

Homeless Students: Enrollment Rights and Services

To the extent practical and as required by law, the district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school.

Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs.

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

- A. Sharing the housing of other persons due to loss of housing or economic hardship;
- 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. Are abandoned in hospitals;
- E. Awaiting foster care placement;
- F. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
- G. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings; or
- H. Migratory children living in conditions described in the previous examples.

The superintendent will designate an appropriate staff person to be the district's liaison for homeless students and their families.

According to the child's or youth's best interest, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in which attendance area the student is actually living.

Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families residing in the district.

If there is an enrollment dispute, the student will be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian will be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state policy. Unaccompanied youth will also be enrolled pending resolution of the dispute.

Once the enrollment decision is made, the school will immediately enroll the student, pursuant to district policies. However, enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including academic records, medical records, proof of residency, mailing address or other documentation. If the student does not have immediate access to immunization records, the student will be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Records from the student's previous school will be requested from the previous school pursuant to district policies. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary. However, emergency contact information cannot be demanded in a form or manner that constructs a barrier to enrollment and/or attendance at school.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student or will divide the costs equally.

The district's liaison for homeless students and their families will coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students where such children and youth receive services under the McKinney-Vento Act, such as schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students.

The superintendent will:

- Strongly encourage district staff, including substitute and regular bus drivers to annually review the video posted on the OSPI website on identification of student homelessness;
- Strongly encourage every district-designated homeless student liaison to attend trainings provided by the state on identification and serving homeless youth. Ensure that the district includes in materials provided to all students at the beginning of the school year or at enrollment, information about services and support for homeless students (i.e., the brochure posted on the OSPI website).
- Use a variety of communications each year to notify students and families about services and support available to them if they experience homelessness (e.g., distributing and collecting an annual housing intake survey, providing parent brochures directly to students and families, announcing the information at school-wide assemblies, posting information on the district's website).

A. Enrollment:

1. The district will consider the best interest of the child in enrollment decisions;
2. The district will not deny or delay enrollment of homeless students;
3. The district's need for student contact information will not be in a form or manner that constructs a barrier for homeless students. For example, homeless students may not be excluded for failure to have a mailing address or emergency contact information; and
4. The district's liaison will:
 - a. Ensure that public notice is disseminated where homeless children receive services;
 - b. The district's liaison will assure that students are identified by school personnel, enrolled in school and have a full and equal opportunity to succeed; and
 - c. The district liaison will inform parents and guardians of educational and related activities and inform parents of transportation services.

B. Definitions

1. **Homeless Children and Youth** means individuals who lack a fixed, regular, and adequate nighttime residence. (Continued on next page)

This includes children and youth who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason, living in motels, parks or campgrounds; or children or youth who have a primarily nighttime residence that is a public or private place not designed for or ordinarily used as a sleeping accommodation by human beings; or children or youth living in cars, abandoned buildings, or substandard housing or similar situations; or migratory children because they are living in circumstances like those described above.

2. **Unaccompanied Youth** means a youth not in the physical custody of a parent or guardian. Youth living on their own in any of the homeless situations described in the McKinney-Vento Homeless Education Act.

C. 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**

If the district seeks to place a homeless child in a school other than the school of origin or the school requested for the parent, the school district will inform the parent or the unaccompanied youth of the right to appeal. The district will provide the parent or unaccompanied youth with written notice including:

- a. An explanation of the child's placement and contact information for the district and 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 1**

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 business days of receiving information 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 wishes to appeal, notification must be provided to the district liaison within ten 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's 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 business days of receiving the Level I appeals package;
- b. Within five business days of the conference with the parent, the Superintendent will provide the parent or unaccompanied youth with a written decision with supporting evidence and notification of the parent's 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 OSPI, notification must be provided to the district homeless liaison within ten 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 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 designee will make a final decision with fifteen 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;
- e. The district will retain the record of all disputes, at each level, related to the placement of homeless children.

D. 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 business days of notification of the dispute and inform all interested parties of the decision.

Legal References: RCW 28A.225.215 Enrollment of children without legal Residences
 RCW 28A.320.145 Support for homeless students.
 20 U.S.C. 6301 et. seq. No Child Left Behind Act, 2002
 42 U.S.C. 11431 et seq. McKinney-Vento Homeless Assistance Act

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