

Policy 3060: Education of Homeless Children

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Revision

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It is the policy of the Caldwell School District to ensure that:

1. Each child of a homeless individual and each homeless child has equal access to the same free, appropriate public education, including a public preschool education, as provided to other students;
2. Homelessness does not in any way separate homeless students from the mainstream school environment; and
3. Homeless children and youths have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging state academic standards to which all students are held.

The Board of Trustees directs all District schools to admit children who are homeless regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The Board shall not enter into an out-of-District attendance and tuition agreement with another district for a homeless child.

All schools and employees of the District shall work to ensure that children and youth who are homeless are free from discrimination, segregation, and harassment. The District will also strive to prevent stigma against students who are homeless.

SECTION 1. DEFINITIONS

1.1 For the purposes of this Policy, the following definitions shall apply.

1.2 The terms "enroll" and "enrollment" includes attending classes and participating fully in all school activities.

1.3 The terms "homeless," "homeless individual," and "homeless person" include:

1.3.1 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;

1.3.2 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;

1.3.3 Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;

1.3.4 Migratory children who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses 1.3.1 through 1.3.3 above; and

1.3.5 An unaccompanied student and homeless families with children and youth are also defined as homeless if they:

- A. Have experienced a long-term period without living independently in permanent housing;
- B. Have experienced persistent instability as measured by frequent moves over such period, and
- C. Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.

1.4 "Children and youth in transition" is defined as 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.

1.5 "Unaccompanied youth" is defined as a youth not in the physical custody of a parent/guardian who is in transition as defined above.

1.6 The term "school of origin" is defined as the school the student attended when permanently housed, or the school in which the student was last enrolled, including a preschool. When a student completes the final grade level served by the students "school of origin;" the "school of origin" shall progress to the designated receiving school at the next grade level for all of its feeder schools the same as for all students attending one (1) school and progressing to another school in the District.

SECTION 2. IN GENERAL

2.1 The District shall ensure the following is provided according to the homeless student's best interest:

2.1.1 That the homeless student's education continues in the school of origin for the duration of homelessness:

- A. In any case in which a family becomes homeless between academic years or during an academic year; and
- B. For the remainder of the academic year, if the student becomes permanently housed during an academic year; or

2.1.2 That the homeless student is eligible to enroll in the same schools as non-homeless students who live in the same attendance area where the homeless student is actually living.

SECTION 3. PLACEMENT CHOICE

3.1 The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

3.2 When addressing school placement, the student may attend a school different than the school of attendance from before the student became homeless or the school last attended by the student, if such is the choice of the student's parent and such is feasible.

3.3 When addressing school placement, the District's liaison shall work with the family to address the student's transportation needs.

SECTION 4. SCHOOL STABILITY

4.1 In determining the best interest of the homeless student each school within the District shall:

4.1.1 Presume that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the student;

4.1.2 Consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent or guardian or (in the case of an unaccompanied youth) the student;

4.1.3 If, after conducting the best interest determination based on consideration of the above presumptions, the Superintendent/Designee determines that it is not in student's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied student) the student, provide the student's parent or guardian or the unaccompanied student with a written explanation of the reasons for ~~their~~ his or her determination, which will be provided in a manner and form understandable to such parent, guardian, or unaccompanied student, including information regarding the right to appeal under "Enrollment Disputes", below; and

4.1.4 In the case of an unaccompanied student, ensure that the District's liaison designated under "District Liaison," below, assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied student, and provides notice to such student of the right to appeal under "Enrollment Disputes," below.

SECTION 5. IMMEDIATE ENROLLMENT

5.1 **In General:** The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student:

5.1.1 Is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation;

5.1.2 Has missed application or enrollment deadlines during any period of homelessness; or

5.1.3 Has outstanding fees or fines, including fees associated with extracurricular activities.

5.2 Relevant Academic Records: The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

5.3 Relevant Health Records: If the student needs to obtain immunizations or other required health records, the enrolling school shall immediately refer the parent/guardian of the student, or (in the case of an unaccompanied student) the student, to the District's liaison designated under "District Liaison," below, who shall assist in obtaining all necessary immunizations and/or screenings, or other required health records, in accordance with "Records," below. Additionally, exemption from these immunization requirements is available as described in Policy 3525 and IC § 39-4802.

SECTION 6. RECORDS

6.1 Any record ordinarily kept by the school, including immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student shall be maintained:

6.1.1 So that the records involved are available, in a timely fashion, when the student enters a new school or school district; and

6.1.2 In a manner consistent with FERPA, applicable Idaho law, and District policy.

6.1.3 When a student transfers schools, the District shall help to keep the student academically on track by providing appropriate credit for full or partial coursework satisfactorily completed while attending a prior school or when transferring to a new school.

SECTION 7. DISPUTES

7.1 If a dispute arises over eligibility, school selection, or enrollment in a particular school, or any other issue addressed in this policy:

7.1.1 The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals. The student shall receive educational services for which the student is eligible, such as attending classes and full participation in all school activities

7.1.2 The parent or guardian of the student or (in the case of an unaccompanied student) the student shall be provided with a written explanation identifying the basis for any decisions related to school selection or enrollment made by the District, or other entity, including the rights of the parent, guardian, or unaccompanied student to appeal such decisions;

7.1.3 The parent, guardian, or unaccompanied student shall be referred to the local educational agency liaison designated under "District Liaison" below, and upon being informed of the dispute, the liaison shall, within ten (10) days, initiate an appeal with the District and, if unsuccessful, to the state coordinator of the dispute regarding the educational placement of the homeless student; and

7.1.4 In the case of an unaccompanied student, the liaison shall ensure that the student is immediately enrolled in the school in which the student seeks enrollment pending resolution of the student's dispute.

7.1.5 If an agreement cannot be reached between the parties regarding the educational placement of enrollment status of the student, then the District shall 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. The decision of the State Department of Education shall constitute final resolution.

SECTION 8. PRIVACY

8.1 Information about a homeless student's living situation shall be treated as a student education record, and shall not be deemed to be disclosable "directory information" under the Family Education Records Privacy Act ("FERPA").

SECTION 9. CONTACT INFORMATION

9.1 Nothing in this policy shall prohibit the District and/or the enrolling school from requiring the parent or guardian of a homeless student to submit contact information.

SECTION 10. COMPARABLE SERVICES

10.1 Each homeless student in the District shall be provided services comparable to those services provided to other students in the school attended by the homeless student, including but not limited to the following:

10.1.1 Transportation services;

10.1.2 Educational services for which the student meets eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965, or similar State or District sponsored programs, educational programs for children with disabilities, and educational programs for English Learners;

10.1.3 Preschool programs and early intervention programs including Head Start.

10.1.4 Programs in career and technical education;

10.1.5 Programs for gifted and talented students; and

10.1.6 School nutrition programs. Upon enrollment, the student's name shall immediately be submitted to the District's Nutrition Services Department as eligible for free meals, which eligibility commences at the time of enrollment.

SECTION 11. DISTRICT LIAISON

11.1 For purposes of this policy, the Superintendent shall designate a District employee to serve as its liaison to serve homeless students in accordance with the following provisions. The liaison for homeless students designated by the Superintendent shall ensure that:

11.1.1 All homeless students in and out of school are identified by school personnel through outreach and coordination activities with other entities and agencies;

11.1.2 The District tracks academic and enrollment data on homeless students;

11.1.3 All homeless students are enrolled in, and have a full and equal opportunity to succeed the same as non-homeless students of the District;

11.1.4 Homeless families and homeless students have access to and receive educational services for which such families and students are eligible, including services through Head Start programs (including Early Head Start programs), early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the District;

11.1.5 All homeless families and homeless students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;

11.1.6 The parents or guardians of homeless students 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;

11.1.7 All unaccompanied students and youth who receive any credits for classes attended shall be informed by the Liaison of their status as an "independent student" for purposes of the student's Free Application for Federal Student Aid ("FAFSA"). The Liaison shall also provide the required "verification" of the student's status in connection with ~~their~~ his or her application for Federal Student Aid.

11.1.8 Public notice of the educational rights of homeless students is disseminated in locations frequented by parents or guardians of such students, and unaccompanied students, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless students, and unaccompanied students;

11.1.9 Eligibility, school selection or enrollment disputes are mediated in accordance with "Disputes," above;

11.1.10 The parent or guardian of a homeless student, and any unaccompanied student, is fully informed of all transportation services, including transportation to the student's school of origin, and is assisted in accessing transportation to the student's assigned school;

11.1.11 School personnel receive annual professional development and other support; and

11.1.12 Unaccompanied homeless students:

- A. Are enrolled in school;
- B. Have opportunities to meet the same challenging state academic standards as the State establishes for other students; and
- C. Are informed of their status as independent students under 20 USC § 1087vv(d), and that such students may obtain assistance from the District Liaison to obtain verification of such status for purposes of the Free Application for Federal Student Aid.

SECTION 12. LOCAL AND STATE COORDINATION

12.1 The District's liaison(s) for homeless students shall, as a part of their duties, coordinate and collaborate with the Idaho State Office of the Coordinator for Education of Homeless Children and Youths, as well as with community and school personnel who are responsible for the provision of education and related services to homeless students. These shall include public and private agencies, the transportation department, the State Coordinator for the Education of Homeless Children and Youth, and others. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of 42 USC § 11432(f)(1) and (3).

SECTION 13. HOMELESS STATUS

13.1 The District's Liaison who receives training provided by the Idaho State Office of the Coordinator for Education of Homeless Children and Youths may authorize a homeless student who is eligible for and participating in a program provided by the District, or the immediate family of such student, who otherwise meets the eligibility requirements Federal Housing Assistance (see 42 USC §§ 11360 et. seq.), to do so without approval or other agency action by or on behalf of the Department of Housing and Urban Development.

SECTION 14. TITLE 1, PART A

14.1 Any student who is homeless and attends school within the District is eligible for Title 1, Part A services. The District shall set aside funding to provide homeless students who attend schools that do not participate in Title 1, Part A with services comparable to those provided by participating schools. Funding may also be set aside to provide targeted assistance to homeless students who attend participating schools.

3060 Form A - Homeless Student Education Notification of Enrollment Decision Form
3060 Form B - Homeless Student Education Appeal of Enrollment Decision Form

Supporting Documents



[3060 Form A - Education of Homeless Children](#)



[3060 Form B - Education of Homeless Children](#)

Idaho Code § References

33-1404

Description

[Districts to Receive Pupils](#)

USC - United States Code References

20 USC § 6311

Description

[State Plans](#)

20 USC §§ 1400-82

[Individuals with Disabilities Education Act \(IDEA\)](#)

42 USC § 11301, et seq.

[McKinney-Vento Homeless Assistance Act of 1987](#)

42 USC § 1758

[Child Nutrition Act and WIC Act of 2004](#)

42 USC § 9801-642A

[Improving Head Start for School Readiness Act of 2007](#)

Cross References

3000

Description

[Entrance, Placement and Transfer](#)

4120

[Uniform Grievance Procedure](#)

Cross References

8100

Description

[Student Transportation](#)

Homeless Student Education Notification of Enrollment Decision Form

This form is to be completed when a school/District denies the school enrollment choice of a parent, guardian, or unaccompanied youth who is seeking enrollment under the McKinney-Vento Homeless Assistance Act.

Date: _____

Person Completing Form: _____ Title: _____

School: _____ District: _____

☐ School of Origin ☐ Local Attendance Area ☐ Other

In compliance with section 722(g)(3)(E) of the McKinney-Vento Homeless Assistance Act, this written notice of denial of school enrollment is provided to:

Name of Parent/Guardian/Unaccompanied Youth: _____

Name of Student(s): _____

After reviewing the request to enroll the student(s) listed above, **the enrollment request is denied**. This determination was based upon:

- ☐ Personal safety issues ☐ Anticipated stay in temporary location
- ☐ Age of child or youth ☐ Need for special education and related services
- ☐ Time remaining in school year ☐ Availability of specialized programming at another school
- ☐ Other (please specify): _____

You have the right to appeal this decision. You may do so by completing the appeal form attached to this notice or by contacting the district's local homeless education liaison.

