

LEBANON SCHOOL DISTRICT

POLICY: 251
SECTION: PUPILS
TITLE: HOMELESS STUDENTS
ADOPTED: January 18, 2016
REVISED: November 19, 2018

251. HOMELESS STUDENTS

Purpose

The Board adopts this policy to ensure that homeless students are enrolled and provided appropriate educational programs and services in accordance with state and federal law.¹

Authority

The Board recognizes the need to make reasonable efforts to promptly identify homeless children and youths within the district, facilitate their immediate enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state laws and regulations.²

The Board shall ensure that homeless children and youths have equal access to the same educational programs, co-curricular and extra-curricular activities, and services provided to other district students.³

The Board authorizes the Superintendent to waive district policies, procedures and administrative regulations that create barriers to the identification, enrollment, attendance, transportation, school stability and success in school of homeless children and youths.⁴

It is the policy of the Board that no student be discriminated against, segregated or stigmatized based on his/her homeless status.⁵

¹ 34 C.F.R Part 99; 67 Fed. Reg. 10698; Pa Education for Homeless Children and Youth State Plan.

² 24 P.S. 1306;22 Pa. Code. 11.18; 42 U.S.C. 11431 et. seq.

³ 24 P.S. 1306;22 Pa. Code. 11.18; 42 U.S.C. 11431 et. seq; 34 C.F.R. 299.19.

⁴ 42 U.S.C. 11431 et. seq.

⁵ 42 U.S.C. 11431-11432.

Definitions

Enroll or **Enrollment** means attending classes and participating fully in school activities.⁶

Homeless children and youths are defined as individuals lacking a fixed, regular and nighttime residence, which include the following conditions:⁷

1. Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason.
2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations.
3. Living in emergency, transitional or domestic violence shelters.
4. Abandoned in hospitals.
5. Awaiting foster care placement.
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings.
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings.
8. Living as migratory children in conditions described in previous examples.
9. Living as run-away children, abandoned or forced out of homes by parents/guardians or caretakers, or separated from parents/guardians for any other reason.
10. Living as school age parents/guardians in houses for school age parents/guardians if they have no other available living accommodations.

School of origin is defined as the school the student attended when permanently housed or the school in which the student 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

⁶ 42 U.S.C. 11434a.

⁷ 42 U.S.C. 11434a; 34 C.F.R. 200.30.

the next grade level for all feeder schools.⁸

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.⁹

Delegation of Responsibility

The Board designates the Superintendent or designee to serve as the district's liaison for homeless children and youths.¹⁰

The district's liaison shall coordinate with:¹¹

1. Local service agencies that provide services to homeless children and youth and families.
2. Other school districts on issues of prompt identification, transfer of records, transportation, and other district activities.
3. District staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act.
4. State and local housing agencies responsible for comprehensive housing affordability strategies.

The district's liaison shall 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.¹²

The district's liaison shall provide reliable, valid and comprehensive data to

⁸ 42 U.S.C. 11432.

⁹ 42 U.S.C. 11434a.

¹⁰ 42 U.S.C. 11432.

¹¹ 42 U.S.C. 11432.

¹² 42 U.S.C. 11432.

the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program in accordance with federal and state laws and regulations.

Guidelines

Enrollment/Placement

Best Interest Determination

In determining the best interest of a child or youth, the district 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.¹³
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.¹⁴
3. If, after such consideration, the district determines 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 district shall provide the parent/guardian or unaccompanied youth 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.¹⁵

Placement

To the extent feasible, and in accordance with the child's or youth's best interest, a homeless student shall continue to be enrolled in his/her school of origin while s/he remains homeless or until the end of the academic year in which s/he obtains permanent housing.¹⁶

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.¹⁷

¹³ 42 U.S.C. 11432.

¹⁴ 42 U.S.C. 11432.

¹⁵ 42 U.S.C. 11432.

¹⁶ 42 U.S.C. 11432.

¹⁷ 42 U.S.C. 11432.

If a student is an unaccompanied youth, the district liaison will consider the views of the student in determining where s/he will be enrolled.¹⁸

The district shall provide the parent/guardian or unaccompanied youth with a written explanation of any district decision related to school selection or placement, including the right to appeal.¹⁹

Enrollment

The selected school shall immediately enroll the student and begin instruction, even if:

1. The student is unable to produce records normally required for enrollment pursuant to district policies.²⁰
2. The application or enrollment deadline has passed during any period of homelessness.²¹

The district's liaison shall immediately contact the school last attended by the child or youth to obtain relevant academic or other records, pursuant to Board policy.²²

The district may require a parent/guardian to submit contact information.²³

Assignment

If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize appropriate means to determine the student's placement.²⁴

Dispute Resolution

If a dispute arises over eligibility, school selection or enrollment:²⁵

1. The parent/guardian or unaccompanied youth shall be referred to the district'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 resolution of the dispute, including all

¹⁸ 42 U.S.C. 11432.

¹⁹ 42 U.S.C. 11432.

²⁰ 42 U.S.C. 11431 et seq.

²¹ 42 U.S.C. 11432.

²² 42 U.S.C. 11432.

²³ 42 U.S.C. 11432.

²⁴ 42 U.S.C. 11432.

²⁵ 42 U.S.C. 11432.

available appeals.

3. The district's liaison shall issue a written decision within twenty (20) business days of being notified of the dispute.

A parent/guardian or unaccompanied youth shall be provided with a written explanation of the district's decision, their right to appeal and the procedures to use for the appeal.

A parent/guardian or unaccompanied youth may appeal a district's 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.

Comparable Services

Homeless students shall be provided services comparable to those offered to other district students including, but not limited to:²⁶

1. Transportation services;
2. School nutrition programs;
3. Programs in career and technical education;
4. Preschool programs;
5. Educational services for which students meet eligibility criteria, such as
 - a. Services provided under Title I or similar state or local programs;
 - b. Programs for English Language Learners;
 - c. Programs for disadvantaged students;

²⁶ 24 P.S. 1306; 42 U.S.C. 11432.

d. Programs for students with disabilities; and

e. Programs for gifted and talented students.

Transportation

At the request of the parent/guardian (or in the case of an unaccompanied youth, the liaison), the district shall provide transportation for homeless students to their school of origin or the school they choose to attend within the school district.²⁷

If the school of origin is outside district boundaries or homeless students live in another district but will attend their school of origin in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation.²⁸

Training

The district'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.²⁹

The district's liaison shall arrange professional development programs for school staff, including office staff.³⁰

School personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to:³¹

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.

²⁷ 24 P.S. 1306; 42 U.S.C. 11432.

²⁸ 42 U.S.C. 11432.

²⁹ 42 U.S.C. 11432.

³⁰ 42 U.S.C. 11432.

³¹ 42 U.S.C. 11432.