

STUDENTS

Homeless Students: Enrollment Rights and Services

A. Definitions

1. **Homeless children and youths**, means individuals who lack a fixed, regular, and adequate nighttime residence, and include those who are:
 - a. Children and youths who are sharing the housing of other persons due to the loss of housing, economic hardship, or a similar reason;
 - b. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
 - c. Living in emergency or transitional shelters;
 - d. Abandoned in hospitals;
 - e. Living in public or private places not designed for or ordinarily used as a regular sleeping accommodation for human beings;
 - f. Children and youth living in cars, parks, public places, abandoned buildings, substandard housing, transportation stations or similar settings;
 - g. Migratory children living in conditions described in the previous examples.
2. **Unaccompanied youth**, means a youth not in the physical custody of a parent or guardian and includes youth living on their own in any of the homeless situations described in the McKinney-Vento Homeless Education Act.
3. **School of origin** means the school or preschool that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled. When a child or youth completes the final grade level served by the school of origin, the school of origin includes the designated receiving school at the next grade level for all feeder schools.
4. **Excess cost of transportation** means the difference between what the district normally spends to transport a student to school and the cost of transporting a homeless student to school. For example, there is no excess cost of transportation if the district provides transportation to a homeless student by a regular bus route. However, if the district provides special transportation to a homeless student (e.g., by private vehicle or transportation company), the entire cost would be considered excess cost of transportation. The additional cost of the district's re-routing of busses to transport a homeless student can be considered excess cost of transportation. The district may use

McKinney-Vento subgrant funds and Title I, Part A funds to defray excess cost of transportation for homeless students.

B. Identification

The district will:

1. Use a housing questionnaire in its enrollment process. The questionnaire will be distributed universally so as to avoid stigmatizing homeless children and youths and their families;
2. Ensure that referral forms used to identify and support homeless students are accessible and easy to use;
3. Include its homeless liaison's contact information on its website;
4. Provide materials for homeless students and parents, if necessary and to the extent feasible, in their native language;
5. As practicable, provide annual guidance for school staff on the definition of homelessness, signs of homelessness the impact of homelessness on students and steps to take when a potentially homeless student is identified, including how to connect the student with appropriate housing and support service providers.
6. Work with state homeless coordinator to facilitate services to families and youths made homeless by natural disasters or other catastrophic events.

C. District's Homeless Liaison

The district's liaison for homeless children and youth is responsible for ensuring that:

1. Homeless children and youth are identified by school personnel through outreach and coordination activities with other entities and agencies;
2. Homeless children and youth enroll in, and have a full and equal opportunity to succeed in, district schools;
3. Homeless families, children and youths have access to and receive educational services for which they are eligible, including Head Start programs and under the Head Start Act, early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the district;
4. Homeless families and homeless children and youth receive referrals to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services;

5. Parents or guardians of homeless children 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;
6. Public notice of the educational rights of homeless children and youth is disseminated in locations frequented by parents or guardians of such children and youths, such as schools, family shelters, public libraries, and soup kitchens in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;
7. Enrollment disputes are mediated in accordance with state rule(s) or procedure(s);
8. The parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school that they select;
9. School personnel providing services to students experiencing homelessness receive professional development and other support;
10. Unaccompanied youths are enrolled in school, have opportunities to meet the same challenging state academic standards as the state establishes for other children and youths, are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (HEA) (20 U.S.C 1087vv) for federal student aid purposes, and that they may obtain assistance to receive verification of this status from the local district liaison.

The district will inform school personnel, service providers, advocates working with homeless families, parents and guardians of homeless children and youths, and homeless children and youths of the duties of the district homeless liaison.

D. Dispute Resolution Procedure

The district will ensure that the child/youth attends the school in which they sought enrollment while the dispute process is being carried out.

1. Notification of Appeal Process

The district will provide the parent or unaccompanied youth with a written explanation of any decisions made by the district related to eligibility, school selection, or enrollment, including:

- a. An explanation of the child's placement and contact information for the district and the OSPI homeless liaison, including their roles;
- b. Notification of the parent's right to appeal(s);

- c. Notification of the right to enroll in the school of choice pending resolution of the dispute;
- d. A description of the dispute resolution process including a petition form that can be returned to the school to initiate the process and timelines; and
- e. A summary of the federal legislation governing placement of homeless students (McKinney-Vento Act).

2. Appeal to the School District Liaison – Level I

If the parent or unaccompanied youth disagrees with the district's placement decision, they may appeal by filing a written request for dispute resolution with the school, the district's homeless liaison or a designee. If submitted to the school, it will be immediately forwarded to the homeless liaison. The request for dispute resolution must be submitted within fifteen (15) business days of receiving notification of the district's placement.

The liaison must log the complaint including a brief description of the situation and reason for the dispute and the date and time of the complaint was filed.

- a. A copy of the complaint must be forwarded to the liaison's supervisor and the Superintendent.
- b. Within five business days of the receiving the complaint, the liaison must provide the parent or unaccompanied youth with a written decision and notification of the parent's right to appeal.
- c. The district will verify receipt of the Level I decision; and
- d. If the parent or unaccompanied youth wishes to appeal, notification must be provided to the district liaison within ten (10) business days of receipt of the Level I decision. The liaison will provide the parent with an appeals package containing:
 - i. The complaint filed with the district liaison at Level I;
 - ii. The decision rendered at Level I; and
 - iii. Additional information provided by the parent, unaccompanied youth and/or homeless liaison.

3. Appeal to the School Superintendent – Level II

The parent or unaccompanied youth may appeal the district liaison's decision to the Superintendent or the Superintendent's designee using the appeals package provided at Level I.

- a. The Superintendent will arrange for a personal conference to be held with the parent or unaccompanied youth within five (5) business days of receiving the Level I appeals package;
- b. Within five (5) business days of the conference with the parent or unaccompanied youth the Superintendent will provide that individual with a written decision with supporting evidence and notification of their right to appeal to OSPI;
- c. The district will verify receipt of the Level II decision;
- d. A copy of the Superintendent's decision will be forwarded to the district's homeless liaison; and
- e. If the parent or unaccompanied youth wishes to appeal to the OSPI, notification must be provided to the district homeless liaison within ten (10) business days of receipt of the Level II decision.

4. Appeal to the Office of the Superintendent of Public Instruction – Level III

- a. The district Superintendent will forward a copy of the Level II decision and all written documentation to the OSPI homeless liaison within five (5) days of rendering a decision. The district will submit the entire dispute package to the OSPI in one complete package by U.S. mail;
- b. The OSPI's homeless education coordinator or designee, along with the appropriate agency director, and/or agency assistant Superintendent will make a final decision within fifteen (15) business days of receiving the appeal;
- c. The OSPI's decision will be forwarded to the district's homeless liaison. The liaison will distribute the decision to the parent or unaccompanied youth and the local Superintendent;
- d. The OSPI's decision will be the final resolution for placement of a homeless child or youth in the district; and
- e. The district will retain the record of all disputes, at each level, related to the placement of homeless children.

E. Inter-District Disputes

If districts are unable to resolve a dispute regarding the placement of a homeless student, either district may submit a written request to the OSPI seeking resolution.

The OSPI will resolve the dispute within ten (10) business days of notification of the dispute and inform all interested parties of the decision.

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