



Book	Policy Manual
Section	200 Pupils
Title	Homeless Students
Code	251
Status	Active
Adopted	October 19, 2017

### **Authority**

The Joint Operating Committee recognizes the need to promptly identify homeless children and youths, facilitate their immediate admission into programs, and eliminate existing barriers to their attendance and education, in compliance with federal and state law and regulations, and in coordination with the school district of residence.[1][2][3]

The Joint Operating Committee shall ensure that homeless children and youths have equal access to the same educational programs and services provided to other students in the center.[1][2][3][4]

The Joint Operating Committee authorizes the Administrative Director to waive policies, procedures and administrative regulations that create barriers to the identification, admission, attendance, transportation, school stability and success in school of homeless children and youths.[3]

It is the policy of the Joint Operating Committee that no student shall be discriminated against, segregated or stigmatized based on his/her homeless status.[5][6]

### **Definitions**

**Homeless children and youths** means individuals who lack a fixed, regular and adequate nighttime residence, and includes:[7][8]

1. Children and youths who are:
  - a. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - b. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
  - c. Living in emergency, transitional or domestic violence shelters; or
  - d. Abandoned in hospitals.
2. Children and youths who 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;

3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings;
4. Migratory children who qualify as homeless because they are living in circumstances described above; and
5. School-aged parents living in houses for school-aged parents if they have no other available living accommodations.

**School of origin** is the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled. When the child or youth 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.[6]

**Unaccompanied youth** means a homeless child or youth not in the physical custody of a parent or guardian. This includes youth who have run away from home; been abandoned or forced out of home by a parent, guardian or other caretaker; or separated from a parent or guardian for any other reason.[Z]

### Delegation of Responsibility

The Joint Operating Committee designates the Administrative Director to serve as the center's liaison for homeless children and youths.[6]

The center's liaison shall coordinate with the liaison from the school district of residence to ensure outreach and coordination with:[6]

1. Local social service agencies and other entities that provide services to homeless children and youths and families.
2. Other school districts on issues of prompt identification, transfer of records, transportation and other inter-district activities.
3. Staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act.[9][10]
4. State and local housing agencies responsible for comprehensive housing affordability strategies.

The center's liaison shall coordinate with the liaison from the school district of residence to ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents/guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens. Such notice shall be provided in a manner and form understandable to the parents/guardians of homeless children and youths, and unaccompanied youths.[6]

The center'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.[6]

### Guidelines

#### Best Interest Determination

In determining the best interest of a child or youth, the center in coordination with the school district of residence, shall:

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.[6]

2. Consider student-centered factors related to impact of mobility on achievement, education, health and safety, giving priority to the request of the parent/guardian or unaccompanied youth.[6]
3. If, after such consideration, the center and the school district of residence determine 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 parent/guardian or unaccompanied youth shall be provided 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.[6]

### Placement

In accordance with the child's or youth's best interest, the school district of residence and the center 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.[6]

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.[6]

The center's liaison, in coordination with the liaison from the school district of residence, 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.[6]

The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decision related to school selection or placement, including the right to appeal.[6]

### Admission

The center shall immediately admit the student, even if:

1. The student is unable to produce records normally required for admission.[3][11][12][13][14][15]
2. The application or admission deadline has passed during any period of homelessness.[6]

The center's liaison, in coordination with the liaison from the school district of residence, shall immediately contact the school last attended by the child or youth to obtain relevant academics or other records.[6][11][12][13][14][15]

The center may require a parent/guardian to submit contact information.[6]

### Assignment

If the center is unable to determine the student's grade level due to missing or incomplete records, the center shall administer tests or utilize appropriate means to determine the student's assignment within the center.[6]

### Dispute Resolution

If a dispute arises:[6]

1. The parent/guardian or unaccompanied youth shall be referred to the center'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 center's liaison, in coordination with the liaison from the school district of residence, 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 the written decision or file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

### 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.[11][15]

### Comparable Services

Homeless students shall be provided services comparable to those offered to other students, including, but not limited to:[1][6][16]

1. Transportation services.[17]
2. School nutrition programs.[18]
3. Career and technical education programs.
4. Educational programs for which the homeless student meets eligibility criteria, such as:
  - a. Services provided under Title I or similar state or local programs.
  - b. Programs for English Language Learners.[19]
  - c. Programs for students with disabilities.[9]
  - d. Programs for gifted and talented students.[20]

### Training

The center'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 Program.[6].

The center's liaison shall arrange professional development programs for center staff, including office staff.[6].

Center personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to:[6].

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.

Legal

1. 24 P.S. 1306
  2. 22 PA Code 11.18
  3. 42 U.S.C. 11431 et seq
  4. 34 CFR 299.19
  5. 42 U.S.C. 11431
  6. 42 U.S.C. 11432
  7. 42 U.S.C. 11434a
  8. 34 CFR 200.30
  9. Pol. 113
  10. Pol. 103.1
  11. Pol. 216
  12. Pol. 201
  13. Pol. 209
  14. Pol. 204
  15. Pol. 113.3
  16. Pol. 146
  17. Pol. 810
  18. Pol. 808
  19. Pol. 138
  20. Pol. 114
  - 22 PA Code 403.1
  - 20 U.S.C. 1232g
  - 20 U.S.C. 6301 et seq
  - 34 CFR Part 99
  - 67 Fed. Reg. 10698
- PA Education for Homeless Children and Youth State Plan