youth, the district will ensure that the district liaison assists in the placement decisions, gives priority to the views of the youth, and provides notice to the youth of their right to appeal.

VI. Enrollment

The district will immediately enroll a homeless child or youth in the school selected as part of the best interest determination even if the child or youth can't produce records normally required for enrollment (like previous academic records, records of immunization and other health records, proof of residency, or other documentation) or has missed application or enrollment deadlines during any period of homelessness. If there is a dispute regarding a school selected as part of the best interest determination, the child or youth will be enrolled as described under the section "Dispute Resolution."

The district may require the parent or guardian of a homeless child or youth to provide contact information.

The district will immediately contact the school last attended by the homeless child or youth to obtain relevant academic and other records.

If the homeless child or youth needs to obtain immunizations or other health records, the district will immediately refer the parent or guardian of the child or youth (or the youth in the case of an unaccompanied youth) to the district liaison, who will assist in obtaining the necessary immunizations or screenings or immunization or other required health records.

Any record ordinarily kept by the school, including immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special education or programs, regarding each homeless child or youth must be maintained so that the records involved are available, in a timely fashion, when a homeless child or youth enters a new school or district.

Information about a homeless child's or youth's living situation will be treated as an education records and will not be deemed as directory information under the Family Educational Rights and Privacy Act.

VII. Dispute Resolution

If a dispute arises over eligibility, school selection, or enrollment in a school, the following will occur.

A. The child or youth will be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including available appeals. In the case of an unaccompanied youth, the district liaison will ensure the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of the dispute.

B. The parent or guardian of the child or youth or the unaccompanied youth will be provided with a written explanation of any decision related to school selection or enrollment, including the right of the parent, guardian, or unaccompanied youth to appeal such decisions.

C. The parent, guardian, or unaccompanied youth will be referred to the district liaison who will carry out the dispute resolution process described below.

Notification of Appeal Process

If (1) the district seeks to place a homeless child or youth in a school other than the school of origin or the school requested by the parent or guardian or unaccompanied youth or (2) the district determines that the student does not meet the definition of a homeless child or youth, the district liaison will inform the parent or guardian or the unaccompanied youth, in a language and format they understand, of the right to appeal the district's decision.

The district will provide the following:

A. The written contact information for the district homeless liaison and state coordinator, with a brief description of their roles.

B. A simple, written detachable form that the parent, guardian, or unaccompanied youth can complete and turn in to the school to initiate the dispute process (the school should copy the form and return the copy to the parent, guardian, or youth for their records when it is submitted).

C. A written step-by-step description of how to dispute the district's decision.

D. Written notice of the right to enroll immediately in the school where enrollment is sought pending resolution of the dispute.

E. Written notice of the right to appeal to the state if the district-level resolution is not satisfactory.

F. Written timelines for resolving district- and state-level appeals.

Level I Appeal: District Liaison

If the parent, guardian, or unaccompanied youth wishes to appeal the district's decision related to a student's eligibility, school selection, or enrollment the following process and timeline must be followed:

A. The parent, guardian, or unaccompanied youth must file a request for dispute resolution with the district liaison by submitting a form that initiates the dispute resolution process (given to the parent, guardian, or unaccompanied youth by a liaison). The request must be submitted within **15 business days** of receiving the written notification that the district did not identify the student as homeless or intends to enroll the student in a school other than that requested by the family or the unaccompanied youth. The parent, guardian, or unaccompanied youth may submit the request directly to the district liaison or may submit the request to the school where the dispute is taking place. If the request is submitted to the school where the dispute is taking place, the school will immediately forward the request to the district liaison. If the district liaison is unavailable, the district must appoint a designee that may receive the request to initiate the dispute resolution process.

B. The district liaison will log that they received a request, including the date and time, with a written description of the situation and the reason for the dispute. A copy of the request must be forwarded to the liaison's immediate supervisor and the superintendent.

C. Within **5 business days** of receiving the request, the district liaison will make a decision and inform the parent, guardian, or unaccompanied youth in writing of the result. The liaison will provide the parent, guardian, or unaccompanied youth an appeal package containing the following:

1. A copy of the parent's, guardian's, or unaccompanied youth's request that was filed with the district's liaison upon initiating a Level I Appeal.

