

SECTION: 200 PUPILS

TITLE: HOMELESS STUDENTS

ADOPTED: April 23, 2019

REVISED:

SOUTHERN LEHIGH SCHOOL DISTRICT

<p>1. Purpose</p> <p>2. Authority</p> <p>3. Definitions</p> <p>4. Delegation of Responsibility</p>	<p style="text-align: center;">251 – HOMELESS STUDENTS</p> <p>The Board recognizes its obligation to ensure that homeless students have equal access to the same educational programs and services provided to other district students. The Board shall make reasonable efforts to identify homeless children and youth within the district, encourage and facilitate their enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state law and regulations. [1] [2] [3]</p> <p>The Board authorizes the Superintendent to waive district policies, procedures, and administrative regulations that create barriers to the identification, enrollment, attendance, transportation, school stability, and success in school of homeless students. [1]</p> <p>Enroll or Enrollment is defined as attending classes and participating fully in school activities. [4]</p> <p>Homeless students are defined as individuals who lack a fixed, regular, and nighttime residence, which include the following conditions: [2] [3] [4] [5] [6] [7]</p> <ol style="list-style-type: none"> 1. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason. 2. Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations. 3. Living in emergency, transitional, or domestic violence shelters. 4. Abandoned in hospitals. 5. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings. 6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations, or similar settings. 7. Living as migratory children in conditions described in #1-6 above. 8. Living as runaway children. 9. Abandoned or forced out of homes by parents/guardians or caretakers. 10. Living as school-age parent(s) in houses for school-age parent(s) if they have no other living accommodations. <p>School of origin is defined as the school the student attended when permanently housed or the school in which the student was last enrolled. When the student completes the final grade level served by the school of origin, the school of origin shall include the designated receiving school at the next grade level for all feeder schools. [8]</p> <p>Unaccompanied Youth is defined as a homeless child or youth not in the physical custody of a parent or guardian. [4]</p> <p>The Board designates the Superintendent or his/her designee to serve as the district's liaison for homeless students and families. [8]</p>
--	--

<p>5. Guidelines</p>	<p>The district's liaison shall ensure outreach and coordination with: [8]</p> <ol style="list-style-type: none"> 1. Local service agencies that provide services to homeless children and youth and families. 2. Other school districts on issues of prompt identification, records transfer, transportation, and other inter-district activities. 3. State and local housing agencies responsible for comprehensive housing affordability strategies. <p>The district's liaison shall ensure that public notice of the educational rights of homeless children and youth is disseminated in locations frequented by parents/guardians of homeless students and unaccompanied youth, including schools, shelters, public libraries, and soup kitchens. Such notices shall be provided in a manner and form understandable to the parents/guardians of homeless students and unaccompanied youth. [8]</p> <p>The district's liaison shall provide reliable, valid, and comprehensive data to the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program in accordance with federal and state laws and regulations. [8] [21]</p> <p>Students shall not be discriminated against, segregated, or stigmatized based on their homeless status. [8]</p> <p><u>Enrollment/Placement</u></p> <p><i>Best Interest Determination</i></p> <p>In determining the best interest of a child or youth, the district shall: [8]</p> <ol style="list-style-type: none"> 1. Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the parent/guardian or unaccompanied youth. 2. Consider student-centered factors related to impact of mobility on achievement, education, health and safety, and giving priority to the request of the parent/guardian or unaccompanied youth. 3. If, after such consideration, the district determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent/guardian or unaccompanied youth, the district shall provide the parent/guardian or unaccompanied youth with a written explanation of the reasons for its determination. The explanation shall be in a manner and form understandable to the parent/guardian or unaccompanied youth and shall include information regarding the right to appeal. <p><i>Enrollment</i></p> <p>The selected school shall immediately enroll the student and begin instruction, even if: [1] [8] [9] [10] [11] [12]</p> <ol style="list-style-type: none"> 1. The student is unable to produce records normally required for enrollment. 2. The application or enrollment deadline has passed during any period of homelessness. <p>The district's liaison shall immediately contact the school last attended by the child or youth</p>
----------------------	---

to obtain relevant academic or other records. [8]

The district may require a parent/guardian to submit contact information. [8]

Placement

In accordance with the child's or youth's best interest, the district shall continue to enroll a homeless student in his/her school of origin while s/he remains homeless and through the end of the academic year in which s/he obtains permanent housing. [8]

Parents/Guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools. [8]

The district's liaison shall assist an unaccompanied youth in placement or enrollment decisions, giving priority to the views of the student in determining where s/he will be enrolled. [8]

Assignment

If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize appropriate means to determine the student's assignment within the school. [8] [13]

Dispute Resolution

If a dispute arises over eligibility, enrollment, or school selection: [8]

1. The parent/guardian or unaccompanied youth shall be referred to the district's liaison, who shall assist in the dispute resolution process.
2. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.
3. The district's liaison shall issue a written decision of the dispute within twenty (20) business days of being notified of the dispute.

A parent/guardian or unaccompanied youth may appeal a district's written decision or file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program. [21]

Education Records

Information about a homeless child's or youth's living situation shall be treated as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA), and shall not be deemed to be directory information. [12] [14]

Comparable Services

Homeless students shall be provided services comparable to those offered to other district students including, but not limited to: [2] [8] [15] [16] [17] [18] [19] [20]

1. Transportation services.

<p>6. Legal Citations</p>	<ol style="list-style-type: none"> 2. School nutrition programs. 3. Career and technical education. 4. Preschool programs. 5. Educational programs for which the homeless student meets the eligibility criteria, such as: <ol style="list-style-type: none"> a. Services provided under Title I or similar state or local programs. b. Programs for English Language Learners. c. Programs for students with disabilities. d. Programs for gifted and talented students. <p><u>Transportation</u> The district shall provide transportation for homeless students to their school of origin or the school they choose to attend within the school district. [2] [8]</p> <p>If the school of assignment is outside district boundaries or homeless students live in another district but will attend their school of assignment in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation. [8]</p> <p><u>Training</u> The district's liaison shall participate in professional development programs and other technical assistance activities offered by the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program. [8] [21]</p> <p>The district's liaison shall arrange professional development programs for school staff, including office staff. [8]</p> <p>School personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to: [8]</p> <ol style="list-style-type: none"> 1. Improve identification of homeless children and youths and unaccompanied youths; 2. Understand the rights of such children, including requirements for immediate enrollment and transportation; and 3. Heighten the awareness of, and capacity to respond to, the educational needs of such children. <p>[1] 42 U.S.C. § 11431 et seq.</p> <p>[2] 24 P.S. § 13-1306.</p> <p>[3] 22 Pa. Code § 11.18.</p> <p>[4] 42 U.S.C. § 11434a.</p> <p>[5] 42 U.S.C. § 11302.</p> <p>[6] 20 U.S.C. § 6399.</p> <p>[7] 34 U.S.C. § 11201.</p>
---------------------------	---

[8] 42 U.S.C. § 11432.

[9] Pol. 200.

[10] Pol. 204.

[11] Pol. 209.

[12] Pol. 216.

[13] Pol. 206.

[14] 20 U.S.C. § 1232g.

[15] Pol. 810.

[16] Pol. 808.

[17] Pol. 115.

[18] Pol. 917.1.

[19] Pol. 113.

[20] Pol. 114.

[21] Homeless Education, Pennsylvania Department of Education, (Feb. 25, 2019), <https://www.education.pa.gov/K-12/Homeless%20Education/Pages/default.aspx>.

G.S. By J.S. v. Rose Tree Media Sch. Dist., 914 F.3d 206 (3d Cir. 2018).