

Policy 0501.60 Homeless Students

In compliance with the McKinney-Vento Homeless Assistance Act, Title I, Part A, of the Elementary and Secondary Education Act, as amended by ESSA of 2015, and Idaho Code 33-1404, West Ada School District Board of Trustees has established the following policy to ensure that homeless children and youth receive a free appropriate public education and are given meaningful opportunities to succeed in school. West Ada School District, in compliance with state and federal law and regulations, will provide an atmosphere in which students are not segregated or discriminated against on the basis of their homelessness.

DEFINITIONS

The McKinney-Vento Act (Section 725) defines “homeless children and youth” as individuals who lack a fixed, regular, and adequate nighttime residence; and includes:

- 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 accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- 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;
- Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children and unaccompanied youth (youth not in the physical custody of a parent or guardian) may be considered homeless if they meet the above definition.

“Homeless liaison” is the staff member designated by the superintendent as the person responsible for carrying out the duties of the local homeless education liaison by the McKinney-Vento Homeless Assistance Act. “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.

SCHOOL SELECTION

Each child and youth in transition 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, homeless children and youth 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
- Immunizations or immunization/health/medical/physical 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.

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 homeless child or youth. 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 West Ada School District will arrange transportation and immediately bring the matter to the attention of the Idaho State Department of Education Coordinator for the Education of Homeless Children and Youth. In addition to receiving transportation to and from the school of origin upon request, homeless

children and youth will also be provided with other transportation services comparable to those offered to housed West Ada School District students.

SERVICES

Homeless children and youth 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 in transition 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
- Free meals - On the day a homeless child or youth enrolls or is identified in school, the school of origin shall submit the student's name to the district Homeless Liaison for immediate processing.

ATTENDANCE

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 there is a dispute regarding the educational placement of a homeless student, or if a school or school district/LEA denies a child, youth, or unaccompanied youth homeless status, then a written notice of explanation of such decision shall be promptly provided to the parent/guardian of the child, or to the youth, if unaccompanied by a parent/guardian. Such notice shall be in language the parent/guardian or unaccompanied youth can understand, shall include a description of how to dispute the decision, and shall include a summary of the dispute resolution process.

In addition, the West Ada School District shall promptly refer the parent/guardian or unaccompanied youth to the homeless liaison, who shall carry out the dispute resolution process within ten (10) business days. The parent/guardian shall be referred to the homeless liaison who shall advise the parent/guardian of the child's rights, assist in and carry out the dispute resolution process. With respect to unaccompanied youth, the liaison shall ensure the same access to the dispute resolution process.

During the pendency of the dispute resolution process, the child, youth, or unaccompanied youth shall be immediately enrolled or continue enrollment in the school of choice (school of origin or local attendance area). Enrollment shall include all educational services for which the student is eligible, such as attending classes and full participation by such student in all school activities.

If agreement cannot be reached between the parties regarding the educational placement or enrollment status of the student, then the West Ada School 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 AND INFORMATION

The district's Homeless Liaison will coordinate training for district staff regarding the McKinney-Vento Homeless Assistance Act requirements. Information regarding this policy, including the educational rights of homeless children and youth will be posted in every school in the district, as well as other places where children, youth, and families in transition receive governmental and community services.

Legal References: Idaho Code 33-1404, 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