2. The decision rendered at the Level I Appeal by the district liaison.

3. Any additional information from the parent, guardian, unaccompanied youth, or district liaison.

It is the responsibility of the district to verify that the parent, guardian, or unaccompanied youth received the written notification regarding the district liaison's Level I Appeal decision.

D. If the parent, guardian, or unaccompanied youth disagrees with the decision made at the Level I Appeal and wishes to move the dispute resolution process forward to a Level II Appeal, they must notify the district liaison of their intent to proceed to a Level II Appeal within **10 business days** of receipt of the Level I Appeal decision.

Level II Appeal: Superintendent
If a parent, guardian, or unaccompanied youth disagrees with the Level I appeal decision, they may appeal the decision to the superintendent or their designee (who cannot be the district liaison), using the appeal package provided to them at the Level I Appeal. If the appeal is timely, the following process will occur.

A. The superintendent or their designee will arrange for a personal conference with the parent, guardian, or unaccompanied youth. The conference will be arranged within **5 business days** of the district receiving the notification that the parent, guardian, or unaccompanied youth intended to proceed to a Level II Appeal of the dispute resolution. Once arranged, the meeting between the superintendent or designee and the parent, guardian, or unaccompanied youth will take place as expeditiously as possible. The meeting may be held over video or phone conference if required because of a building closure or if the parent, guardian, or unaccompanied youth cannot attend in person, provided the same opportunity for appeal is given and the same rights are provided to the family or youth.

B. The superintendent or designee will provide a written decision to the parent, guardian, or unaccompanied youth with supporting evidence and reasons within **5 business days** of the personal conference. It is the responsibility of the district to verify the parent, guardian, or unaccompanied youth receives the Level II Appeal written decision.

C. A copy of the appeal package and the Level II Appeal decision will be shared with the district liaison.

D. If the parent, guardian, or unaccompanied youth disagrees with the Level II Appeal decision and wishes to move the dispute resolution process to a Level III Appeal, they must notify the district liaison of their intent to proceed to a Level III Appeal within **10 business days** of receiving the Level II Appeal decision.

Level III Appeal: Office of the Superintendent of Public Instruction
If a parent, guardian, or unaccompanied youth requests an appeal of the Level II Appeal decision, the following will occur:

A. Within **5 business days** of the parent, guardian, or unaccompanied youth notifying the district of a request to appeal the Level II Appeal decision, the superintendent or designee will forward all written documentation and related paperwork to the OSPI homeless education coordinator or designee for review.

B. The entire dispute package, including all documentation and related paperwork, is to be submitted to OSPI in one consolidated and complete package via hard copy mail delivery. In addition to the hard copy dispute package, the district may choose, and is encouraged, to submit a courtesy scanned copy in a single file via PDF format to the homeless education email inbox (homeless@k12.wa.us) provided that the information included complies with the Family Educational Rights and Privacy Act. The PDF file is not a substitute for the required hard copy dispute package. Documents submitted separately from the hard copy dispute package, documents submitted after the fact, or documents submitted outside of the dispute package may not be reviewed by OSPI and will not extend the dispute timeframe. It is the responsibility of the district to ensure that dispute package is complete and ready for review at the time they are submitted to OSPI.

C. The OSPI homeless education coordinator or designee, along with the appropriate agency director or agency assistant superintendent, will make a final decision within **15 business days** of receiving the hard copy complaint.

D. The final decision will be forwarded to the district liaison for distribution to the parent, guardian, unaccompanied youth, and the superintendent or designee.

E. The decision made by OSPI will be the final resolution concerning eligibility or placement of a homeless child or youth in the district.

F. OSPI will maintain a record of all disputes related to the placement of homeless children and youths. Those records will include disputes resolved at Level I, Level II, and Levell III Appeals and will be made available to OSPI upon request.

Inter-district Disputes
Disputes arising between districts regarding eligibility or placement of a homeless child or youth should be resolved between the districts at the local level in the best interest of the student and according to the law.

Disputes between districts that remain unresolved will be forwarded in writing by either districts' homeless liaison to the OSPI homeless education coordinator or designee. The OSPI homeless education coordinator or designee, along with a committee of OSPI staff, will make a decision within **10 business days** of receiving the dispute. The written decision will be forwarded to the districts' superintendents, the districts' homeless liaisons, and the parent, guardian, and unaccompanied youth.

