

# **SAMPLE BOARD POLICY FOR LOCAL EDUCATION AGENCIES (LEAs)**

## **EDUCATION FOR HOMELESS CHILDREN**

The Board of Education recognizes its obligation to ensure that homeless students have access to the same, free, and appropriate public education provided to all other students within the local educational agency (LEA). The LEA shall provide homeless students with access to education and other services necessary for these students to meet the same challenging performance standards as other students. Students shall not be segregated into a separate school or program based on their status as homelessness, nor shall homeless students be stigmatized in any way.

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and United States Department of Education's regulations.

### **Definitions**

Homeless means students who lack a fixed, regular, and adequate nighttime residence and includes: (42 USC 11435)

1. 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, 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.
2. Children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings.
3. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
4. Migratory children who qualify as homeless because the children are living in conditions described in (1)-(3) above.

*School of origin* means the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 USC 11432)

*Best interest* means, to the extent feasible, continuing a student's enrollment in the school of origin for the duration of his/her homelessness, except when doing so is contrary to the wishes of his/her parent or guardian. (42 USC 11432)

## Local Educational Agency Liaison for Homeless Students

The Superintendent or designee must designate a staff person as the LEA for homeless students: (42 USC 11432)

This person is:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The LEA liaison for homeless students shall ensure that: (42 USC 11432)

1. Homeless students are identified by school personnel and through coordination activities with other entities and agencies;
2. Homeless students enroll in and have a full and equal opportunity to succeed in schools;
3. Homeless families and students receive educational services for which they are eligible, including preschool and other available supplemental programs; referrals to health care services, dental services, mental health services, social services, and appropriate services;
4. Parents/guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
5. Public notice of the educational rights of homeless children and youth is disseminated at places where homeless students receive services, such as schools, shelters, and soup kitchens;
6. Enrollment disputes are mediated in accordance with law, board policy, and the California Department of Education's Dispute Resolution Policy;
7. Parents/guardians are fully informed of all transportation services and are assisted in gaining access to transportation to and from the school of origin or the current attendance area;
8. Children and youth who do not have immunizations or medical records are assisted to obtain necessary immunizations or medical records; and,
9. Collaboration and coordination with state coordinators and community and school personnel occurs in order to provide education and related services to homeless children and youth.

## **Enrollment**

Placement decisions for homeless students shall be based on the student's best interest. In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless his/her parent/guardian requests otherwise. (42 USC 11435)

The student may continue attending the school of origin for the duration of the homelessness and/or until the end of any academic year in which the student moves into permanent housing. (42 USC 11435)

The LEA shall utilize the School Enrollment Affidavit of Residence and Caregiver's Authorization, in order to ensure immediate enrollment at the school selected as indicated above, thereby eliminating any possible enrollment barriers for homeless students.

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other medical records, the principal or designee shall refer the parent/guardian to the LEA homeless liaison. The liaison shall refer the parent/guardian to the appropriate medical service providers to obtain the necessary immunizations.

If the student is placed at a school other than the school of origin or a school requested by the parent/guardian, the Superintendent or designee shall provide the parent/guardian and/or unaccompanied youth with a written explanation of the decision along with a statement regarding the parent/guardian and/or unaccompanied youth's right to appeal the placement decision. (42 USC 11435)

## **Transportation**

The LEA shall provide or arrange transportation for a homeless student to and from school of origin when the student is residing within the LEA and the parent/guardian requests that such transportation is provided.

If the homeless student moves to an area served by another LEA, though continuing his or her education at the school of origin, the LEA of origin and the LEA in which the student is living must agree upon a method to apportion responsibility and costs for transportation to and from the school of origin. If the LEA's cannot agree upon such a method, the responsibility must be shared equally.

## **Enrollment Disputes**

The following are five components for resolving disputes regarding school selection and enrollment for homeless children and youths.

- If a dispute arises over school selection or enrollment, the child/youth must be immediately enrolled in the school in which he/she is seeking enrollment,

pending resolution of the dispute (PL 107-110. Section 722(g)(3)(E)(iv)). Enrollment is defined as “attending classes and participating fully in school activities.”

- The school must refer the student, parent, or guardian to the LEA’s homeless liaison to carry out the dispute resolution process as expeditiously as possible. The homeless liaison must ensure that the dispute resolution process is also followed for unaccompanied youth.
- A written explanation of the school’s decision regarding school selection or enrollment must be provided if a parent, guardian, or unaccompanied youth disputes such a school selection or enrollment decision, including the right to appeal [PL 107-110, 722(g)(3)(E)(!!)]. The written explanation shall be complete, as brief as possible, simply stated, and provided in a language that the parent, guardian, or unaccompanied youth can understand.
- If a dispute remains unresolved at the district level or is appealed, then the district homeless liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education (COE). The COE’s homeless liaison will review these materials and determine the school selection or enrollment decision within five (5) working days of receipt of the materials. The COE homeless liaison will notify the LEA and parent of the decision. Contact information for COE’s homeless liaisons can be found at: <http://www.cde.ca.gov/sp/hs/cy/>
- If the dispute remains unresolved or is appealed, the COE homeless liaison shall forward all written documentation and related paperwork to the State Homeless Coordinator. Upon the review of the LEA, COE, and parent information, the CDE will notify the parent of the final school selection or enrollment decision within ten (10) working days of receipt of materials. You may reach the State Homeless Coordinator, Leanne Wheeler, by phone at (916) 319-0383 or by e-mail at [lwheeler@cde.ca.gov](mailto:lwheeler@cde.ca.gov)