

HOMELESS CHILDREN

The Board of Education recognizes its responsibility under federal (McKinney-Vento) and state laws and regulations to identify homeless children within the District, encourage their enrollment and eliminate existing barriers to their identification, enrollment, attendance, or success in school which may exist in District practices. The Board will provide homeless children attending the District's schools with access to the same free and appropriate public education and other school programs and activities, including publicly funded preschool education, as other children.

A homeless child is a child who lacks a fixed, regular, and adequate nighttime residence or who has a primary nighttime location in a public or private shelter designed to provide temporary living accommodations, or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This definition also includes a child who shares the housing of others due to loss of housing, economic hardship, or similar reason; lives in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; lives in a car, park, public space or abandoned building, substandard housing, bus or train station or similar setting; has been abandoned in a hospital; or is a migratory child who qualifies as homeless. An unaccompanied youth is a homeless child not in the physical custody of a parent or guardian.

To assist in determining eligibility for services under the McKinney-Vento Act, the District shall require all parents, persons in parental relation, or children, as appropriate, who are enrolling in the District or reporting a change of address to complete a housing questionnaire. The housing questionnaire shall include a description of the student's current living arrangements.

A homeless child shall have the right to designate and attend upon instruction his/her school district of current location, his/her school district of origin, or a school district participating in a regional placement plan. The homeless child shall be entitled to attend the designated school district on a tuition-free basis for the duration of homelessness. If the child becomes permanently housed, the child is entitled to continue attendance in the same school until the end of the school year in which the child became permanently housed and for one additional year if that year constitutes the child's terminal year in such school.

The Superintendent of Schools and/or his/her designee shall develop procedures necessary to expedite the homeless child's access to the designated school district. Such procedures shall include:

1. Admission: Upon designation, the District shall immediately admit the homeless child, even if the child is unable to produce records normally required for enrollment, such as previous academic records, immunization records and/or other required medical or health records, proof of age or residency, or other documentation; however, nothing herein shall be construed to require the immediate attendance of a child lawfully excluded from school temporarily pursuant to Education Law section 906 because of a communicable or infectious disease that imposes a significant risk of infection of others. The District shall also immediately admit the homeless child even if there is a dispute with the child's parents regarding school selection, enrollment, transportation, or the child's homeless status, and

the student may continue attending school within the District until final resolution of the dispute, including all available appeals. Homeless children will have the same opportunity as other children in the District to enroll in and succeed in the District's schools. Homeless children will not be placed in separate schools or programs based on their status as homeless. The District shall eliminate barriers to identification, enrollment, and retention of homeless children, including barriers to enrollment and retention due to outstanding fees, fines, or absences.

2. Transportation: As required by applicable law, the District shall promptly provide transportation for homeless students currently attending District schools. In general, the District shall ensure that homeless children enrolled in the District who attend a school in the district of origin, including a publicly funded preschools administered by the District or SED, receive transportation, as required by law, even if the student lives outside the District's boundaries. The District shall provide transportation for the duration of the child's homelessness and through the remainder of the school year in which the student becomes permanently housed and one additional year if that year constitutes the student's terminal year in that school.
3. School Records: For homeless students attending school out of the District, the District shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluations, immunization records, and guardianship paper, if applicable. For homeless students attending school in the District, the District shall, if necessary, contact the school last attended by the student to request the student's relevant academic and other records.
4. Coordination: The District shall coordinate with local social services agencies and other entities providing services to homeless children and their families for the provision of services to homeless children, and shall coordinate with other school districts on issues of prompt identification, transportation, transfer of records, and other inter-district activities. This shall include ensuring the provision of appropriate services to homeless students with disabilities who are eligible for services under either Section 504 or IDEA.
5. Dispute Resolution: In accordance with law and regulation, the District will offer a prompt dispute resolution process. A student shall be entitled to continued enrollment in the District's schools and transportation, pending resolution of the dispute and all available appeals.

The Superintendent shall designate a McKinney-Vento liaison for homeless children and ensure that this person is aware of, and able to carry out, his/her responsibilities under the law. The Superintendent shall ensure that the liaison receives appropriate professional development on identifying and meeting the needs of homeless students, including the definitions of terms related to homelessness. The liaison's responsibilities shall include, but are not limited to, ensuring that:

1. parents and/or guardians of homeless children and unaccompanied homeless youth are informed of the available educational and related opportunities;
2. parents and/or guardians of homeless children are provided with meaningful opportunities to participate in the education of their children;
3. parents and/or guardians of homeless children and unaccompanied homeless youth are fully informed of all transportation services available to them, and are assisted in accessing them;

4. enrollment disputes involving homeless children are promptly mediated and resolved;
5. school personnel, through outreach and in coordination with shelters and social service agencies and other appropriate entities, identify homeless children, including homeless preschoolers;
6. homeless children receive educational services, including but not limited to preschool services to which they are eligible, as well as referrals to health care and other appropriate services for homeless children and their families;
7. public notice of the educational rights of homeless children is disseminated in locations frequented by homeless unaccompanied youth and parents and/or guardians of homeless children, in a manner and form understandable to them;
8. staff who provide services to homeless students receive required professional development and support on identifying and meeting the needs of homeless students; and
9. homeless unaccompanied youth are informed of their rights, are enrolled in school, and have opportunities to meet the same state standards set for all students, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's Regulations.

A portion of the District's Title I, Part A funds shall be set aside to provide homeless children educationally related support services. Such funds may also be used to provide homeless children with services not ordinarily provided to other students under Part A.

Information regarding a homeless child's living situation shall be treated as a student education record, and shall not be considered directory information under The Family Educational Rights and Privacy Act (FERPA).

In accordance with Commissioner's regulations, the district shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children within the State.

Cross-ref: 5150, School Admissions
5152, Admission of Non-Resident Students
5500, Student Records

Ref: 20 USC § 6313(c)
42 USC §§11431 et seq.
McKinney-Vento Education for Homeless Children and Youth Program, 81 Fed. Reg. 14432-14436 (3/17/16)
U.S. Department of Education, Education for Homeless Children and Youths Program, Non-Regulatory Guidance (7/27/16, Updated August 2018)
Education Law §§207; 305; 310; 3202; 3205; 3209
Executive Law §§532-b; 532-e
Social Services Law §§17; 62
8 NYCRR §§100.2(x); 175.6; 275.16

Adoption date: July 20, 2011

Revised:

