Appendix F: Sample LEA Homeless Education Policy

The McKinney-Vento Act requires all state and local educational agencies to develop, review, and revise their policies to remove barriers to the enrollment and retention in school of children and youth experiencing homelessness.

Appendix F includes:

- Sample Local Educational Agency (LEA) Policy
- Virginia Sample LEA Policy

Additional Resources

- NCHE Homeless Education issue briefs; available for ordering at http://www.serve.org/nche/briefs.php:
  - Best Practices in Homeless Education brief series: This series discusses promising practices in the implementation of the McKinney-Vento Homeless Assistance Act based on knowledge gained since the 2001 reauthorization of the Act.
  - Connecting Schools and Displaced Students brief series: This series discusses how schools can serve students displaced by disaster, many of whom are eligible for services under the McKinney-Vento Homeless Assistance Act.
  - McKinney-Vento Law into Practice brief series: This series addresses the main issues covered by the McKinney-Vento Homeless Assistance Act by explaining the chief points of the law related to the brief’s topic and offering strategies for implementation.
- The 100 Most Frequently Asked Questions on the Education Rights of Children and Youth in Homeless Situations; available for downloading at http://www.naehcy.org/faq.html:
  This resource, created collaboratively by the National Association for the Education of Homeless Children and Youth (NAEHCY) and the National Law Center on Homelessness and Poverty (NLCHP), answers the top questions raised about the implementation of the McKinney-Vento Homeless Assistance Act.
Sample Local Educational Agency (LEA) Policy

Introduction

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Introduction

The McKinney-Vento Act requires all state and local educational agencies to develop, review, and revise their policies to remove barriers to the enrollment and retention in school of children and youth experiencing homelessness. This sample Local Educational Agency (LEA) policy is designed to help school districts comply with this mandate. The policy was adapted from the existing policies of LEAs around the country, the requirements of the reauthorized McKinney-Vento Act and Elementary and Secondary Education Act (ESEA), and U.S. Department of Education regulations and guidance. It is broad and specific and can be abbreviated or otherwise adapted to accommodate the needs of any LEA.

The entire LEA community can be involved in developing a new policy. Often, one person taking the lead is enough to get a new policy enacted. Strategic allies in getting LEA policies revised may include:

- Superintendent and assistant superintendents
- School board members
- Title I and other federal program directors
- School staff, including school counselors, social workers, and teachers
- The mayor
- City council members
- County government officials
- Other city and county agencies, such as departments of housing, social services, children and families, transitional assistance, welfare and/or Medicaid
- Parents and students
- Homeless coalitions
- Domestic violence coalitions and agencies
- Legal aid attorneys
- Community advocates
- HUD Continua of Care (CoCs)
- Family and youth shelter and service providers
- Faith-based organizations
- Higher education, including schools of education, law, public policy, social work, nursing, sociology, and psychology
- State legislators
- The state educational agency
- The state board of education

Ways to involve these allies in the process initially may include:

- Using the requirements and rationale of the McKinney-Vento Act as support for needing new policies
- Sharing positive results from districts that have already revised their policies
- Taking them on tours of shelters and/or schools, as appropriate
- Making direct personal contact and explaining how the policies affect real children, schools, and the LEA as a whole

For more information about revising LEA policies or state laws, contact the National Law Center on Homelessness & Poverty at (202) 638-2535 or nlchp@nlchp.org.
Sample Local Educational Agency (LEA) Policy

Homelessness exists in our community. A combination of high housing costs and poverty causes many families to lose their housing. Many young people leave their homes due to abuse, neglect, and family conflict. Children and youth who have lost their housing live in a variety of places, including motels, shelters, shared residences, transitional housing programs, cars, campgrounds, and others. Their lack of permanent housing can lead to potentially serious physical, emotional, and mental consequences. This school district will ensure that all children and youth receive a free appropriate public education and are given meaningful opportunities to succeed in our schools. This district will also follow the requirements of the McKinney-Vento Homeless Assistance Act.