Name of Local Liaison: _____ Telephone: _____

In addition:

- Pending the resolution of the dispute, the student(s) listed above has the right to **enroll immediately** in the requested school. The student(s) will also have the right to continue all appropriate educational services, transportation, free meals, and Title I, Part A services.
- You may provide written or verbal communication(s) to support your position regarding the student's enrollment in the requested school. An appeal form is attached.
- You may contact the State Coordinator for Homeless Education at the Idaho State Department of Education if further help is needed or desired.

Name: _____ Telephone: _____

You may seek the assistance of advocates or attorneys at your own expense.

**Homeless Student Education Appeal
of Enrollment Decision Form**

This form is to be completed by the parent, guardian, or unaccompanied youth who disagrees with a school enrollment decision. This information may be shared verbally with the local homeless education liaison as an alternative to completing this form.

Date: _____

Student(s): _____

Person Completing Form: _____

Relation to Student(s): _____

Contact Information (Phone # or E-mail): _____

I wish to appeal the enrollment decision made by: _____

School: _____ District: _____

I have been provided with the following:

- ☐ A copy of the Notification of Enrollment Decision
- ☐ A copy of the Idaho State Department of Education's Dispute Resolution Process
- ☐ Contact information for the district's local homeless education liaison

I understand that:

- Pending the resolution of the dispute, the student(s) listed above has the right to **enroll immediately** in the requested school. The student(s) will also have the right to continue all appropriate educational services, transportation, free meals, and Title I, Part A services.
- I may contact the State Coordinator for Homeless Education at the Idaho State Department of Education if further help is needed or desired.

Name: _____ Telephone: _____

- I may seek the assistance of advocates or attorneys at your own expense.

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Signed: _____ Date: _____

IDAHO STATE DEPARTMENT OF EDUCATION
DISPUTE RESOLUTION PROCESS

In compliance with the McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B, reauthorized by the No Child Left Behind Act, and Section 33-1404, Idaho Code, the following procedures are established to promptly resolve disputes regarding the educational placement of students experiencing homelessness, and will be implemented in all school districts in the State, including charter schools.

A student is considered homeless under the McKinney-Vento Homeless Assistance Act if the student lacks a fixed, regular, and adequate nighttime residence.

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. To the extent feasible, the student will be immediately enrolled or continue enrollment in the school of origin, which is defined as the school last attended by the student when permanently housed or the last school in which the student was enrolled.

If a dispute arises over the educational placement of a homeless student or if a school or school district denies a child, youth, or unaccompanied youth homeless status, the homeless child or youth will be immediately enrolled in the requested school until the dispute is resolved. The student will also have the right to continue all appropriate educational services, transportation, free meals, and Title I, Part A services while the dispute is pending.

A written explanation of the decision to deny enrollment and notice of the right to appeal will be promptly provided to the parent, guardian, or unaccompanied youth. Such notice will be in language the parent, guardian, or unaccompanied youth can understand and will include a summary of the dispute resolution process and an appeal form (see Notification of Enrollment Decision and Appeal of Enrollment Decision).

In addition, the district will promptly refer the parent, guardian, or unaccompanied youth to the local homeless education liaison who will carry out the dispute resolution process within ten (10) business days. The local liaison will advise the parent, guardian, or unaccompanied youth of the student's rights, assist in and carry out the dispute resolution process, and ensure that unaccompanied youths are provided equal access to the dispute resolution process.

If an agreement cannot be reached between the parties regarding the educational placement or enrollment status of the student, the district will promptly seek further assistance from the State Coordinator for Homeless Education who will review and determine within ten (10) business days how the student's best interests will be served. All parties will be expeditiously informed of the State's determination in writing and such decision will constitute final resolution of the dispute.