



**Policy JLG: Homeless Children**

**Status:** DRAFT - First Reading

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It is the policy of Fremont County School District No. 1 that every child will have equal access to a free and appropriate public education (FAPE). Children who are homeless have the same rights to FAPE as do other children, and the District is committed to assuring that those rights are fully protected and honored. Any person or agency who is aware of any child of school age who meets the definition of a homeless student, or in the event of the enrollment of a student who meets the definition of a homeless student, the person, agency, or principal of the school where the student may be enrolled is requested to inform the District's Homeless Liaison. The Homeless Liaison will respond to the referral to assist in developing an action plan to provide the students with a free appropriate public education.

**Definitions**

"District liaison" means the staff member designated by the school district as the person responsible for carrying out the duties assigned to the local homeless education liaison under the McKinney-Vento Homeless Assistance Act.

"Enrollment" means attending classes and participating fully in school activities.

"Homeless children and youth" means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

- Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- Students living in motels, hotels, trailer parks, or campgrounds due to lack of alternative, adequate accommodations;
- Students living in emergency or transitional shelters or abandoned in hospitals;
- Students 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;
- Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
- Migratory students who qualify as homeless because they are living in one or more of the situations described above.

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

"School of origin" means the school a student attended when permanently housed or the school in which the student was last enrolled, including a preschool.

"Unaccompanied homeless youth" means a student not in the physical custody of a parent or guardian.

**Identification**

In collaboration with school personnel and community organizations, the district liaison will identify homeless children and youth in the district, both in and out of school. The liaison will train school personnel on possible indicators of homelessness, sensitivity in identifying homeless children and youth, and procedures for forwarding information indicating homelessness to the district liaison.

**Selection and Assignment to School**

The district shall, according to the student's best interest, continue the student's education in the school of origin for the duration of homelessness, and for the remainder of an academic year in which the student becomes permanently housed, or enroll the student in a district school that non-homeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of the student, the district shall:

- Presume that keeping the student in his/her school of origin is in their best interest, unless doing so is contrary to the request of the student's parent/guardian;
- Provide a written explanation, including a statement regarding the right to appeal, if the district sends a homeless student to a school other than the school of origin or a school requested by the parent/guardian;
- Ensure that the district liaison helps with placement or enrollment decisions for an unaccompanied student,

gives priority to the views of the student, and provides a notice of the right to appeal placement and enrollment decisions.

The district shall not segregate homeless children and youth from non-homeless children and youth.

Best interest will be a child-centered determination, based on the needs and interests of the particular student and the parent or youth's wishes. Potential best interest considerations include:

- The impact of mobility on achievement, education, health, and safety of homeless children and youth
- The age of the student
- 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
- The anticipated length of stay in a temporary shelter or location
- The amount of time remaining in the school year.

Required services, including transportation to and from the school or origin and other services under federal or other special programs, will not be considered in determining best interest.

The student may continue attending the school of origin for the duration of their homelessness and/or until the end of the academic year in which the student moves into permanent housing.

### **Enrollment**

The district shall immediately enroll the student in the school selected even if the student is unable to produce records normally required for enrollment. The district shall immediately contact the school last attended to obtain relevant academic and other student records. Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including:

- Proof of residency
- Transcripts or other school records. If a school cannot promptly gain access to the student's former school records, initial placement of students may be made based on the student's age and information gathered from the student, parent/guardian, and staff at the previous school.
- Immunizations or other health records. If necessary, the school shall refer students to the district liaison to assist with obtaining immunizations or other necessary medical records.
- Proof of guardianship
- Birth certificate
- Any other normally required document
- Unpaid school fees
- Lack of uniforms or clothing that conforms to dress codes
- Any factor related to the student's living situation.

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

A student shall be granted enrollment even if he/she has missed application or enrollment deadlines during any period of homelessness.

The living situation of a homeless child or youth shall be treated as confidential information, shall not be deemed directory information, and shall be handled in a manner consistent with the Family Educational Rights and Privacy Act of 1974 (FERPA).