It is the policy of our district to view children as individuals. Therefore, this policy will not refer to children as homeless; it will instead use the term children and youth in transition. Under federal law, children and youth in transition must have access to appropriate public education, including preschool, and be given a full opportunity to meet state and local academic achievement standards. They must be included in state- and district-wide assessments and accountability systems. Our schools will ensure that children and youth in transition are free from discrimination, segregation, and harassment.

Information regarding this policy will be distributed to all students upon enrollment and once during the school year, provided to students who seek to withdraw from school, and posted in every school in the district, as well as other places where children, youth, and families in transition receive services, including family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments, health departments, and other social service agencies.

Each year, schools that have been particularly creative or proactive in implementing this policy will be recognized publicly for the benefits they provide their students.
Definitions

Children and youth in transition means children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence, including:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
- Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.
- Migratory children and youth who are living in a situation described above.

A child or youth will be considered to be in transition for as long as he or she is in a living situation described above.

*Unaccompanied youth* means a youth not in the physical custody of a parent or guardian, who is in transition as defined above. The more general term youth also includes unaccompanied youth.

*Enroll and enrollment* mean attending school and participating fully in all school activities.

*Immediate* means without delay.

*Parent* means a person having legal or physical custody of a child or youth.

*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.

*Local liaison* is the staff person designated by our LEA and each LEA in the state as the person responsible for carrying out the duties assigned to the local homeless education liaison by the McKinney-Vento Homeless Assistance Act.

Identification

In collaboration with school personnel and community organizations, the local liaison will identify children and youth in transition in the district, both in and out of school. The local liaison will train school personnel on possible indicators of homelessness, sensitivity in identifying families and
youth as in transition, and procedures for forwarding information indicating homelessness to the local liaison. The local liaison will also instruct school registrars and secretaries to inquire about possible homelessness upon the enrollment and withdrawal of every student and to forward information indicating homelessness to the local liaison. Community partners in identification may include the following: family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments and other social service agencies, street outreach teams, faith-based organizations, truancy and attendance officers, local homeless coalitions, and legal services.

The local liaison will keep data on the number of children and youth in transition in the district; where they are living; their academic achievement (including performance on state- and district-wide assessments); and the reasons for any enrollment delays, interruptions in their education, or school transfers.

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 housed students who live in the attendance area in which the child or youth is actually living are eligible to attend. Maintaining a student in his or her school of origin is important for both the student and our school district. Students who change schools have been found to have lower test scores and overall academic performance than peers who do not change schools. High mobility rates also have been shown to lower test scores for stable students. Keeping students in their schools of origin enhances their academic and social growth, while permitting our schools to benefit from the increased test scores and achievement shown to result from student continuity.

Therefore, in selecting a school, children and youth in transition 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 in transition 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 between academic years.

Feasibility will be a child-centered determination, based on the needs and interests of the particular student and the parent or youth’s wishes. Potential feasibility considerations include:

- The age of the child or youth
- The distance of a commute and the impact it may have on the student’s education
- Personal safety issues
- A student’s need for special instruction (e.g., special education and related services)
- The length of anticipated stay in a temporary shelter or other temporary location
- The time remaining in the school year
Services that are required to be provided, including transportation to and from the school of origin (see next page) and services under federal and other programs, will not be considered in determining feasibility.

Enrollment

Consistent, uninterrupted education is vital for academic achievement. Due to the realities of homelessness and mobility, students in transition may not have school enrollment documents available readily. Nonetheless, the school selected for enrollment must enroll any child or youth in transition immediately. 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 (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.)
- Immunizations or immunization/health/medical/physical records (If necessary, the school must refer students to the local 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.)
- Proof of guardianship
- Birth certificate
- Any other document requirements
- Unpaid school fees
- Lack of uniforms or clothing that conforms to dress codes
- Any factor related to the student’s living situation

Unaccompanied youth must also 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

Without appropriate transportation, a student may not be able to continue attending his or her school of origin. To avoid such forced school transfers, at a parent’s request, transportation will be provided to and from the school of origin for a child or youth in transition. 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. The local liaison will request transportation to and from the
school of origin for unaccompanied youth. The length of the commute will be considered only in determining the feasibility of placement in the school of origin based on potential harm to the student, as discussed above. Parents and unaccompanied youth must be informed of this right to transportation before they select a school for attendance.

Schools and local liaisons will use the district transportation form to process transportation requests. Requests will be processed and transportation arranged without delay. If the student in transition is living and attending school in this district, this district will arrange transportation. If the student in transition is living in this district but attending school in another, or attending school in this district but living in another, this district will coordinate with the neighboring district to arrange transportation. It is this district's policy that inter-district disputes will not result in a student in transition missing school. If such a dispute arises, this district will arrange transportation and immediately bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth. In addition to receiving transportation to and from the school of origin upon request, children and youth in transition will also be provided with other transportation services comparable to those offered to housed students.

Services

Children and youth in transition will be provided services comparable to services offered to other students in the selected school, including:

- Transportation (as described above)
- Title I, Part A, services (as described below)
- 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

The district recognizes that children and youth in transition suffer from disabilities at a disproportionate rate, yet frequently are not evaluated or provided appropriate special education and related services. To address this problem, evaluations of children and youth in transition suspected of having a disability will be given priority and coordinated with students' prior and subsequent schools as necessary to ensure the timely completion of a full evaluation. When necessary, the district will designate expeditiously a surrogate parent for unaccompanied youth suspected of having a disability. If participation of a surrogate parent in the student's education is needed prior to the appointment of a surrogate parent, the district will designate a temporary surrogate in accordance with the provisions of the Individuals with Disabilities Education Act (IDEA). If a student has an Individualized Education Program (IEP), the enrolling school will
implement it immediately. Any necessary IEP meetings or re-evaluations will 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.

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. Our school district will follow state procedures to ensure that youth in transition and youth who are out of school are identified and accorded equal access to appropriate secondary education and support services. School personnel will refer children and youth in transition to appropriate health care services, including dental and mental health services. The local liaison will assist the school in making such referrals, as necessary.

School personnel must also inform parents of all educational and related opportunities available to their children and provide parents with meaningful opportunities to participate in their children’s education. All parent information required by any provision of this policy must be provided in a form, manner, and language understandable to each parent.

**Disputes**

If a dispute arises over any issue covered in this policy, the child or youth in transition will be admitted immediately to the school in which enrollment is sought, pending final resolution of the dispute. The student will also have the rights of a student in transition to all appropriate educational services, transportation, free meals, and Title I, Part A, services while the dispute is pending.

The school where the dispute arises will provide the parent or unaccompanied youth with a written explanation of its decision and the right to appeal and will refer the parent or youth to the local liaison immediately. The local liaison will ensure that the student is enrolled in the requested school and receiving other services to which he or she is entitled and will resolve the dispute as expeditiously as possible. The parent or unaccompanied youth will be given every opportunity to participate meaningfully in the resolution of the dispute. The local liaison will keep records of all disputes in order to determine whether particular issues or schools are delaying or denying the enrollment of children and youth in transition repeatedly.

The parent, unaccompanied youth, or school district may appeal the school district’s decision as provided in the state’s dispute resolution process.

**Free Meals**

Hunger and poor nutrition are obvious barriers to learning. To help ensure that children and youth in transition are available for learning, the U.S. Department of Agriculture has determined that all children and youth in transition are automatically eligible for free meals. On the day a child or youth
in transition enrolls in school, the enrolling school must submit the student’s name to the district nutrition office for immediate processing.

**Title I, Part A**

Children and youth in transition are automatically eligible for Title I, Part A services, regardless of what school they attend. The trauma and instability of homelessness put students at sufficient risk of academic regression to warrant additional support. The district will reserve such funds as are necessary to provide services comparable to those provided to Title I students to children and youth in transition attending non-participating schools. The amount reserved will be determined by a formula based upon the per-pupil Title I, Part A, expenditure and developed jointly by the local liaison and the Title I director. Reserved funds will be used to provide education-related support services to children and youth in transition, both in school and outside of school, and to remove barriers that prevent regular attendance.

Our district’s Title I plan will be coordinated with our McKinney-Vento services, through collaboration between the Title I director and the local liaison. Children and youth in transition will be assessed, reported on, and included in accountability systems, as required by federal law and U.S. Department of Education Regulations and Policy Guidance.

