

Regulation

ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

Related Entries: Policy JAC

Responsible Office: OFFICE OF STUDENT SUPPORT SERVICES

HOMELESS STUDENTS

A. PURPOSE

To establish procedures for identification and school enrollment of homeless students and unaccompanied youth (hereinafter referred to as "homeless students") in Anne Arundel County Public Schools (AACPS).

B. BACKGROUND

The *McKinney-Vento Homeless Education Assistance Improvements Act* of 2001 and subsequent amendments (*McKinney-Vento*) is designed to guarantee that homeless students have full and equal access to a free, appropriate public education.

C. DEFINITIONS

1. *Parent* or *guardian* is the natural or adoptive parent or public agency having legal or lawful physical custody of the homeless student; a person or public agency to whom guardianship of a child or youth has been given; or a homeless student if the student is 18 years old or older and no parent or guardian is available.
2. *Homeless students* are individuals who lack a fixed, regular, and adequate nighttime residence whether or not the temporary housing is located in Anne Arundel County including:
 - a. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; living in motels, hotels, transitional housing, trailer parks, or campgrounds due to the lack of alternative accommodations; living in emergency or transitional shelters; abandoned in hospitals; are runaways, living in shelters or other inadequate accommodations; or awaiting foster care placement;
 - b. Students 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;
 - c. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

- d. Migratory students as defined under federal law who qualify as homeless because they are living in the circumstances set forth above.
3. *Unaccompanied youth* includes homeless students not in the physical custody of a parent or guardian.
4. *School of origin* is the school the student attended when permanently housed or the school in which the student was last enrolled.

D. PROCEDURES

1. Identification of Homeless Children
 - a. School personnel shall rely on the response given on the Student Record (SR) cards regarding loss of permanent housing or information that otherwise comes to the attention of the school administration. If the parent/guardian or unaccompanied youth has responded in the affirmative, school personnel shall immediately get in touch with the school-based homeless contact. The school-based homeless contact will then provide the information to the homeless education liaison who will confirm the homeless status of the student.
 - b. The homeless education liaison, pupil personnel workers, and school personnel shall work collaboratively with Child Find to identify all younger students that may be in need of educational services and other support. This would include children appropriate for Child Find and/or prekindergarten. Once identified, younger students shall be referred to Child Find and/or prekindergarten programs in that area and be enrolled according to these procedures.
2. School Placement

School placement should be made on the basis of the best interest of the student. The best interest of the student could be served by either:

 - a. Continuing enrollment in the school of origin for the duration of the homelessness or for the remainder of the academic year if the student obtains permanent housing.
 - b. Enrolling the student in the attendance area in which the student is actually living, even if that school has been declared a closed school.
 - c. Allowing students who are matriculating from one level of school to another (elementary to middle or middle to high) and who remain homeless between academic years to continue in the feeder system of the school of origin unless the parent/guardian or unaccompanied youth wishes to attend the school serving the temporary residence attendance area.
3. Best Interest Determination

- a. In determining the best interest of the homeless student, the principal/designee shall:
- 1) To the extent feasible, keep the student in the school of origin except when doing so is contrary to the wishes of the student's parent/guardian or unaccompanied youth.
 - 2) If the student is recommended for a school other than the school requested by the parent/guardian or unaccompanied youth, provide a written explanation using the Notification of Denial of Enrollment Request Form, to the parent/guardian or unaccompanied youth, which shall include the Notification of Appeal Form that explains appeal rights.
- b. In selecting the school that is in the best interest of the student, the following process should be followed:

The parent/guardian or unaccompanied youth and school personnel shall determine, in accordance with the law, which school will best serve the interest of the student upon consideration of the following factors:

- 1) The student's age;
- 2) The school which the student's siblings attend;
- 3) The student's experiences at the school of origin;
- 4) The student's academic needs;
- 5) The student's emotional needs;
- 6) Any special needs of the family;
- 7) Continuity of instruction;
- 8) Length of stay in the current living situation;
- 9) The likely location of the family's future permanent housing;
- 10) Time remaining in the school year;
- 11) Distance of commute, the impact it may have on the student's education, and other student-centered transportation-related factors; and
- 12) The safety of the student.

4. Enrollment

- a. The school-based homeless contact, along with the parent/guardian or unaccompanied youth, shall complete homeless forms.