### **Enrollment Disputes**

If a dispute arises over school selection, enrollment, or eligibility, the student shall be immediately admitted to the school requested, pending resolution of the dispute.

The parent/guardian of the student shall be provided with a written explanation of the district's decision regarding school selection, including the rights of the parent/guardian to appeal the decision through the State's dispute resolution process. The student, parent, or guardian shall be referred to the district liaison, who shall ensure the resolution process is carried out as expeditiously as possible. In the case of an unaccompanied student, the district liaison shall ensure the student is immediately enrolled in school pending resolution of the dispute.

During any dispute, the student will have the right to all appropriate educational services, transportation, free meals, and Title I services while the dispute is pending.

### **Transportation**

The district shall provide or arrange transportation for a homeless student to and from the school or origin when the student is residing within the district boundaries and the parent/guardian or unaccompanied student requests that such transportation be provided. Transportation will be provided for the entire time the child or youth has a right to attend that school, including during disputes. The district liaison will request transportation to and from the school of origin for the unaccompanied homeless youth. The length of commute will be considered only in determining whether the placement in the school of origin is in the student's best interest. Parents and unaccompanied homeless youth must be informed of their right to transportation before they select a school for attendance.

If the child or youth moves to an area served by another school district, though continuing his/her education at the school of origin, the district of origin and the district in which the student is living must agree upon a method to apportion responsibility and costs for transportation to and from the school of origin. If the school districts cannot agree upon such a method, the responsibility shall be shared equally.

### **Free Meals**

To help ensure that homeless children and youth are available for learning, the U.S. Department of Agriculture has determined that all homeless children and youth are automatically eligible for free meals. On the day a homeless child or youth enrolls in school, or the day the child or youth informs the school of their homeless status, the enrolling school must submit the student's name to the district nutrition office for immediate processing.

### **Title I**

Homeless children and youth are automatically eligible for Title I Part A services, regardless of what school they attend. The district will reserve such funds as are necessary to provide services comparable to those provided to Title I students to homeless children attending non-participating schools. The district's Title I plan will be coordinated through collaboration between the Title I Director and the district liaison.

### **Services**

Each homeless child and youth shall be provided with services comparable to those offered to other students, including the following:

- Public preschool programs (if such programs are available) administered by the state or district and provided to other children in the district
- Appropriate secondary education and support services, including identifying and removing barriers that prevent youth from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a previous school, in accordance with state, local, and school policies
- Academic and extracurricular activities, including magnet schools, summer school, career and technical education, advanced placement courses, online learning, and charter school programs if such programs are available through the school district
- Title I, special education, programs for English learners, gifted and talented programs, and school nutrition programs
- School supplies and waivers of school fees, as well as any intervention or tutoring services deemed necessary (consistent with district policies)
- Assistance from school counselors or social workers to advise and prepare homeless youth for college, including advisement concerning the State's Hathaway scholarship program and other postsecondary preparation

### **Coordination**

The district shall coordinate the provision of services to homeless children and youth with local service agencies or programs providing services to homeless students and their families. Services will also be provided in cooperation with other districts on inter-district issues such as transportation, transfer of school records, and issues concerning appropriate credit for full or partial coursework completed at a previous school.

### **District Liaison**

The district liaison shall ensure that:

- Homeless children and youth are identified
- Homeless children and youth enroll and have a full and equal opportunity to succeed in school

- Homeless children and youth have access to and receive educational services through Head Start, Early Intervention, and/or other preschool programs
- Homeless children and youth receive educational services for which they are eligible, making referrals as appropriate
- Parents/Guardians of homeless children and youth are informed of the educational and related opportunities available to students and are provided with meaningful opportunities to participate in the education of their students
- Public notice of educational rights of homeless children and youth is distributed in locations frequented by homeless parents and unaccompanied youth (i.e. schools, shelters, public libraries, soup kitchens, etc.)
- Parents of homeless children and youth and any unaccompanied youth are fully informed of all transportation services
- School personnel providing services to homeless children and youth receive professional development and other support
- Unaccompanied youth may obtain assistance to receive verification of their independent status on the FAFSA
- School personnel, service providers, and advocates working with homeless children and youth and their families are informed of the liaison's duties