**Training**

The local liaison will conduct training and sensitivity/awareness activities for the following LEA and school staff at least once each year: the Assistant Superintendent, principals, assistant principals, federal program administrators, registrars, school secretaries, school counselors, school social workers, bus drivers, custodians, cafeteria workers, school nurses, and teachers. The trainings and activities will be designed to increase staff awareness of homelessness, facilitate immediate enrollment, ensure compliance with this policy, and increase sensitivity to children and youth in transition.

The local liaison will also obtain from every school the name and contact information of a building liaison. Building liaisons will lead and coordinate their schools’ compliance with this policy and will receive training from the local liaison annually.

**Coordination**

The local liaison will coordinate with and seek support from the State Coordinator for the Education of Homeless Children and Youth, public and private service providers in the community, housing and placement agencies, the pupil transportation department, local liaisons in neighboring districts, and other organizations and agencies. Coordination will include conducting outreach and training to those agencies and participating in the local continuum of care, homeless coalition, homeless steering committee, and other relevant groups. Both public and private agencies will be
encouraged to support the local liaison and our schools in implementing this policy.

**Preschool**

Preschool education is a very important element of later academic success. Children in transition have experienced many difficulties accessing preschool opportunities. To facilitate preschool enrollment and attendance, the provisions of this policy will apply to preschools administered by our school district. Our district will ensure that children in transition receive priority enrollment in preschool programs operated by the district, including exempting children in transition from waiting lists.

Children in transition with disabilities will be referred for preschool services under the Individuals with Disabilities Education Act (IDEA). Children in transition under age three will be referred for at-risk services under Part C of IDEA and screened to determine if referrals for additional Part C services are appropriate. The local liaison will collaborate with Head Start and Even Start programs and other preschool programs to ensure that children in transition can access those programs.

**References**


The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et seq.


Add relevant state laws/regulations here:
If your school division is a member of the Virginia School Board Association, you may wish to adopt VSBA Policy File: JECA (2003), available through VSBA.

**Sample Local Educational Agency (LEA) Policies and Procedures to Implement the McKinney-Vento Act in Virginia**

The McKinney-Vento Act requires all state and local educational agencies to develop, review, and revise their policies to remove barriers to the enrollment and retention in school of children and youth experiencing homelessness. This sample LEA policy is designed to help school divisions comply with this mandate. The policy was adapted from the existing policies of LEAs around the country, the requirements of the reauthorized McKinney-Vento Act and the Elementary and Secondary Education Act (ESEA), and U.S. Department of Education regulations and guidance. It is broad and specific and can be abbreviated or otherwise adapted to accommodate the needs of any LEA.

The entire LEA community can be involved in developing a new policy. Often, one person taking the lead is enough to get a new policy enacted. Strategic allies in getting LEA policies revised may include:

- Superintendent and assistant superintendents;
- School board members;
- Title I and other federal programs directors;
- School staff, including school counselors, social workers and teachers;
- The mayor;
- City council members;
- County government officials;
- Other city and county agencies, such as departments of housing, social services, child and families, transitional assistance, welfare and/or Medicaid;
- Parents and students;
- Homeless coalitions;
- Domestic violence coalitions and agencies;
- Legal aid attorneys;
- Community advocates;
- HUD continuums of care;
- Family and youth shelter and service providers;
- The faith-based community;
- Higher education, including schools of education, law, public policy, social work, nursing, sociology and psychology;
- State legislators;
- The state educational agency; and
- The state board of education.

Ways to involve these allies in the process initially may include:

- Using the requirements and rationale of the McKinney-Vento Act as support for needing new policies;
- Sharing positive results from divisions that have already revised their policies;
- Taking them on tours of shelters and/or schools, as appropriate; and
- Making direct personal contact and explaining how the policies affect real children, schools, and the LEA as a whole.
Homelessness exists in our community. A combination of high housing costs and poverty causes many families to lose their housing. Many young people leave their homes due to abuse, neglect and family conflict. Children and youth who have lost their housing live in a variety of places, including motels, shelters, shared residences, transitional housing programs, cars, campgrounds and others. Their lack of permanent housing can lead to potentially serious physical, emotional and mental consequences. This school division will ensure that all children and youth receive a free appropriate public education and are given meaningful opportunities to succeed in our schools. This division will also follow the requirements of the McKinney-Vento Act.

