

## **HOMELESS CHILDREN AND YOUTH POLICY**

Mountain Home School District No. 193 is committed to providing homeless children and youth the assistance necessary to foster student achievement and ensure their educational rights and protections.

The McKinney-Vento Homeless Assistance Act ensures that all children and youth who are homeless receive a free appropriate public education and are given meaningful opportunities to succeed in our schools.

Schools in the Mountain Home School District will ensure that children and youth who are homeless are free from discrimination, segregation, and harassment.

Information regarding this policy, will be distributed/published on the school district website, each school building website, made available during registration, provided to students who seek to withdraw from school, and posted in every school in the district, as well as other places where children, youth, and families who are homeless receive services, including family and youth shelters, motels, campgrounds, welfare departments, health departments, and other social service agencies.

### **Definitions**

“Children and youth experiencing homelessness” means children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence, including:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to a lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting placement in foster care.
- Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.
- Migratory children and youth who are living in a situation described above.

A child or youth will be considered homeless for as long as he or she is in a living situation described above. A homeless individual does not include any individual imprisoned or otherwise detained pursuant to an Act of Congress or a state law.

“Awaiting placement in foster care,” means:

- A temporary shelter placement or shelter care order after the child/youth has been removed from home and before the child is placed in the legal custody of the Department of Health and Welfare (at the adjudicatory hearing, approximately thirty (30) days after the child has been removed from his/her home); or
- A situation in which a child/youth is initially placed in a foster care setting that cannot commit to caring for the child/youth for the duration of the foster care placement; or
- A hospital or other institutional placement only when the child/youth’s release is being delayed due to a lack of placement.

“Unaccompanied youth” means a youth not in the physical custody of a parent or guardian, who meets the definition of homeless as defined above. The more general term youth also includes unaccompanied youth.

“Enroll” and “enrollment” means attending school and participating fully in all school activities.

“Immediate” means without delay.

“Parent” means a person having legal or physical custody of a child or youth.

“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.

“Local or district liaison” is the staff person designated by our district and each district in state as the person responsible for carrying out the duties assigned to the local homeless education liaison by the McKinney-Vento Homeless Assistance Act.

**Identification**

Children and youth identified as homeless in the district, both in and out of school will be identified.

Data will be collected on the number of children and youth experiencing homelessness in the district; where they are living; their academic achievement (including state and local assessments); and the reasons for any enrollment delays, interruptions in their education, or school transfers.

**School Selection**

Each child and youth identified as homeless has the right to remain at his or her school of origin or to attend any school that houses students who live in the attendance area in which the child or youth is actually living.

Therefore, in selecting a school, children and youth who are homeless will remain at their schools of origin to the extent feasible, unless that is against the parent or youth’s wishes. Students may

remain at their schools of origin the entire time they are homeless and until the end of any academic year in which they become permanently housed. The same applies if a child or youth loses his or her housing during the summer.

Services that are required to be provided, including transportation to and from the school of origin and services under federal and other programs, will not be considered in determining feasibility. In making a student-centered, individualized determination factors to be considered in determining feasibility of the school of origin placement include: age of the child or youth; the distance of a commute, and the impact it may have on the student's education; personal safety issues; a student's need for special instruction or programming; the length of anticipated stay in a temporary shelter or other temporary location; and time remaining in the school year.

### **Enrollment**

School enrollment of a homeless child or youth will be determined based on the best interest of the student and the request of the parent/guardian or unaccompanied youth. In determining the best interest of the homeless child or youth, the district will, 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. To the extent feasible, the student shall be immediately enrolled or continue enrollment in the school of origin, defined as:

- The school last attended by the student when permanently housed; or
- The last school in which the child was enrolled

Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including:

- Proof of residency
- Transcripts/school records (The enrolling school must contact the student's previous school to obtain school records. Initial placement of students whose records are not immediately available can be made based on the student's age and information gathered from the student, parent, and previous schools or teachers.)
- Immunizations or immunization/health/medical/physical records (If necessary, the school must refer students to the local liaison to assist with obtaining immunizations and/or immunization and other medical records.)
- Proof of guardianship
- Birth certificate
- Unpaid school fees
- Lack of clothing that conforms to dress code
- Any factor related to the student's living situation

Unaccompanied youth must be enrolled immediately in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or local liaison.

**Transportation**

Parents and unaccompanied youth will be informed of this right to transportation before they select a school for attendance. At a parent's or unaccompanied youth's request, transportation will be provided to and from the school of origin for a child or youth experiencing homelessness. Transportation will be provided for the entire time the child or youth has a right to attend that school, as defined above, including during pending disputes.

It is this district's policy that inter-district disputes will not result in a homeless student missing school. If such a dispute arises, they will arrange transportation and immediately bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth. In addition to receiving transportation to and from the school of origin upon request, children and youth who are homeless will also be provided with other transportation services comparable to those offered to housed students.

**Services**

Children and youth experiencing homelessness will be provided services comparable to services offered to other students in the selected school, including:

- Transportation
- Title I, Part A services - Children and Youth identified as homeless are automatically eligible for Title I, Part A services, regardless of what school they attend
- Educational services for which the student meets eligibility criteria, including special education and related services, and programs for English Language Learners
- Vocational and Technical education programs
- Gifted and Talented programs
- Before and after-school programs
- Pre School – district will ensure that children identified as homeless receive priority enrollment in preschool programs operated by the district, including exempting homeless children from waiting lists. Homeless children with disabilities will be referred for preschool service under the Individuals with Disabilities Education Act (IDEA). The local liaison will collaborate with Head Start and other preschool programs.
- Free meals - On the day a child or youth identified as homeless enrolls in school, the enrolling school must submit the student's name to the LEA Food Service office for immediate processing.

When applying any district policy regarding tardiness or absences, any tardiness or absence related to a child or youth's living situation will be excused.

**Disputes**

If a dispute arises over any issue covered in this policy, the child or youth experiencing homelessness will be admitted immediately to the school in which enrollment is sought pending

final resolution of the dispute. The student will also have the rights of a student who is homeless to all appropriate educational services, transportation, free meals, and Title I - Part A, services while the dispute is pending.

If there is a dispute regarding the educational placement of a homeless student, or if a school or district denies a child, youth, or unaccompanied youth homeless status, the school district will provide the parent or unaccompanied youth with a written notice of explanation of such ~~its~~ decision and the right to appeal and will refer the parent or youth to the local liaison immediately. Such notice shall be in language the parent/guardian or unaccompanied youth can understand, shall include a description of how to dispute the decision, and shall include a summary of the dispute resolution process on the attached form (*see Notification of Denial of Enrollment Form*). The local liaison will ensure that the student is enrolled in the requested school and receiving other services to which he or she is entitled and will resolve the dispute as expeditiously as possible. The parent or unaccompanied youth will be given every opportunity to participate meaningfully in the resolution of the dispute. The local liaison will keep records of all disputes in order to determine whether particular issues or schools are repeatedly delaying or denying the enrollment of children and youth identified as homeless. The parent, unaccompanied youth, or school district may appeal the school district's decision as provided in the state's dispute resolution process.

- In addition, the district shall promptly refer the parent/guardian or unaccompanied youth to the homeless liaison, who shall carry out the dispute resolution process within ten (10) business days. The parent/guardian shall be referred to the homeless liaison who shall advise the parent/guardian of the child's rights, assist in and carry out the dispute resolution process. With respect to unaccompanied youth, the liaison shall ensure the same access to the dispute resolution process.
- During the pendency of the dispute resolution process, the child, youth, or unaccompanied youth shall be immediately enrolled or continue enrollment in the school of choice (school of origin or local attendance area). Enrollment shall include all educational services for which the student is eligible, such as attending classes and full participation by such student in all school activities.
- If agreement cannot be reached between the parties regarding the educational placement or enrollment status of the student, then the school district/LEA shall promptly seek further assistance from the State coordinator of Homeless Education to review and determine within ten (10) business days how the student's best interests will be served. All interested parties will be expeditiously informed of the State's determination in writing. The decision of the State Department of Education shall constitute final resolution.

### **Training**

The local liaison will conduct training regarding Title IX requirements and sensitivity/awareness activities for all LEA staff, including administration, nutrition, transportation, and custodial.

**Coordination**

The local liaison will coordinate with and seek support from the State Coordinator for the Education of Homeless Children and Youth, public and private service providers in the community, housing and placement agencies, the LEA transportation department, local liaisons in neighboring districts, and other organizations and agencies as needed and appropriate. The district liaison, to the extent possible, will make every effort to coordinate school placement, transportation, and other educationally related services with the Child Protection and/or Foster Care representatives. Coordination will include conducting outreach and training to those agencies. Both public and private agencies will be encouraged to support the local liaison and our schools in implementing this policy.



**LEGAL REFERENCES:**

Idaho Code 33-1404

The McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 - 11436

Title I - Part A, Elementary and Secondary Education Act, 20 U.S.C. §§6311 - 6315

The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et. seq.

Child Nutrition and WIC Reauthorization Act of 2004, 42 U.S.C. §§1751 et. seq.

Administration for Children & Families of the U.S. Dept. of Health & Human Services

State Superintendent of Public Instruction Memorandum (March 7, 2005)

As suggested by SDE Federal Programs Review (March 2012)

**ADOPTED:** January 20, 2004    Reviewed: November 20, 2007    Revised: June 19, 2012

Revised: April 19, 2016                      Revised: June 20, 2017