

## 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 assures 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; to fully participate in the District's academic and extracurricular activities; 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.

#### 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;
  - iv. are abandoned in hospitals;
  - v. are awaiting foster care placement;

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- 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. migratory children who are living in circumstances described above.
- b. The McKinney-Vento Act defines the term "unaccompanied youth" to include a child or 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 child or youth attended when permanently housed or the school where the child or youth was last enrolled, including a preschool. 42 U.S.C. § 11432(g)(3)(G).
  - d. The McKinney-Vento Act defines "eligible school" as the school or origin, the school zoned for the address where the student is temporarily residing or another school which students residing in that attendance zone are eligible to attend.
  - e. 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).
  - f. The term "immediate" means without delay, even if the child or youth missed an application or enrollment deadline during any period of homelessness.
  - g. The term "parent" means the natural or adoptive parent or legal guardian of a student.
  - h. 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.
  - i. The term local educational agency (LEA) means the School Board. 42 U.S.C. § 11434a(3).
3. District's Obligations. The District will:
- a. Designate an appropriate staff person able to carry out the duties described in the McKinney-Vento Act, as the District's liaison for homeless children and youth.

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- i. The District's homeless education liaison shall make a determination of homeless status on a case by case basis.
  - b. Remove barriers to:
    - i. Identifying homeless children and youth.
    - ii. Enrolling and retaining of homeless children and youth in schools.
  - c. Provide access to homeless children to public preschool programs administered by the District.
  - d. Provide appropriate credit for full or partial coursework satisfactorily completed by homeless children and youth while attending a prior school.
  - e. Provide access for homeless children and youth to academic and extracurricular activities.
  - f. Immediately enroll homeless children and youth to a qualified school.
  - g. Coordinate District programs and collaborate with other school districts, community service providers and organizations including:
    - i. Local social services and other community agencies to provide support to homeless students and their families;
    - ii. Other school districts regarding homeless student-related transportation, transfer of school records and other inter-district activities, as needed;
    - iii. Housing authorities; and
    - iv. ESE.
4. Enrollment. The District's Homeless Student Policy assures that:
- a. A homeless child or youth may continue their 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.
  - b. Keeping the child or youth in the school of origin is presumed to be in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the cause of an unaccompanied youth) the youth.

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- c. When considering placement in a school other than the child's or youth's school of origin, the District will consider student-centered factors to determine a placement that is in the student's best interest.
- d. The eligible school selected shall immediately enroll the homeless child or youth, even if the child or youth missed an application or enrollment deadline during any period of homelessness.
- e. When a school other than the school of origin is selected, will remove barriers to enrollment and enroll homeless children or youths immediately, even if they cannot produce records or otherwise meet enrollments, including:
  - i. Previous academic records;
  - ii. Immunizations or other health records;
  - iii. Birth certificate;
  - iv. Proof of residency;
  - v. Guardianship;
  - vi. Uniform or dress code requirements;
  - vii. Outstanding fees, fines or absences; and
  - viii. Other required documentation.
- f. 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.
- g. 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.
- h. 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.

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### 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. Full Participation and 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, assuring that:

- a. A homeless student who becomes permanently housed during the academic year, may remain at their school of origin for the remainder of the academic year and continue to receive all McKinney-Vento Act benefits;
- b. Children and youths experiencing homelessness, and who meet the relevant eligibility criteria, will have access to all available academic and extracurricular activities for which they meet relevant eligibility criteria;
- c. Unaccompanied homeless high school youth will receive counseling to prepare and improve their readiness for post-secondary education;
- d. Services shall be provided to homeless children and youths that are comparable to services offered to non-homeless students in their schools, including the following:
  - i. Transportation services;
  - ii. Educational services for which the child or youth meets the eligibility criteria:
    - Title I
    - ESE
    - Educational programs for English Learners

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- iii. Vocational and technical education programs;
- iv. Gifted and talented programs;
- v. School nutrition programs (all identified homeless students are entitled to free meals per McKinney-Vento);
- vi. Preschool programs administered by the LEA.

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.

7. Student Records. The School District's Homeless Student Policy assures that records will be:
  - a. Treated as a student education record, and shall not be deemed to be directory information, under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).
  - b. Maintained for each homeless child or youth, including:
    - Immunization or other required health records;
    - Academic records;
    - Guardianship records; and
    - Evaluations for special services.
  - c. Made available, in a timely fashion, when a child or youth enters a new school.
  - d. Held confidential in a manner consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).
8. Transportation. The District's Homeless Students Policy assures that:
  - a. Transportation to and from a child's or youth's school will be provided or arranged, at the request of the parent or guardian, or in the case of an unaccompanied child or youth, the District's Homeless Education Liaison.
  - b. 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

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unless the student is residing in a location within the school zone's walking distance.

- c. When the homeless child's or youth's living arrangements are in an area served by another school district (district of residence), this school district (district of service) will coordinate with the district of residence to agree upon a method to apportion responsibility and costs for transportation to and from the school of origin. 42 U.S.C. § 11432 (g)(1)(J)(iii)(II).
9. 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;
  - 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 process can be found on the Florida Department of Education's website at <http://www.fldoe.org/policy/federal-edu-programs/title-x-homeless-edu-program-hep.stml>.
10. Homeless Education Liaison. The District's Superintendent will ensure 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.

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**STATUTORY AUTHORITY:**

743.067, 1001.41, 1001.42, 1003.01,  
1003.21, 1003.22, F.S.

**LAWS IMPLEMENTED:**

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

**HISTORY:**

ADOPTED: 10/13/2009  
REVISED: 05/15/2012; 11/13/2018