

Victory Charter School --Policies

Policy: STUDENTS 3060 -- Education of Homeless Children

Each child of a homeless individual and each homeless child has equal access to the same free, appropriate public education as provided to other students. The Board of Directors directs school administrators to admit children who are homeless to the Charter School regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment.

For a Charter School that considers enrollment by lottery, the child of a homeless individual and each homeless child shall have the same access to and same consideration for enrollment under the school's lottery process as would any other child, regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The Board may not require an out-of-attendance-are attendance agreement and tuition for a homeless child.

The Victory Charter School will work to ensure that children and youth who are homeless are free from discrimination, segregation, and harassment. The Charter School will also strive to prevent stigma against students who are homeless.

Information regarding this policy, including the educational rights of children and youth identified as homeless, will be distributed to all students upon enrollment and once during the school year, or may be included in any student handbook distributed by the Charter School. It will also be provided to students who seek to withdraw from school, and posted in the Charter School, as well as other places where children, youth, and families who are homeless receive services.

The Principal or designee shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, medical records requirements, guardianship issues, uniform or dress code requirements, residence, birth certificates, school records, and other documentation. Students shall be enrolled in school immediately, without delay regarding any required documents. Once such documents are obtained, they shall be maintained so that they are available in a timely fashion when the child enters a new school. The Charter School shall serve students regardless of whether they are in the custody of a parent or guardian.

The Principal or designee shall also review and revise rules and practices to ensure that homeless students have equal access to educational services. Homeless students shall have access to services comparable to services offered to other students, including but not limited to:

1. Educational services for which the student meets eligibility criteria, such as Title I;
2. Educational programs for children with disabilities and limited English proficiency; and
3. Programs in vocational and technical education, as well as programs for gifted and talented students.

The Principal or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths not currently attending school. The Principal or designee shall appoint a liaison for homeless children. The liaison shall act to ensure that:

1. Homeless students are identified;
2. Homeless students have a full and equal opportunity to succeed in the Charter School;
3. Homeless youth who have separated from school are provided with opportunities and assistance to reenroll;

4. Students and families have the opportunity to receive educational services for which they are eligible;
5. Parents or guardians are informed of educational and other opportunities available to their children;
6. Parents or guardians are given opportunities to participate in their child's education;
7. Parents or guardians are informed of all transportation services, including transportation to and from the student's school of origin, and are assisted in accessing transportation services;
8. Public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services;
9. Channels of communication are established between the liaison and local Head Start staff if applicable;
10. Enrollment disputes are mediated in accordance with state and federal law as well as Charter School policy;
11. Unaccompanied youth, as defined in the McKinney Homeless Assistance Act, are immediately enrolled in school pending resolution of disputes that might arise over school enrollment or placement;
12. Youth who lack immunization(s) or other medical records are assisted in obtaining these;
13. Unaccompanied youth are assisted in selecting and enrolling in a school, and that they are provided with notice of the right to appeal an enrollment decision; and
14. Parents, school personnel, and others are informed of the rights of homeless children and youth.

The homeless liaison will also coordinate with, and seek support from, the State Coordinator for the Education of Homeless Children, public and private service providers in the community, housing and placement agencies, local liaisons in neighboring districts, and other such organizations and agencies. Coordination will include conducting outreach and training. Both public and private agencies will be encouraged to support the liaison and the schools in implementing this policy.

A "homeless child" is defined as provided in the McKinney Homeless Assistance Act, but may include:

1. Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting placement in foster care;
2. Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
3. Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting; and
4. Migratory children and youth who are living in a situation similar to those described above.

An "unaccompanied youth" is defined as provided in the McKinney Homeless Assistance Act, but may include a youth not in the physical custody of a parent or guardian.

Data shall be collected on the number of children and youth experiencing homelessness in the Charter School; where they are living; their academic achievement, including state and local assessments; and the reason for any enrollment delays, interruptions in their education, or school transfers.

School Selection

Each child and youth identified as homeless has the right to remain at his or her school of origin or to attend any school that houses students who live in the attendance area in which the child or youth is actually living.

Therefore, in selecting a school, children and youth who are homeless will remain at their school of origin to the extent feasible, unless that is against the parent's/guardian's or youth's wishes. Students

may remain at their school of origin the entire time they are homeless and until the end of any academic year in which they become permanently housed. The same procedure will be followed if a child or youth loses his or her housing during the summer. Services that are required to be provided, will not be considered in determining feasibility.

If a student is sent to a school other than the school of origin or the school requested by the parent/guardian or unaccompanied youth, the Charter School shall provide a written explanation of its decision and the right to appeal, whether or not the individual disputes the placement. Such explanation should be complete, as brief as possible, simply stated, and provided in a language the parent/guardian or unaccompanied youth can understand. This written explanation shall include:

1. Contact information for the homeless student liaison and state coordinator, with a brief description of their roles;
2. A simple, detachable form to initiate the dispute resolution process. One (1) copy of the form should be retained by the school, and another copy should be returned to the parent/guardian or youth for their records when it is submitted;
3. A step-by-step description of how to dispute the Charter School's decision;
4. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
5. Notice that "immediate enrollment" includes full participation in all school activities; 14
6. Notice of the right to appeal to the State if the Charter School resolution is not satisfactory; and
7. Timelines for resolving Charter School- and State-level appeals

If an unaccompanied youth or parent/guardian chooses to appeal a placement decision, the Charter School will refer him or her to the homeless student liaison, who shall expeditiously facilitate this process.

Disputes

If a dispute arises over any issue addressed in this policy, the child or youth experiencing homelessness will be admitted immediately to the school in which enrollment is sought pending final resolution of the dispute. The student will also have the rights to all appropriate educational services while the dispute is pending.

If agreement cannot be reached between the parties regarding the educational placement or enrollment status of the student, then the Charter School shall promptly seek further assistance from the State Coordinator of Homeless Education to review and determine within ten (10) business days how the student's best interests will be served. All interested parties will be expeditiously informed of the State's determination in writing. The decision of the State Department of Education shall constitute final resolution.

Training

The homeless liaison will conduct training and sensitivity/awareness activities regarding the education of homeless children for all local education association staff.

Title 1, Part A

Any student who is homeless and attends school within the Charter School is eligible for Title 1, Part A services. The Charter School shall set aside funding to provide homeless students who attend schools that do not participate in Title 1, Part A with services comparable to those provided by participating schools. Funding may also be set aside to provide targeted assistance to homeless students who attend participating schools.

Cross Reference: 3210 Uniform Grievance Procedure

Legal Reference: 20 U.S.C. § 6311, et seq. Title 1, Part A, of the Elementary and Secondary Education Act.

20 U.S.C. § 1400 Individuals with Disabilities Education Improvement Act of 2006

42 U.S.C. § 1758 Child Nutrition and WIC Act of 2004 15

42 U.S.C. § 9801-642A Improving Head Start for School Readiness Act of 2007

42 U.S.C. § 11301, et seq. McKinney-Vento Homeless Assistance Act

I.C. § 33-1404 Districts to Receive Pupils

Education for Homeless Children and Youth Program: Title VII of the McKinney-Vento Homeless Assistance Act, As Amended by the No Child Left Behind Act of 2001: Non-Regulatory Guidance

Policy History:

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