**Homeless** is defined as an individual who lacks a fixed, regular and adequate nighttime residence and includes, but is not limited to, an individual who has a primary nighttime residence that is:

- a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
- an institution that provides a temporary residence for individuals intended to be institutionalized; or
- a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

The terms "homeless" or "homeless individual" do not include any individual imprisoned or otherwise detained. In determining whether a child or youth is homeless, the relative permanence of the living arrangements should be considered. Determinations will be made on a case-by-case basis. In general, children or youth living in welfare hotels, transitional housing shelters, the streets, cars, abandoned buildings and other inadequate accommodations will be considered homeless. **Children and Youth in Transitional or Emergency Shelters** If children or youth are placed in a transitional or emergency shelter because there is nowhere else to send them, and they are awaiting placement in a foster home or a home for neglected children, they will be considered homeless while in the emergency or transition shelter. Once placed in a foster home or a home for neglected children or youth, they will no longer be considered homeless. **Children and Youth Living in Trailer Parks and Camping Grounds** Children and youth staying temporarily in trailer parks or campgrounds because they lack adequate living accommodations will be considered homeless. Those living in trailer parks or camp areas on a long-term basis in adequate accommodations will not be considered homeless. **Doubled-Up Children and Youth** Children and youth who are living in "doubled-up" accommodations, that is, are sharing housing with other families or individuals, will be considered homeless if they are doubled-up because of a loss of housing or other similar situation. Families living in doubled-up accommodations voluntarily to save money generally will not be considered homeless. **Foster Children and Youth** In general, children and youth in foster homes will not be considered homeless. Many foster children are in the care of a public agency, awaiting placement in more permanent situations. The foster home, although temporary, serves as a fixed, regular and adequate nighttime residence. Children placed in foster homes for lack of shelter space, however, will be considered homeless. **Incarcerated Children and Youth** Children and youth that are incarcerated for violation or alleged violation of a law will not be considered homeless even if prior to their incarceration they would have been considered homeless because they are living in inadequate accommodations. Children and youth that are under care of the state and are being held in an institution because they have no other place to live will be considered homeless. Once these children are placed in more permanent facilities, they will no longer be considered homeless. **Children and Youth in Migratory Families** Children will not be considered homeless simply because they are children of migratory families. To the extent that these children may be staying in accommodations not fit for habitation, they will be considered homeless. **Runaways** Children or youth who have run away from home and live in runaway shelters, abandoned buildings, the street, or other inadequate accommodations will be considered homeless, even if their parents have provided and are willing to provide a home for them. **School-Age, Unwed Mothers** In general, if school-age, unwed mothers or expectant mothers are living in homes for unwed mothers, and they have no other

available living accommodations, they will be considered homeless. However, if they are staying in such a home only temporarily to receive specific health care or other services and intend to move to other adequate accommodations, they will not be considered homeless.

**Sick or Abandoned Children and Youth** There are instances where children and youth remain in a hospital beyond the time that they would normally stay for health reasons because their families have abandoned them. These children and youth will be considered homeless because they have no other place to live. Children and youth who were homeless prior to hospitalization will be considered to be homeless while they are in the hospital, unless regular and adequate living accommodations will be made available to them upon release from the hospital.

**Dispute Resolution** If a dispute arises over any issue covered in this policy, the child or youth in transition will be admitted immediately to the school in which enrollment is being sought, pending final resolution of the dispute. The student will also have the rights of a student in transition to all appropriate educational services, transportation, free meals, and Title 1, Part A, services while the dispute is pending. The school where the dispute arises will provide the parent or unaccompanied youth with a written and/or oral explanation of its decision and the right to appeal and will refer the parent or youth to the local liaison immediately. The local liaison will ensure that the student is enrolled in the requested school and receiving 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 delaying or denying the enrollment of children and youth in transition repeatedly. The parent, unaccompanied youth, or other school district may appeal the school district's decision as provided in the Wyoming Department of Education's dispute resolution process.

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