

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

HOMELESS STUDENTS POLICY

4.18

1. Purpose.

- a. The purpose of this policy is to clarify statutory rights of children and youths experiencing homelessness as provided by federal and state law. The requirements of federal and state law as implemented by this policy supersede other internal policies and procedures relating to children and youths experiencing homelessness.
- b. School Board Rule 4.18 and this policy shall ensure that homeless children and youths are provided with equal access to the same free, appropriate education, including preschool, as other students; have an opportunity to meet the same challenging State of Florida academic standards to which all students are held; are not segregated, separated or isolated into other educational programs on the basis of their status as homeless; and shall establish safeguards that protect homeless students from being stigmatized or discriminated against on the basis of their homelessness. The St. Johns County School District ("District") shall remove barriers that affect the enrollment and retention of homeless students.
- c. Public notice of the educational rights of homeless students will be available in the District's Student and Family Handbook and disseminated in schools and community.
- d. The District's homeless education liaison shall make a determination of homeless status on a case-by-case basis.

2. Definitions.

- a. The McKinney-Vento Act (42 U.S.C. § 11434a), defines homeless children and youths as children and youths who lack a fixed, regular and adequate nighttime residence within the meaning of 42 U.S.C. § 11302(a)(2). The definition includes children and youths who:
 - i. are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
 - ii. are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
 - iii. are living in emergency or transitional shelters;

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- iv. are abandoned in hospitals;
 - v. are awaiting foster care placement;
 - vi. 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;
 - vii. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - viii. are migratory children who qualify as homeless because the children are living in circumstances described in (i) through (vii).
- b. The McKinney-Vento Act defines the term "unaccompanied youth" to include a youth who is not in the physical custody of a parent or guardian. 42 U.S.C. § 11434a(6).
 - c. The McKinney-Vento Act defines the term "school of origin" to mean the school that the student attended when permanently housed or the school where the child or youth was last enrolled. 42 U.S.C. § 11432(g)(3)(G).
 - d. The McKinney-Vento Act defines the terms "enroll and enrollment" to include attending classes and participating fully in school activities. 42 U.S.C. § 11434a(1).
 - e. The term "immediate" means without delay.
 - f. The term "parent" means the natural or adoptive parent or legal guardian of a student.
 - g. The term "liaison" means the staff person designated by the Superintendent as the person responsible for carrying out the duties assigned to the liaison pursuant to 42 U.S.C. § 11432.
 - h. The term local educational agency (LEA) means the School Board. 42 U.S.C. § 11434a(3).
3. School Selection.
- a. The District shall ensure that the parent, guardian, or unaccompanied youth is informed of the student's right to remain in the school of origin, and according to that which is in the student's best interest, and at the parent's, guardian's or unaccompanied youth's best interest:

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- i. continue the homeless child's or youth's education in the school of origin for the duration of homelessness -- in any case in which a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year, if the student becomes permanently housed during the academic year; or
 - ii. enroll the student in any District school that non-homeless students who live in the attendance zone in which the homeless student is actually living are eligible to attend. 42 U.S.C. § 11432(g)(3)(A).
 - b. Pursuant to 42 U.S.C. § 11432(g)(3)(B), in determining the best interest of the student, the District shall:
 - i. To the extent feasible, keep a homeless student in the school of origin, unless doing so is contrary to the wishes of the student's parent or guardian.
 - ii. Provide a written explanation, including a statement regarding the right to appeal, to the homeless child's or youth's parent or guardian, if the District wishes to send a homeless student to a school other than the school of origin or assigned zoned school as requested by the parent or guardian.
 - iii. In the case of an unaccompanied student, ensure that the District's homeless education liaison helps in placement or enrollment decisions, considers the views of the student, and provides notice of the right to appeal placement and enrollment decisions.
 - iv. The choice regarding placement shall be made regardless of whether the student lives with the homeless parent or guardian or has been temporarily placed elsewhere. 42 U.S.C. § 11432(g)(3)(F).
 - v. The requirements of the District's Student Assignment Plan for students moving their physical residence from one attendance zone to another, to transfer to a school in the new zone of residence, shall not apply to homeless students.
4. Enrollment and Retention. The school selected within the District, based on the process outlined within Paragraph 3 above, will immediately enroll a homeless student, new to the District, even if they do not have the documents usually required for enrollment, such as school records (includes Individualized Education Plan-IEP), prior academic records, immunization, medical records, birth certificates, or proof of residency or guardianship.