OSPI's decision will be the final resolution between the disputing districts for eligibility or placement of a homeless child or youth in a district.

VIII. Transportation
Transportation will be provided to a homeless child or youth, at the request of the parent, guardian, or unaccompanied youth, to and from the school of origin in accordance with the following, as applicable:

A. If the child or youth continue to live in the area served by the district in which the school of origin is located, the transportation to and from the school of origin will be provided or arranged by the district in which the school of origin is located.

B. If the child's or youth's arrangements in the area served by the district of origin terminate and the child or youth, though continuing their education in the school of origin, begins living in an area served by another district, the district of origin and the district in which the child or youth is living will agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of origin. If the districts cannot agree upon a method, the responsibility and costs for transportation will be shared equally.

IX. Facilitating On-time Grade-level Progression
The district will waive specific courses required for graduation for students experiencing homelessness if similar coursework has been satisfactorily completed in another district, or it will provide reasonable justification for denying the waiver. If it denies the waiver and the student would have qualified to graduate from their sending district, the district will provide an alternative process for obtaining the required coursework so that the student may graduate on time.

The district will consolidate partial credit, unresolved, or incomplete coursework and provide opportunities for credit accrual in a manner that eliminates academic and nonacademic barriers for the student.

For students in or released from an institutional education facility, the district will provide them with access to world language proficiency tests, American sign language proficiency tests, and general education development tests. Access to the tests may not be conditioned or be otherwise dependent upon a student's request. The district must award at least one high school credit to students upon meeting the standard established by the State Board of Education on a world language or American sign language proficiency test or a general education development test. Additional credits may be awarded by the district if a students has completed a course or courses of study to prepare for the test. If the district has a local policy for awarding mastery-credit on state or local assessments, it must apply that policy for students in or released from an institutional education facility.

For students who have been unable to complete an academic course or receive full credit due to withdrawal or transfer, the district will grant partial credit for coursework completed before the date of the withdrawal or transfer and the receiving school must accept those credits, apply them to the student's academic progress or graduation or both, and allow the student to earn credits regardless of the student's date of enrollment in the receiving school.

If a student who is transferring at the beginning or during their junior or senior year be ineligible to graduate from the district after all alternatives have been considered, the sending district and the district will ensure the receipt of a diploma from the sending district if the student meets the graduation requirements of that district.

If a student enrolled in three or more districts as a high school student and has met state requirements but is ineligible to graduate from the district after all alternatives have been considered, the district will waive its local requirements and ensure the receipt of a diploma.

X. Informed Consent for Healthcare
A school nurse, school counselor, or the homeless student liaison may provide informed consent for healthcare on behalf of a homeless child or youth if the following conditions are met:

A. Consent is necessary for nonemergency, outpatient, primary care services, including physical examination, vision examinations and eyeglasses, dental examinations, hearing examinations and hearing aids, immunizations, treatments for illness and conditions, and routine follow-up care customarily provide by a healthcare provider in an outpatient setting, excluding elective surgeries.

B. The student meets with definition of homeless child or youth under the McKinney-Vento Act.

C. The student is not under the supervision or control of a parent, custodian, or legal guardian, and is not in the care and custody of the Department of Social and Health Services.

Upon request by a healthcare facility or healthcare provider, a district employee authorized to provide informed consent to healthcare must provide to the person rendering care a declaration signed and dated under penalty of perjury stating that the employee is a school nurse, school counselor, homeless student liaison and that the student meets the conditions described in RCW 7.70.065(2)(b)(i), which are described above.

The district and the district employees authorized to provide informed consent to healthcare are not subject to administrative sanctions or civil damages from the consent or non-consent for care, any care, or payment for care any care rendered. Any declaration required by a healthcare facility or healthcare provider described in the previous paragraph must include a written notice of this exemption from liability.

Adopted: **06/18/12**

Classification: **Critical**
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Management Resources:

- 2021 - December Issue
- 2019 - July Policy Issue
- 2018 - May Policy Issue
- 2016 - November Policy Issue
- 2010 - April Issue

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