

**REVISED HOMELESS  
STUDENT EDUCATION  
POLICY**

## SM001 – HOMELESS STUDENT EDUCATION

The purpose of this policy is to clarify statutory rights of children and youth experiencing homelessness as provided by federal and state law. Together with other public education agencies in our community, FLVS Full Time will ensure that all homeless children and youth receive a free appropriate public education and are given meaningful opportunities to succeed in our schools. FLVS Full Time will also follow the requirements of the McKinney-Vento Act for students and families who wish to enroll in their public school of choice. Under federal law, homeless children and youth must have access to appropriate public education and be given a full opportunity to meet state and local academic achievement standards. They must be included in statewide and district-wide assessments and accountability systems and be free from discrimination, segregation, and harassment

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described in this policy, public notice of the educational rights of homeless children and youths is made available on the FLVS website.

### ***Definitions***

The McKinney-Vento Act defines *homeless children and youth* as individuals who lack a fixed, regular, and adequate nighttime residence, including:

- Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason.
- Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
- Living in emergency or transitional shelters.
- Are abandoned in hospitals.
- Having 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.
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- Migratory children who are living in circumstances described above.

The McKinney-Vento Act defines the term *unaccompanied* youth to include a homeless child or youth under the age of 21, who is not in the physical custody of a parent or guardian.

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.

The McKinney-Vento Act defines the term *enroll and enrollment* to include attending classes and participating fully in school activities.

The term *immediate* means without delay.

The term *parent* means either or both natural or adoptive parent or legal guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in the place of the parent.

The term *liaison* is the staff person designated by the school leadership as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Act.

## LIAISON

The FLVS Full Time school liaisons shall be the school principals or their designee.

The liaison shall make a final determination of homeless status on a case-by-case basis.

## SCHOOL ADVOCATE(S)

The school advocates shall be the school counselor(s).

## IDENTIFICATION

The liaison, in collaboration with the FLVS Full Time enrollment team, school advocates, and school personnel, will identify homeless children who seek enrollment in our schools. The liaison will train the school advocates and school personnel on possible indicators of homelessness, sensitivity in identifying families and youth in transition, and procedures for forwarding information indicating homelessness to the liaison. FLVS Full Time will utilize the enrollment document on Student Residency Declaration form to identify homeless students to ensure barriers to identifying, enrolling, and retaining homeless children and youth in school are removed [s.722(g)(1)(J)].

The liaison will maintain data on the number of homeless children and youth in school, where they are living, their academic achievement (including performance on statewide and district-wide assessments), and the reasons for any enrollment delays, interruptions in their education, or school transfers. The liaison will collaborate with the school advocates to ensure no barriers exist for receiving credit for full or partial coursework satisfactorily completed by homeless children and youth while attending a prior school [s.722(g)(1)(F)(ii)].

## SCHOOL SELECTION

Each homeless child and youth has the right to remain at his/her school of origin or to attend any school in the attendance area in which the child or youth is actually living. FLVS Full time ensures that any 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 [s.722(g)(3)(A)(i)(I)]. Feasibility of enrollment in FLVS shall be a child-centered determination, based on the needs and best interests of the particular student, and give priority to the wishes of the parent or youth. Potential feasibility considerations include, but are not limited to:

- Safety of the student
- Continuity of instruction
- Likely area of family or youth's future housing
- Time remaining in the academic year
- Anticipated length of stay in temporary living situation
- School placement of siblings

Services that are required to be provided, including services under federal and other programs, shall not be considered in determining feasibility of enrollment. If enrollment of a homeless child in FLVS Full Time is determined not to be feasible, FLVS Full Time will communicate this decision to parents and other relevant parties, in writing.

## ENROLLMENT

Homeless students may not have school enrollment documents readily available. Nonetheless, FLVS Full Time, if selected for enrollment and determined feasible for a homeless child, must immediately enroll the homeless child. Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including:

- Proof of residency [s.722(g)(3)(C)(i) and s.722(g)(1)(H)(ii)]
- Transcripts/school records (The enrolling school must contact the student's previous school to obtain school records. Initial placement of students whose records are not immediately available can be made based on the student's age and information gathered from the student, parent, and previous schools or teachers.) [s.722(g)(3)(C)(i) and s.722(g)(1)(H)(i)]
- Immunizations or immunization/health/medical/physical records (If necessary, the school must refer students to the Homeless Liaison to assist with obtaining immunizations and/or immunization and other medical records. Health records may often be obtained from previous schools or state registries, and school- or community-based clinics can initiate immunizations when needed.) [s.722(g)(3)(C)(i) and s.722(g)(3)(H)(i)]
- Proof of guardianship [s.722(g)(1)(H)(iv)]
- Birth certificate [s.722(g)(3)(D) and s.722(g)(1)(H)(iii)]
- Outstanding fees, fines, or absences [s.722(g)(1)(I)]
- Any other document requirements [s.722(g)(1)(H)(iii) and s.722(g)(3)(C)(i)(I)]
- Any factor related to the student's living situation

## FULL PARTICIPATION AND COMPARABLE SERVICES

Homeless children shall not be stigmatized or segregated on the basis of their status as homeless [s.722(g)(1)(J)(i)] and shall be provided services comparable to services offered to other students in our school, including:

- Title I (as described below) [s.722(g)(4)(B)]
- Educational services for which the student meets eligibility criteria, including special education [s.722(g)(4)(B)] and related services and programs for English language learners [s.722(g)(4)(B)]
- programs in career and technical education [s.722(g)(4)(C)]
- programs for gifted and talented students [s.722(g)(4)(D)]

FLVS Full Time recognizes that homeless children may suffer from disabilities, but may not have been evaluated for such or may lack documentation regarding prior evaluation, including a copy of their Individualized Education Program (IEP). To address this problem, evaluations of homeless children suspected of having a disability shall be given priority and coordinated with a student's prior and subsequent schools as necessary to ensure timely completion of a full evaluation. If a student has an IEP, the school shall immediately implement it. Any necessary IEP meetings or re-evaluations shall then be conducted expeditiously. If complete records are not available, IEP teams must use good judgment in choosing the best course of action, balancing procedural requirements and the provision of services. In all cases, the goal will be to avoid any disruption in appropriate services.

Any 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 [s.722(g)(3)(A)(i)(II)] If a homeless child or youth's living arrangements change such that they move out of state, arrangements will be made to allow them to continue for the remainder of the school year.

Any 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 [s.722(g)(1)(F)(iii)]

Any unaccompanied homeless high school youth will receive counseling to prepare and improve their readiness for postsecondary education [s.722(g)(1)(K)]

## RECORDS

FLVS ensures that all records will be maintained for each homeless child or youth including:

- information related to the homeless child or youth's living situation;
- immunization or other required health records;
- academic records;
- guardianship records; and
- evaluations for special services [s.722(g)(3)(D)].

FLVS ensures that all records are:

- made available, in a timely fashion, when a child or youth enters a new school [s.722(g)(3)(D)(i)]
- held confidential in a manner consistent with section 444 of the General Education Provision Act (20 U.S.C. 1232g) [s.722(g)(3)(D)(ii)]; and
- 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) [s.722(g)(3)(G)].

## DISPUTES

A parent, guardian, or unaccompanied homeless youth may dispute a school determination regarding eligibility for McKinney-Vento services, school selection, or enrollment.

During such a dispute, 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 was requested, pending resolution of the dispute including all available appeals [s.722(g)(3)(E)(i)]

- A parent or guardian or unaccompanied youth will be provided with a written explanation of the FLVS decision regarding the school selection or enrollment in a manner and form understandable to the parent, guardian, or unaccompanied youth [s.722(g)(3)(B)(iii)], including the rights of the parent, guardian or student to appeal the decision [s.722(g)(3)(B)(iii)] through FLVS' enrollment dispute procedure and the Florida Department of Education's appeal process [s.722(g)(3)(e)(ii)];
- The student, parent or guardian shall be referred to the FLVS Homeless Liaison, who shall ensure the resolution process is carried out as expeditiously as possible after receiving notice of the dispute [s.722(g)(3)(e)(iii)].

FLVS Enrollment Dispute Procedure:

(a) The Principal shall complete the electronic "School Selection Committee Request" which provides the Liaison a written explanation of the school's position regarding school selection of a student and the nature of the dispute.

(b) The Homeless Liaison shall refer the matter to the "School Selection Committee", who shall, within 15 business days after receipt, schedule a meeting with school administration, and the family in an effort to resolve the dispute. The primary objective in reaching a resolution is to determine whether maintaining the student's current enrollment is in the student's best interest.

(c) In the event the matter is not resolved, the School Selection Committee shall provide the parent or guardian of the student or the unaccompanied youth with a written explanation of the its decision regarding school selection, including the rights of the parent, guardian or student to appeal the decision through the Florida Department of Education's appeal process.

(d) The Homeless Liaison will provide the parent, guardian or student the FLDOE School Dispute Resolution Appeal Process form. The form must be completed and returned to the Homeless Liaison within 10 business day, who shall send it, along with any additional written documentation provided by the school, to FLDOE.

The State of Florida Dispute Resolution Process can be found and referred to at:

<http://www.fl DOE.org/core/fileparse.php/7482/urlt/0084796-disputeresolutionprocess.pdf>

## TITLE I

Children and youth in transition are automatically eligible for Title I services. The trauma and instability of homelessness put students at sufficient risk of academic regression to warrant additional support. The amount reserved shall be determined by a formula based upon the per-pupil Title I expenditure and developed jointly by the liaison, senior manager of Federal Programs, and the Title 1 administrator. Homeless children shall be assessed, reported on, and included in accountability systems, as required by federal law and U.S. Department of Education regulations and guidance.

## TRAINING

On behalf of FLVS Full Time the Liaison will conduct training and sensitivity awareness activities for school staff including the school advocates and other staff that would be in a position to identify homeless students, at least once each year. The trainings and activities will be designed to increase staff awareness of homelessness, facilitate immediate enrollment, and ensure compliance with this policy.

## REFERENCES

- McKinney-Vento Homeless Assistance Act, Subtitle VII-B Reauthorized December 10, 2015 by Title IX, Part A of the Every Student Succeeds Act (Effective October 1, 2016)
- 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
- June 5, 1992, Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services