Under federal law, children and youth experiencing homelessness must have access to appropriate public education, including preschool, and be given a full opportunity to meet state and local academic achievement standards. They must be included in state- and division- wide assessments and accountability systems. Our schools will ensure that children and youth experiencing homelessness are free from discrimination, segregation and harassment.

Information regarding this policy will be: distributed to all students upon enrollment and once during the school year; provided to students who seek to withdraw from school; and posted in every school in the division, as well as other places where children, youth and families experiencing homelessness receive services, including family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments, health departments and other social service agencies.

Each year, schools that have been particularly creative or pro-active in implementing this policy will be publicly recognized for the benefits they provide their students.

Definitions

Children and youth experiencing homelessness means children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and lack a fixed, regular, and adequate nighttime residence, including:

- children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, camping grounds or trailer parks due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting; and
- migratory children and youth who are living in a situation described above. A child or youth shall be considered to be experiencing homelessness for as long as he or she is in a living situation described above.
If your school division is a member of the Virginia School Board Association, you may wish to adopt VSBA Policy File: JECA (2003), available through VSBA.

Unaccompanied youth means a youth not in the physical custody of a parent or guardian, who is experiencing homelessness as defined above. The more general term youth also includes unaccompanied youth.

Enroll and enrollment mean attending school and participating fully in school activities.

Immediate means without delay.

Parent means a person having legal or physical custody of a child or youth.

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.

Liaison is the staff person designated by our LEA and each LEA in the state as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Act.

**Identification**

In collaboration with school personnel and community organizations, the liaison will identify children and youth experiencing homelessness in the division, both in and out of school. The liaison will train school personnel on possible indicators of homelessness, sensitivity in identifying families and youth as experiencing homelessness, and procedures for forwarding information indicating homelessness to the liaison. The liaison will also instruct school registrars and secretaries to inquire about possible homelessness upon the enrollment and withdrawal of every student, and to forward information indicating homelessness to the liaison. Community partners in identification may include: family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments and other social service agencies, street outreach teams, faith-based organizations, truancy and attendance officers, local homeless coalitions and legal services.

The liaison are encouraged to keep data on the number of children and youth experiencing homelessness in the division, where they are living, their academic achievement (including performance on state- and division-wide assessments), and the reasons for any enrollment delays, interruptions in their education or school transfers. This is a requirement for localities with McKinney-Vento subgrants.

**School Selection**

Each child and youth experiencing homelessness has the right to remain at his or her school of origin, or to attend any school that housed students who live in the attendance area in which the child or youth is actually living are eligible to attend. Maintaining a student in his or her school of origin is important for both the student and our school division. Students who change schools have been found to have lower test scores and overall academic performance than peers who do not change schools. High mobility rates have also been shown to lower test scores for stable students. Keeping students in their schools of origin enhances their academic and social growth,
If your school division is a member of the Virginia School Board Association, you may wish to adopt VSBA Policy File: JECA (2003), available through VSBA.

while permitting our schools to benefit from the increased test scores and achievement shown to result from student continuity. Therefore, in selecting a school, children and youth experiencing homelessness shall remain at their schools of origin to the extent feasible, unless that is against the parent’s or youth’s wishes. Students may remain at their schools of origin the entire time they are experiencing homelessness, 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 between academic years.

Feasibility shall be a child-centered determination, based on the needs and interests of the particular student and the parent’s or youth’s wishes. Potential feasibility considerations include: – Safety of the student; – Continuity of instruction; – Likely area of family’s or youth’s future housing; – Time remaining in the academic year; – Anticipated length of stay in temporary living situation; – School placement of siblings; and – Whether the student has special needs that would render the commute harmful.

Services that are required to be provided, including transportation to and from the school of origin (see below) and services under federal and other programs, shall not be considered in determining feasibility.

