

# Hardee County

## Homeless Student Policy

The School Board of Hardee County shall ensure that homeless children and youth, including preschool- aged children, are afforded the same free, appropriate public education as provided to other students and have access to the education and other services that such students need to ensure that they have an opportunity to meet the same challenging Florida student academic achievement standards to which all students are held. Homeless students shall not be stigmatized or segregated or separated into other educational programs on the basis of their status as homeless. This district shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The district will remove barriers that affect the enrollment and retention of homeless students.

### (1) Definitions

The District homeless education liaison shall make a final determination of homeless status on a case-by case basis.

- (a) The McKinney-Vento Act defines homeless students as individuals who lack a fixed, regular, and adequate nighttime residence and includes and includes children and youth who:
  - 1) are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - 2) are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
  - 3) are living in emergency or transitional shelters; abandoned in hospitals; or awaiting foster care placement;
  - 4) have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
  - 5) are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
  - 6) are migratory children who qualify as homeless because the children are living in circumstances described in 1) through 5).
- (b) The term "unaccompanied youth" means a student who is not in the physical custody of a parent or guardian.
- (c) The term "school of origin" means the school that the student attended when permanently housed or the school where the child or youth was last enrolled.
- (d) The terms "enroll and enrollment" mean attending school and participating fully in school activities.
- (e) The term "immediate" means without delay.
- (f) The term "parent" means parent or guardian of a student.
- (g) The term "liaison" means the staff person designated by our LEA and each LEA in the state as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Act.

## (2) School Selection

- (a) The District shall, according to that which is in the student's best interest, and if it is the wish of the parent, guardian, or unaccompanied youth, continue the homeless student's education in the school of origin for the duration of homelessness, or enroll the student in a District school in the attendance zone in which the homeless student is actually living on the same basis as other district students.
- (b) In determining that which is in the best interest of the student, the District shall:
  - 1) To the extent feasible, keep a homeless student in the school of origin, unless doing so is contrary to the wishes of the student's parent or guardian.
  - 2) Provide a written explanation, including a statement regarding the right to appeal, if the District sends a homeless student to a school other than the school of origin.
  - 3) In the case of an unaccompanied student, ensure that the District homeless education liaison helps in placement or enrollment decisions, considers the views of the student, and provides notice of the right to appeal placement and enrollment decisions.
  - 4) The school of origin means the school that the student attended when permanently housed or the school in which the student was last enrolled. The choice regarding placement shall be made regardless of whether the student lives with the homeless parent or guardian or has been temporarily placed elsewhere.
  - 5) The requirements of the Student Assignment Plan for students moving their physical residence from one attendance zone to another, to transfer to a school in the new zone of residence, shall not apply to homeless students.
  - 6) The school selection may be documented through the Student Assignment waiver process.

## (3) Enrollment

The District will immediately enroll homeless students, new to the district, in school, even if they do not have the documents usually required for enrollment, such as school records (includes Individualized Education Plan-IEP), medical and immunization records, birth certificate, other documentation, or proof of residency or guardianship.

- (a) A homeless student will be assigned to the student's school of origin as requested by the parent or guardian or to the District school in the attendance zone in which the student is actually living and in accordance with that which is in the student's best interest.
- (b) Homeless students have a right either to remain in their school of origin or to attend school where they are temporarily residing.
- (c) Homeless students who choose to remain in their school of origin have the right to remain there until the end of the school year in which they get permanent housing.
- (d) If a homeless student arrives without records, the school shall contact the previously attended school system to obtain the required records and the assigned liaison shall assist the family as needed.

- (e) The District shall immediately refer the parent or guardian to the district's homeless liaison for children and youth in transition, who will help in obtaining necessary immunizations or records if the student needs to obtain these records.

(4) Residency

A homeless student is considered a resident if the child or youth is personally somewhere within the district with a purpose to live here temporarily, but not necessarily to remain permanently.

- (a) The student shall be considered a resident when living with a parent, guardian, or person in loco parentis not solely for school purposes or for participation in extracurricular activities.
- (b) Homeless students who do not live with their parents or guardians may enroll themselves in school.
- (c) The address listed on the enrollment forms becomes proof that the student lives in District County, Florida.

(5) Guardianship

- (a) For purposes of school placement, any parent, guardian or person in loco parentis who has legal or physical custody of a homeless child or youth shall enroll that child or youth directly in a District school via the Student Assignment office or school that registers students on-site, if selected.
- (b) The District Guardian Responsibilities form should be completed within a reasonable period of time for those homeless students who are not accompanied by a parent or guardian, once a child or youth is enrolled in and attending a school.

(6) Disputes

If a dispute arises over school selection, enrollment, or any issue covered in this policy:

- (a) The student shall be immediately admitted to the school of origin or assigned zone school as requested by the parent or guardian and transportation provided to and from the school of origin, pending resolution of the dispute;
- (b) The parent or guardian of the student shall be provided with a written explanation of the District's decision regarding school selection, including the rights of the parent, guardian or student to appeal the decision through the District's enrollment dispute procedure and the Florida Department of Education's appeal process;
- (c) The student, parent or guardian shall be referred to the District Homeless Education Liaison, who shall ensure the resolution process is carried out as expeditiously as possible after receiving notice of the dispute; and
- (d) In the case of an unaccompanied student, the District Homeless Education Liaison shall ensure that the student is immediately enrolled in school pending the resolution of the dispute.

(7) Transportation

The District shall ensure at the request of the parent, or in the case of an unaccompanied youth, the District Homeless Education Liaison, transportation will be provided for a homeless student to and from the school of origin as follows:

- (a) If the homeless student continues to live in the School District, in which the school of origin is located, transportation will be provided.
- (b) If the homeless student moves to an area served by another district, though continuing his or her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin.
- (c) If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.

(8) Comparable Services

Homeless students shall be provided services and educational programs comparable to those offered to other students in the school selected, including the following:

- (a) Preschool programs;
- (b) Transportation services;
- (c) Educational Services for which the student meets the eligibility criteria, including special education and related services and programs for English language learners;
- (d) Vocational and technical education programs;
- (e) Gifted programs;
- (f) School nutrition programs;
- (g) Title I, Part a programs; and
- (h) Before- and after-school programs.

(9) Preschool Programs

The district shall ensure that homeless preschool-aged children and their families have access to educational services for which they are eligible, including preschool programs administered by the district.

(10) Homeless Education Liaison

The Superintendent shall ensure that there is a District Homeless Education Liaison and his/her duties are communicated to district and school personnel and appropriate community agencies and providers.

STATUTORY AUTHORITY

The McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 – 11436.

Title I, Part A of the Elementary and Secondary Education Act, 20 U.S.C. §§6311 – 6315. The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et seq.

April 6, 2002 Policy of the Child Nutrition Division of the U.S. Department of Agriculture.

June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.

Section 1003.01, Florida Statutes - Definitions Section

1003.21, Florida Statutes – School attendance

Section 1003.22, Florida Statutes – School-entry health examination; immunization against communicable diseases; exemptions; duties of Department of Health

Adopted: