

**EDUCATIONAL PROGRAM  
SERIES 600**

**605.9**

**TITLE: McKINNEY-VENTO HOMELESS ASSISTANCE ACT**

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 district will ensure that children and youth who are homeless are free from discrimination, segregation, and harassment.

Information regarding this policy, including the educational rights of children and youth identified as homeless will be distributed to all students upon enrollment and once during the school year, 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 to be homeless for as long as he or she is in a living situation described above.

*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 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.

### **Enrollment**

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.

### **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, as well as take advantage of any District policy relating to open enrollment and under State law.

Therefore, in selecting a school, children and youth who are homeless will remain at their school of origin to the extent feasible, unless that is against the parent's/guardian's or youth's wishes. Students may remain at their school of origin the entire time they are homeless and until the end of any academic year in which they become permanently housed. The same procedure will be followed 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.

If a student is sent to a school other than the school of origin or the school requested by the parent/guardian or unaccompanied youth, the District shall provide a written explanation of its decision and the right to appeal, whether or not the individual disputes the placement. Such explanation should be complete, as brief as possible, simply stated, and provided in a language the parent/guardian or unaccompanied youth can understand. This written explanation shall include:

1. Contact information for the homeless student liaison and state coordinator, with a brief description of their roles;
2. A simple, detachable form to initiate the dispute resolution process. One (1) copy of the form should be retained by the school, and another copy should be returned to the parent/guardian or youth for their records when it is submitted;
3. A step-by-step description of how to dispute the school's decision;
4. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
5. Notice that "immediate enrollment" includes full participation in all school activities;
6. Notice of the right to appeal to the State if the District-level resolution is not satisfactory; and

## 7. Timelines for resolving District- and State-level appeals

If an unaccompanied youth or parent/guardian chooses to appeal a placement decision, the District will refer him or her to the homeless student liaison, who shall expeditiously facilitate this process.

### **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, the 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 - LEA 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 services 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 agreement cannot be reached between the parties regarding the educational placement or enrollment status of the student, then the District 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 X requirements and sensitivity/awareness activities for all LEA staff.

**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. 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

Education for Homeless Children and Youth Program: Title VII of the McKinney-Vento Homeless Assistance Act, As Amended by the No Child Left Behind Act of 2001: Non-Regulatory Guidance

- The McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 – 11436
- Title I, Part A, of the 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.
- June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.

Adopted: April 11, 2011

Revised: July 14, 2014