5111.01 - HOMELESS STUDENTS

The District Project UP-START program serves children and youth who are identified as meeting the Federal definition of "homeless". Homeless children and youth, including those who are not currently enrolled in school due to homelessness, shall have equal access to the same free appropriate public education (FAPE) in public schools and preschool education programs in the same manner as all other District students.

Additionally, homeless students shall have access to other services needed to ensure an opportunity to meet the same challenging State academic standards to which all students are held and to fully participate in the District's academic and extra-curricular activities for which they meet relevant eligibility criteria. To that end, homeless students shall not be stigmatized or segregated on the basis of their status as homeless. The District shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness and shall remove barriers identifying homeless children and youth.

The District shall regularly review and revise its policies, including school discipline policies that impact homeless students, including those students who may be a member of any of the protected classes (See Policy 2260). No School Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or success of homeless children and youth in school.

Definition of Homeless Students and Youth

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include children and youth who meet any of the following criteria:

A. share the housing of other persons due to loss of housing, economic hardship, or similar reason;
B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations;
C. live in emergency or transitional shelters;
D. are abandoned in hospitals;
E. have a primary night time residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
F. live in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting; or
G. are migratory children who are living in circumstances described above.

Pursuant to the McKinney-Vento Act, the definition of homeless students and youth includes an unaccompanied youth or child who is not in the physical custody of a parent or guardian.

Services to Homeless Children and Youth

The District and each school shall provide services to homeless students that are comparable to other students in the District, including, but not limited to:

A. transportation services to the school of origin;
B. public preschool programs administered by the LEA;
C. counseling services for unaccompanied youth to prepare and improve their readiness for postsecondary education;
D. other educational programs and services for which the homeless student meets eligibility criteria including, but not limited to:
   1. programs for children with disabilities;
   2. programs for English Language Learners (ELL) (i.e. students with Limited English Proficiency (LEP));
   3. programs in career and technical education;
   4. programs for gifted and talented students;
   5. school nutrition programs; and
   6. Title I programs.

The Superintendent shall appoint a District Liaison for homeless children and youth who will perform the duties required by the McKinney-Vento Act. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youth. The Liaison will coordinate and collaborate with local social services and other community agencies to provide support to homeless students and their families, with other school districts regarding homeless student-related transportation, transfer of school records, and other inter-district activities, with housing authorities, and with Exceptional Student Education (ESE) programs.

School Stability

Maintaining a stable school environment is crucial to a homeless student’s success in school. To ensure stability, the District must make school placement determinations based on the “best interest” of the homeless child or youth considering student-centered factors. The eligible school for the student is the school of origin, the school zoned for the address where the student is temporarily residing, or another school in which students residing in that attendance zone are eligible to attend. The District shall:

A. continue the student’s education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year and will continue to be receive all McKinney-Vento Act benefits; or
B. enroll the student in the District school zoned for the address of the nighttime residence that non-homeless students who live in the attendance area are eligible to attend.

When determining a child or youth’s best interest, the District must presume that keeping the homeless student in the school of origin is in that student’s best interest, except when doing so is contrary to the request of the student’s parent or guardian, or the student if he or she is an unaccompanied youth. The school of origin is the school the student attended or was enrolled in when permanently housed, including a public preschool. The school of origin also includes the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin. The designated receiving school includes the next level of school (e.g. elementary from prekindergarten; middle from elementary; high from middle) that a homeless child or youth will attend.

When determining the student’s best interest, the District must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety. The District also considers the school placement of siblings when making this determination.

If the District finds that it is not in the student’s best interest to attend the school of origin or the school requested by the parent or guardian, or unaccompanied youth, the District must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include information on the right to appeal the placement determination and be provided in a timely manner.

**Immediate Enrollment**

The District is obligated to remove barriers to the enrollment and retention of homeless students in District schools and preschool education programs. Upon enrollment in a District school, the homeless student must be immediately enrolled, even if the student does not have the documentation typically necessary for enrollment, such as immunization and other required health records, proof of residency, proof of guardianship, birth certificate, previous academic records, or other required documentation. Pursuant to Board Policy 5112 and Policy 5320, a homeless student must be given thirty (30) days to produce the documentation of verification of age and health/immunization records. The homeless student must also be enrolled immediately in the eligible school regardless of whether the student missed application or enrollment deadlines during the period of homelessness, fails to meet uniform or dress code requirements, or has outstanding fines, fees, or absences or if the student does not have the uniform or dress code requirements. Enroll and enrollment include attending classes and participating fully in school activities. Homeless children and youth must be provided appropriate credit for full or partial coursework satisfactorily completed while attending a prior school.

The enrolling school must immediately contact the school last attended by the homeless student to obtain relevant academic or other records. If the student needs immunization or other health records, the enrolling school must immediately refer the parent, guardian, or unaccompanied youth to the Liaison or the Project UP-START staff members, who will help obtain the immunizations, screenings or other required health records. Records usually maintained by the school must be kept so that they are available in a timely fashion if the child enters a new school or district. These records include immunization or other required health records, academic records, birth certificates, guardianship records, proof of residence, other required documentation, and evaluations for special services or programs. Procedures for interstate records transfer between schools should be taken into account in order to facilitate immediate enrollment.

In addition, it shall be the District’s responsibility to ensure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs.
Transportation

The District shall promptly provide homeless students with transportation services that are comparable to those available to non-homeless students. At the request of the parent or guardian, or the Liaison in the case of an unaccompanied youth, the District shall provide, or arrange for, transportation to and from the student’s school of origin.

A. If the homeless student continues to live in the District, comparable transportation shall be provided, or the District shall arrange for the student’s transportation, to/from his/her school of origin.

B. If the homeless student resides in another school district, but the best interest determination is that the student should continue his/her education at the school of origin in the District, the District and the school district in which the student now resides shall agree upon a method to equitably apportion responsibility and costs for comparable transportation to the school of origin.

C. When the student obtains permanent housing, comparable transportation shall be provided to and from the school of origin until the end of the school year.

Dispute Resolution

Homeless families and youth have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian, or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, the District must follow its dispute resolution procedures, consistent with the State’s procedures. If a school selection dispute arises, the child or youth will either remain enrolled in the student’s school of origin or shall be immediately enrolled in the eligible school in which enrollment is sought. This includes the school zoned for the address where the student is residing or another school which students residing in that attendance zone are eligible to attend, pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved. The parent, guardian, or unaccompanied youth shall be referred to the District’s designated Homeless Liaison/Project UP-START Coordinator to carry out the dispute resolution process as expeditiously as possible (305-995-7318).

The District will provide the parent, guardian, or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the District, along with a written explanation of the right to appeal the decision to the Superintendent’s designee within ten (10) days. All decisions and notices shall be provided in a manner and form understandable to the parent, guardian, or unaccompanied youth.

Public Notice

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, the District shall post public notice of educational rights of children and youth experiencing homelessness in each school and include information to contact the District Homeless Liaison and the State Coordinator for the Education of Homeless Children and Youth. In addition, the District shall post public notice of the McKinney-Vento rights in places that homeless populations frequent, such as shelters, soup kitchens, and libraries in a manner and form understandable to the parents and guardians and unaccompanied youths.

Records
All records of homeless students are subject to the protections of the Family Educational Rights and Privacy Act (FERPA) and Policy 8330, and are kept in such a manner so that they are confidential, non-directory information, and available in a timely fashion to be transferred promptly to the appropriate parties, as required when a child or youth enters a new school.

F.S. 1003.21
F.S. 1003.22
42 U.S.C. 11431 et seq.
20 U.S.C. 9101 et seq.

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