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- a. If a homeless student arrives without records, the assigned school's Guidance Department shall assist the family and contact the previously attended school system to obtain the required records.
 - b. The assigned school's contact for homeless children and youths shall immediately refer the parent or guardian to the District's Homeless Education Liaison, who will help in obtaining necessary immunizations or immunization or medical records if the student needs to obtain these records.
 - c. A homeless student is considered a resident of the County if the child or youth is personally somewhere within the District to live there temporarily, but not necessarily to remain permanently. Homeless students who do not live with their parents or guardians may enroll themselves in school.
5. Guardianship and Caregivers.
- a. Although a school should immediately enroll a homeless student, even if there is no proof of legal guardianship at the time of initial enrollment, the legal guardian shall be asked to present to the school all court order(s) showing his/her appointment as a guardian of the student, within a reasonable period of time.
 - b. If a homeless student is not accompanied by a parent or guardian at the time of enrollment, once he or she is enrolled in and attending a school, the person acting as a caregiver or the unaccompanied youth will be asked to complete the District's caregiver authorization form (SJSD 2369), within a reasonable period of time. This form is incorporated herein by reference as part of this policy and can be located on the District's forms web site.
6. Disputes Pursuant to 42 U.S.C. § 11432 (g)(3)(E). If a dispute arises over school selection or enrollment:
- a. The student shall be immediately admitted to the school in which enrollment was requested (school of origin or assigned zoned school) and transportation provided to and from the school of origin, pending resolution of the dispute;
 - b. The parent or guardian of the student shall be provided with a written explanation of the District's decision regarding the school selection or enrollment, including the rights of the parent, guardian or student to appeal the decision through the District's enrollment dispute procedure and the Florida Department of Education's appeal process;

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- c. The student, parent or guardian shall be referred to the District's Homeless Education Liaison, who shall ensure the resolution process is carried out as expeditiously as possible after receiving notice of the dispute; and
 - d. In the case of an unaccompanied student, the District's Homeless Education Liaison shall ensure that the student is immediately enrolled in school pending the resolution of the dispute.
 - e. The resolution processes can be found on the St. Johns County website at <http://www.stjohns.k12.fl.us/homeless> Education's website.
7. Transportation. The School Board shall ensure at the request of the parent or guardian, or in the case of an unaccompanied youth, the District's Homeless Education Liaison, transportation will be provided for a homeless student to and from the school of origin as follows:
 - a. If the homeless student continues to live in the area served by the District in which the school of origin is located, the student's transportation to and from the school of origin will be provided and/or arranged for by the District. Transportation must be provided to or arranged for the student unless the student is residing in a location within the school zone's walking distance.
 - b. If the homeless student moves to an area served by another school district, though continuing his or her education at the school of origin within the District, the District and the school district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin. 42 U.S.C. § 11432 (g)(1)(J)(iii)(II).
 - c. If the school districts cannot agree upon such a method, the responsibility and costs must be shared equally.
 - d. Alternate methods of transportation may be offered, e.g., Sunshine Bus, or the parent/guardian may be reimbursed for providing transportation.
8. Comparable Services. Pursuant to 42 U.S.C. §11432(g)(4), each homeless student shall be provided with services comparable to other students in the selected school, including:
 - a. Transportation services;

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- b. Educational Services for which the student meets the eligibility criteria, including special education and related services and programs for English language learners;
- c. Vocational and technical education programs;
- d. Gifted programs;
- e. School nutrition programs (all identified homeless students are entitled to free meals per McKinney-Vento);
- f. Title I, Part A;
- g. Before- and After-School programs, if eligible. 42 U.S.C. § 11432(g)(1)(F)(iii); and
- h. Preschool programs, if eligible. 42 U.S.C. § 11432(g)(6)(A)(iii).

Pending grant funding, the School Board may provide additional services, including but not limited to: Tutoring (at shelters, Title I and non-Title I schools), school supplies, school uniforms/shirts, mentoring, summer programs.

9. Homeless Education Liaison. The District's Superintendent shall ensure that there is a District Homeless Liaison and his/her duties are communicated to the District and school personnel and appropriate community agencies and providers. The Homeless Liaison's name and contact information shall be posted on the District website.

STATUTORY AUTHORITY:

1001.41, F.S.

LAWS IMPLEMENTED:

42 U.S.C. §§ 11431 - 11436

HISTORY:

ADOPTED: 10/13/2009

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