**Enrollment**

Consistent, uninterrupted education is vital for academic achievement. Due to the realities of homelessness and mobility, students experiencing homelessness may not have school enrollment documents readily available. Nonetheless, the school selected for enrollment must immediately enroll any child or youth experiencing homelessness. 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 (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.);
− Immunizations or immunization/health/medical/physical records (If necessary, the school must refer students to the 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.);
− Proof of guardianship; − Birth certificate; − Any other document requirements; − Unpaid school fees; − Lack of uniforms or clothing that conforms to dress codes; and − Any factor related to the student's living situation.
If your school division is a member of the Virginia School Board Association, you may wish to adopt VSBA Policy File: JECA (2003), available through VSBA.

Unaccompanied youth must also be immediately enrolled in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling or liaison.

**Transportation**

Without appropriate transportation, a student may not be able to continue attending his or her school of origin. To avoid such forced school transfers, at a parent’s request, transportation shall be provided to and from the school of origin for a child or youth experiencing homelessness. Transportation shall be provided for the entire time the child or youth has a right to attend that school, as defined above, including during the pendency of disputes. The liaison shall request transportation to and from the school of origin for unaccompanied youth. The length of the commute will only be considered in determining the feasibility of placement in the school of origin based on potential harm to the student, as discussed above. Parents and unaccompanied youth must be informed of this right to transportation before they select a school for attendance.

Schools and the liaison shall use the division transportation form to process transportation requests. Requests shall be processed and transportation arranged without delay. If the student experiencing homelessness is living and attending school in this division, this division shall arrange transportation. If the student experiencing homelessness is living in this division but attending school in another, or attending school in this division but living in another, this division will follow the inter-division transportation agreement to determine who must arrange transportation. It is this division's policy that inter-division disputes shall not result in a student experiencing homelessness missing school. If such a dispute arises, this division will arrange transportation and immediately bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth.

In addition to receiving transportation to and from the school of origin upon request, children and youth experiencing homelessness shall also be provided with other transportation services comparable to those offered to housed students.

**Services**

Children and youth experiencing homelessness shall be provided services comparable to services offered to other students in the school selected, including:

- Transportation (as described above);
- Title I (as described below);
- 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;
- School nutrition programs; and
- Before- and after-school programs.

The division recognizes that children and youth experiencing homelessness suffer from disabilities at a disproportionate rate, yet frequently are not evaluated or provided appropriate
special education and related services. To address this problem, evaluations of children and youth experiencing homelessness suspected of having a disability shall be given priority and coordinated with students’ prior and subsequent schools as necessary, to ensure timely completion of a full evaluation. When necessary, the division shall expeditiously designate a surrogate parent for unaccompanied youth suspected of having a disability. If a student has an Individualized Education Program (IEP), the enrolling 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.

Our school division will follow state procedures to ensure that youth experiencing homelessness and youth who are out of school are identified and accorded equal access to appropriate secondary education and support services. School personnel shall refer children and youth experiencing homelessness to appropriate health care services, including dental and mental health services. The liaison will assist the school in making such referrals, as necessary.

School personnel must also inform parents of all educational and related opportunities available to their children and provide parents with meaningful opportunities to participate in their children’s education. All parent information required by any provision of this policy must be provided in a form, manner and language understandable to each parent.

**Disputes**

If a dispute arises over any issue covered in this policy, the child or youth experiencing homelessness shall be immediately admitted to the school in which enrollment is sought, pending final resolution of the dispute. The student shall also have the rights of a student experiencing homelessness to all appropriate educational services, transportation, free meals and Title I services while the dispute is pending.

The school where the dispute arises shall provide the parent or unaccompanied youth with a written explanation of its decision and the right to appeal and shall immediately refer the parent or youth to the liaison. The liaison shall ensure the student is enrolled in the school of his or her choice and receiving other services to which he or she is entitled and shall resolve the dispute as expeditiously as possible. The parent or unaccompanied youth shall be given every opportunity to participate meaningfully in the resolution of the dispute. The liaison shall keep records of all disputes in order to determine whether particular issues or schools are repeatedly delaying or denying the enrollment of children and youth experiencing homelessness.

The parent, unaccompanied youth or school division may appeal the liaison's decision as provided in the state’s dispute resolution process.

