

Students

Homeless Students

Children who meet the Federal definition of “homeless” will be provided a free and appropriate public education in the same manner as all other students of the District and will not be stigmatized or segregated on the basis of their status as homeless. No homeless student will be denied enrollment based on lack of proof of residency or due to barriers such as fines, fees and absences. No Board policy, administrative regulations, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

Homeless students will be provided services comparable to other students in the District in compliance with federal and state law. Access to District programs include public preschool programs administered by the District.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent and detailed in the administrative regulation accompanying this policy. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths.

(cf. 5143 – Student Health Assessments and Immunizations)

(cf. 5146 – Child Abuse and Neglect)

Legal Reference: Connecticut General Statutes

10-253(e) School privileges for children in certain placements, non-resident children and children in temporary shelters.

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surrounding without court order.

17a-103 Reports by others.

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse and neglect.

46b-120 Definitions.

McKinney-Vento Homeless Assistance Act, (P.L. 107-110-Sec 1032) 42 U.S.C. §11431-11435, as amended by the ESSA, P.L. 114-95.

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Legal Reference: Connecticut General Statutes (continued)

Federal Register: McKinney-Vento Education for Homeless Children and Youths Program, Vol. 81, No. 52, 3/17/2016.

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g.)

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. Implementing FERPA enacted as part of 438 of General Educ. Provisions Act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96, and Final Rule 34 CFR Part 99, December 9, 2008, December 2, 2011.

Policy adopted: January 22, 2019

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

Students

Homeless Students

In order to appropriately implement the policy pertaining to homeless children, youth and students placed in shelters, in compliance with all applicable federal and state statutes, the following regulations are established.

Definitions:

Homeless children and youths are federally defined as “individuals who lack a fixed, regular, and adequate nighttime residence.” This definition includes the following types of children and youths who are:

- a. sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
- b. living in motels, hotels or camping grounds due to lack of alternative adequate accommodations;
- c. living in emergency or transitional shelters;
- d. abandoned in hospitals;
- e. 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;
- f. living in cars, parks, public spaces, abandoned buildings, bus or train stations, or similar settings;
- g. migratory children living in the above described circumstances.

Connecticut’s residency definitions contained in C.G.S. 10-253(d) defines non-residency as children residing with relatives or non-relatives, when it is the intention of such relatives or non-relatives and of the children or their parents or guardians that such residence is to be (1) permanent, (2) provided without pay and (3) not for the sole purpose of obtaining school accommodations. In addition, C.G.S. 10-253(e) indicates that children in temporary shelters are entitled to free school privileges from either the school district in which the shelter is located or from the school district in which the child would otherwise reside, if not for the need for temporary shelter. The district has an obligation to identify homeless and migratory children.

“Enroll” and “enrollment” are federally defined to include attending classes and participating fully in school activities.

“Unaccompanied youth” includes a homeless child or youth not in the physical custody of a parent or guardian.

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Homeless Students (continued)

District Obligations Regarding Placement of Homeless Students:

- a. District policy must remove barriers to the identification, enrollment and retention of homeless children and youth, including such barriers as outstanding fees, fines or absences.
- b. The District must continue the student's education in the "school of origin" which is the school the child attended when permanently housed or the school of last enrollment. The District must presume that keeping a homeless child or youth in the school of origin is in such individual's best interest unless doing so is contrary to the request of the individuals' parent/guardian or unaccompanied youth. **OR**
- c. The District must enroll the homeless student in any public school that non-homeless students who live in the area where the child is actually living are eligible to attend. The school selected based on a homeless child or youth's best interest shall immediately enroll such child even if he/she missed application or enrollment deadlines during any period of homelessness.
- d. The District is required, "to the extent feasible" to keep the homeless child or youth in the school of origin unless it is against the wishes of the parent/guardian. If the District determines that it is not in the child's or youth's best interest to attend the school of origin, the District will provide a written explanation of its determining reasons, in a manner and form that is understandable.
- e. The homeless child's right to attend the school of origin extends for the duration of homelessness. When the child or youth completes the final grade served by the school of origin; it also includes the designated receiving school at the next level for all feeder schools.
- f. If a child becomes permanently housed during the academic year, he/she is entitled to stay in the school of origin until the end of the school year.
- g. A child who becomes homeless in between academic years is entitled to attend his/her school of origin for the following academic year.
- h. The District must provide written explanation, including the right to appeal, whenever the school District sends the homeless child to a school other than the school of origin or a school requested by the parent/guardian.
- i. With an "unaccompanied youth," the District's homeless liaison must assist in the placement/enrollment decisions, considering the youth's wishes, and provide notice of appeal under the Act's enrollment disputes provision.
- j. The District's liaison must participate in professional development and technical assistance provided by the State Office of the Homeless Coordinator.
- k. The definition of "school of origin" includes preschools operated by a local school district.
- l. Information about a homeless student's living situation shall be treated as a student education record, subject to FERPA protections and shall not be deemed to be directory information.

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Homeless Students (continued)

Appeal Procedures: (Enrollment Disputes)

- a. C.G.S. 10-186 currently defines the process for resolving issues involving homeless children and youths. The state is required to establish an appeal process.
- b. In a dispute over eligibility the child or youth shall immediately be enrolled in the school in which enrollment is sought, pending final resolution of the dispute and all available appeals.
- c. The District's homeless liaison shall carry out the dispute resolution process expeditiously and, in the case of an unaccompanied youth, ensure that the youth is immediately enrolled in school pending the final resolution of the dispute and all available appeals.
- d. The parent/guardian shall be made aware of the right to appeal the decision to the Board of Education. The Board shall issue a written decision on the dispute within 10 business days of the receipt of the appeal and hand deliver the written decision and a notice of right-to-appeal to the State Coordinator for the Education of Homeless Children and Youths to the parents/guardians (or student if applicable). The decision of the State Coordinator shall be final.

Educational Services to be Provided to Homeless Students:

1. Educational services are to be comparable to those received by other students in the school.
2. Such students may be entitled to such services, through Head Start programs, as Title I, state/local remedial programs, special education, limited English proficiency, vocational education, gifted/talented, school nutrition programs and preschool programs administered by the District.
3. Homelessness alone is not to be considered a sufficient reason to separate students from the mainstream school environment.
4. Homeless students may be segregated for short periods of time only for health and safety emergencies or to provide temporary, special or supplemental services.

Transportation Obligations of the School District for Homeless Students:

1. Services must be comparable to those provided other students in the selected school.
2. Homeless students must be provided transportation to the school of origin, if requested by the parent/guardian, if the school is within the school district.

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Transportation Obligations of the School District for Homeless Students: (continued)

3. If the school of origin is in a different school district from where the child is currently living, both school districts are to agree on a method for sharing the responsibility and costs, or share the costs and responsibility equally.
4. When a student obtains permanent housing, transportation to the school of origin must be provided until the end of the academic year, if it is in the student's best interest to remain in that school.

Enrollment Requests from Homeless Parents:

1. The selected school is required to immediately enroll the child, even in the absence of records normally required for enrollment. Parents/guardians may be required to submit contact information.
2. The last school attended must be contacted to obtain records.
3. If the child lacks immunizations or immunization/medical records, the enrolling school **MUST** refer the parent/guardian to the liaison in order to get help obtaining immunizations and records.

Privacy

1. Schools must treat information about a homeless child's or youth's living situation as a student education record subject to all protections of the Family Educational Rights and Privacy Act (FERPA).
1. Such information shall not be deemed to be directory information.

District Liaison for Homeless Students:

The District's liaison for homeless students is the Director of Pupil Services.

The duties of the local liaison are:

- a. Ensure homeless children and youth are identified by school personnel through outreach and coordination with other agencies and entities.
- b. Ensure homeless children are enrolled in and have a full and equal opportunity to succeed in the school district's schools.

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District Liaison for Homeless Students: (continued)

- c. Ensure that homeless families and homeless children receive educational services for which they are eligible, including Head Start Programs and preschool programs administered by the District.
- d. Inform parents/guardians of homeless children and youth of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children.
- e. Ensure that public notice of the educational rights of homeless children and youth is disseminated where such children receive services in locations frequented by parents/guardians of such children and unaccompanied youth, including schools, shelters, public libraries, and soup kitchens in a manner and form understandable to parents/guardians of homeless children and youths and unaccompanied youth.
- f. Ensure that enrollment disputes are mediated.
- g. Inform parent/guardian of all transportation services, including to the school of origin, and is assisted in accessing those services.
- h. Ensure that homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services.
- i. Assist unaccompanied youth in placement/enrollment decisions, including considering the youth's wishes in those decisions, and providing notice to the youth of the right to appeal such decisions.
- j. Assist children who do not have immunizations, or immunization or medical records, to obtain necessary immunizations, or immunization or medical records.
- k. Collaborate and coordinate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless children.
- l. Indicate that a child or youth or his/her immediate family is eligible to participate in a local district program and authorized to affirm such individual/family for the HUD homeless assistance program. (This qualification can be done provided the District liaison has received the mandatory training.)
- m. Provide the State Coordinator the reliable, valid, and comprehensive data needed to fulfill the federally required data collection.

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District Liaison for Homeless Students: (continued)

- n. Participate in professional development and other technical assistance activities, as determined appropriate by the State Coordinator.
- o. Ensure that school personnel providing services to homeless children and youth receive professional development and other support and that unaccompanied youths:
 - i. are enrolled in school;
 - ii. have opportunities to meet the same challenging State academic standards the State has established for other children and youth; and
 - iii. are informed of their status as independent youths under Section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087VV) and that such youth may obtain assistance from the District to receive verification of such status for purposes of the Free Application for Federal Student Aid.
- p. Coordinate special education services for homeless children and youth identified as eligible within the local District.