- b. The school must immediately enroll the student, even if the student is unable to produce records normally required for enrollment, such as school records, birth certificate, immunization records, proof of residency, and guardianship records.
- c. The enrolling school shall immediately contact the last school attended to obtain relevant academic and other records. Records must not be withheld due to financial obligations.
- d. In situations in which no parent/guardian can be contacted for students age 17 or younger, the school-based homeless contact should refer homeless students to the homeless education liaison. If AACPS is unable to make a determination in the best interest of the youth and has not been able to obtain written notification from parent/guardian, the case shall be referred to the Anne Arundel County Department of Social Services to seek designation as a child in need of assistance.
- e. If the student needs to obtain immunizations or medical records, the enrolling school shall immediately refer the parent/guardian or unaccompanied youth to the homeless education liaison who shall facilitate obtaining the necessary immunizations or immunization/medical records.

5. Comparable Services

Each homeless student shall be provided services comparable to the services offered to other students in the school where the student attends including:

a. Transportation

Transportation services (bus or approved taxi cab), including service to the school of origin, shall be provided unless the student resides within the school walking distance established by AACPS. If a parent/guardian or unaccompanied youth requests to self-transport or use public transportation, the parent/guardian or unaccompanied youth can receive mileage reimbursement at the current Internal Revenue Service standard mileage travel reimbursement rate or payment of public transportation fares.

b. Food and Nutrition:

All students are eligible for Food and Nutrition Services for the entire school year even if the student becomes permanently housed during the school year.

c. Educational Services:

Eligible students shall receive educational services including Title I; educational programs for students with disabilities, educational programs for gifted and talented students; vocational and technical programs; and/or programs for students with limited English proficiency.

6. Records

For each student, any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificate, guardianship records, and evaluations for special services or programs, shall be maintained in accordance with Policy JH/907, Student Records.

7. Homeless Education Liaison

The homeless education liaison's responsibilities shall include:

- a. Ensuring that homeless children and youth are identified by school personnel and enrolled immediately;
- b. Ensuring that students have full and equal opportunity to meet academic achievement standards to which all students are held;
- c. Ensuring that students and families receive educational services for which they are eligible, including Head Start and preschool programs;
- d. Informing parent/guardian or unaccompanied youth of educational and related opportunities available to them and providing them with meaningful opportunities to participate in the education of their children;
- e. Disseminating public notice of educational rights of homeless students where these students receive services such as schools, family shelters, and soup kitchens;
- f. Informing parent/guardian or unaccompanied youth of their right to appeal and mediate disputes; and
- g. Informing parent/guardian or unaccompanied youth of all transportation services, including transportation to and from the school of origin, and assisting in accessing transportation.

4. Appeal Procedures

Any dispute that arises regarding homeless status, enrollment, school selection, and services may be appealed to the homeless education liaison. The student must remain enrolled as requested by the parent/guardian or unaccompanied youth (in the school of origin or the geographical area school) pending resolution of the dispute. AACPS must provide transportation if the student resides outside the school's walking distance until the dispute is resolved.

- a. Upon receipt of a written complaint from the parent/guardian or unaccompanied youth, the principal/homeless liaison shall resolve the issue within five (5) school days.

- b. The parent/guardian or unaccompanied youth shall be provided with a written explanation of the school's decision of the dispute, including the right to appeal.
- c. If the parent/guardian or unaccompanied youth is dissatisfied with the resolution, or if the principal/homeless education liaison does not issue a decision within five (5) school days, the parent/guardian or unaccompanied youth may file a written complaint with the Superintendent of Schools within five (5) school days from the date of the decision.
- d. The Superintendent of Schools or designee shall issue a decision within ten (10) school days.
- e. If the Superintendent of Schools or designee does not issue a decision within ten (10) school days, or if the parent/guardian or unaccompanied youth disagrees with the decision, the parent/guardian or unaccompanied youth may appeal, in writing, within thirty (30) calendar days from the date of the decision, to the Board of Education of Anne Arundel County (Board), pursuant to Education Article, section 4-205(c), *Annotated Code of Maryland*.

Regulation History: *Developed by Superintendent 2/3/10*
 Reviewed by Board of Education 4/7/10
 Issued 4/7/10

Note previous regulation history: None.