**Free meals**

Hunger and poor nutrition are obvious barriers to learning. To help ensure that children and youth experiencing homelessness are available for learning, the U.S. Department of Agriculture
If your school division is a member of the Virginia School Board Association, you may wish to adopt VSBA Policy File: JECA (2003), available through VSBA.

has determined that all children and youth experiencing homelessness are automatically eligible for free meals. On the day a child or youth experiencing homelessness enrolls in school, the enrolling school must submit the student’s name to the division nutrition office for immediate processing.
If your school division is a member of the Virginia School Board Association, you may wish to adopt VSBA Policy File: JECA (2003), available through VSBA.

Title I

Children and youth experiencing homelessness are automatically eligible for Title I services, regardless of what school they attend. The trauma and instability of homelessness puts students at sufficient risk of academic regression to warrant additional support. The division shall reserve such funds as are necessary to provide services comparable to those provided to Title I students to children and youth experiencing homelessness attending non-participating schools. The amount reserved shall be determined by a formula based upon the per-pupil Title I expenditure and developed jointly by the liaison and the Title I director. Reserved funds will be used to provide educationally related support services to children and youth experiencing homelessness, both in school and outside of school, and to remove barriers that prevent regular attendance.

Our division’s Title I plan will be coordinated with our McKinney-Vento services, through collaboration between the Title I director and the liaison. Children and youth experiencing homelessness 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

The liaison will conduct training and sensitivity/awareness activities for the following LEA and school staff at least once each year: the Assistant Superintendent, principals, assistant principals, federal program administrators, registrars, school secretaries, school counselors, school social workers, bus drivers, custodians, cafeteria workers, school nurses and teachers. The trainings and activities will be designed to increase staff awareness of homelessness, facilitate immediate enrollment, ensure compliance with this policy, and increase sensitivity to children and youth experiencing homelessness.

The liaison shall also obtain from every school the name and contact information of a building liaison. Building liaisons will lead and coordinate their schools’ compliance with this policy and will receive training from the division liaison annually.

Coordination

The liaison shall coordinate with and seek support from the State Coordinator for the Education of Homeless Children and Youth, public and private service providers in the community, housing and placement agencies, the pupil transportation department, liaisons in neighboring divisions and other organizations and agencies. Coordination will include conducting outreach and training to those agencies and participating in the local continuum of care, homeless coalition, homeless steering committee, and other relevant groups. Both public and private agencies will be encouraged to support the liaison and our schools in implementing this policy.
Preschool

Preschool education is a very important element of later academic success. Children experiencing homelessness have experienced many difficulties accessing preschool opportunities. To facilitate preschool enrollment and attendance, the provisions of this policy will apply to preschools. Our division will ensure that children experiencing homelessness receive priority enrollment in preschool programs operated by the division, including exempting children experiencing homelessness from waiting lists.

Children experiencing homelessness with disabilities will be referred for preschool services under the Individuals with Disabilities Education Act (IDEA). Children experiencing homelessness under age three will be referred for at-risk services under Part C of IDEA and screened to determine if referrals for additional Part C services are appropriate. The liaison will collaborate with Head Start and Even Start programs and other preschool programs to ensure that children experiencing homelessness can access those programs.

References:


State laws/regulations (citations following 2003 General Assembly session)
ADMISSION OF HOMELESS CHILDREN

The BLANK School Board is committed to educating homeless children and youth. Homeless children and youth shall not be stigmatized or segregated on the basis of their status as homeless.

The BLANK School District will serve each homeless student according to the student’s best interest and will

- continue the student's education in the school of origin for the duration of homelessness
- if the student 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 an academic year; or
- enroll the student in any public school that nonhomeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of a homeless student, the BLANK School board shall

- to the extent feasible, keep the student in the school of origin, except when doing so is contrary to the wishes of the student’s parent or guardian;
- provide a written explanation, including a statement regarding the right to appeal as described below, to the homeless student’s parent or guardian, if the division sends the student to a school other than the school of origin or a school requested by the parent or guardian; and
- in the case of an unaccompanied youth, ensure that the district’s homeless liaison assists in placement or enrollment decisions regarding the student, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal described below.

Enrollment

The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.

The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the student to the district’s homeless liaison, who shall assist in obtaining necessary immunizations, or immunization or medical records.
If your school division is a member of the Virginia School Board Association, you may wish to adopt VSBA Policy File: JECA (2003), available through VSBA.

The decision regarding placement shall be made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

***PROJECT HOPE-VIRGINIA NOTE: A STATE-LEVEL DISPUTE RESOLUTION PROCESS WAS RELEASED THROUGH SUPERINTENDENT'S MEMO #64 ON DECEMBER 5, 2003. A reprint of this memo is available in Appendix R of the Homeless Education Liaison Toolkit.***

Enrollment Disputes. If a dispute arises over school selection or enrollment in a school
- the homeless student shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;
- the parent or guardian of the student shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or student to appeal the decision;
- the student, parent, or guardian shall be referred to the district’s homeless liaison who shall carry out the appeal process as expeditiously as possible after receiving notice of the dispute; and
- in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

Appeal Process

Oral Complaint
In the event that an unaccompanied student or the parent or guardian of a student (hereinafter referred to as the Complainant) disagrees with a school’s decision regarding the student’s eligibility to attend the school, the Complainant shall orally present his position to the division’s homeless liaison.

Written Complaint
If the disagreement is not resolved within five (5) school days, the Complainant may present a written complaint to the homeless liaison. The written complaint must include the following information: the date the complaint is given to the homeless liaison; a summary of the events surrounding the dispute; the name(s) of the school division personnel involved in the enrollment decision; and the result of the presentation of the oral complaint to the homeless liaison.

Within five (5) school days after receiving the written complaint, the homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore, to the Complainant. The liaison will inform the Superintendent of the formal complaint and its resolution.

Appeal to Superintendent
If the Complainant is not satisfied with the written decision of the homeless liaison, the Complainant may appeal that decision to the Superintendent by filing a written appeal. The homeless liaison shall ensure that the Superintendent receives copies of the written complaint and the response thereto. The Superintendent or designee shall schedule a conference with the Complainant to discuss the complaint. Within five (5) school days of receiving the written
If your school division is a member of the Virginia School Board Association, you may wish to adopt VSBA Policy File: JECA (2003), available through VSBA.

appeal, the Superintendent, or designee, shall provide a written decision to the Complainant including a statement of the reasons therefore.

Comparable Services

Each homeless student shall be provided services comparable to services offered to other students in the school attended by the homeless student including the following:

• transportation services;
• educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
• programs in vocational and technical education;
• programs for gifted and talented students; and
• school nutrition programs.

Definitions:

The term “homeless student” means an individual who lacks 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 adequate 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 who qualify as homeless for the purposes of this policy because the children are living in circumstances described above.

The term “migratory child” means a child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, has moved from one school district to another in order to obtain, or accompany such parent or spouse in order to obtain, temporary or seasonal employment in agricultural or fishing.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian.
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Adopted:

Legal Refs.: 20 U.S.C. §§ 6399, 11302 et seq.
42 U.S.C. § 11431 et seq.


Cross Refs.: JEC School Admission
Appendix G:
School-Level Point of Contact Form

Under the McKinney-Vento Homeless Assistance Act, the local homeless education liaison is responsible for ensuring that homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies. The local liaison may find it beneficial to have a school-level point of contact to assist with identifying and supporting the education of children and youth experiencing homelessness.

Appendix G includes:

■ School-Level Point of Contact Form

Additional Resources

■ NCHE Information by Topic: School Personnel Resources webpage; visit http://www.serve.org/nche/ibt/educ_schpers.php: This NCHE webpage provides additional and more in-depth resources for educating school personnel about the needs of children and youth in homeless situations. Resources include:

■ Introduction to the Issues brief: This brief provides an overview of the main issues within the field of homeless education. It is a good general resource, but is also particularly helpful for introducing new people to the field or introducing the issue to those outside of the field.

■ School Nurses: It's Not Just Bandages Anymore: This brief from Project HOPE-Virginia discusses the role school nurses can play in addressing the health needs and supporting the education of students experiencing homelessness.

■ School Social Workers: A Necessary Link to School Success for Students Experiencing Homelessness: This brief from Project HOPE-Virginia discusses the role school social workers can play in assisting homeless families and their school-aged children.