

Students Experiencing Homelessness

Enrollment Rights and Services

A. Definitions:

1. **Children and Youth Experiencing Homelessness** means individuals who lack a fixed, regular, and adequate nighttime residence. This includes children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; living in motels, parks, or campgrounds; or children or youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a sleeping accommodation by human beings; or children or youth living in cars, abandoned buildings or substandard housing or similar situations; or migratory children living in circumstances like those described above.
2. **Unaccompanied Youth** means a youth not in the physical custody of a parent or guardian. Youth living on their own in any of the homeless situations described in the McKinney-Vento Homeless Education Act.
3. **School of origin** means the school or preschool that a child or youth attended when permanently housed, or the school in which the child or youth was last enrolled. When a child or youth completes the final grade-level served by the school of origin, the school of origin includes the designated receiving school at the next grade level for all feeder schools.
4. **Best interest determination** means that the district must make school placement decisions for students and youths experiencing homelessness on the basis of their best interest, as determined by student-centered factors including impact of mobility on achievement, education, health and safety. Priority should be given to the request of the child or the parent/guardian or unaccompanied youth. Placement of siblings should also be considered.
5. **Excess cost of transportation** means the difference between what the district normally spends to transport a student to school and the cost of transporting a student experiencing homelessness to school. For example, there is no excess cost of transportation if the district provides transportation to a student experiencing homelessness by a regular bus route. However, if the district provides special transportation to a student experiencing homelessness that is not part of a regular bus route and not covered by the state transportation funding formula (e.g., summer school transportation, extracurricular activities, etc.), the entire cost would be considered excess costs of transportation. The additional cost of the district’s re-routing of busses to transport a student experiencing homelessness can be considered excess cost of transportation. The district may use McKinney-Vento subgrant funds and Title I, Part A funds to defray the excess cost of transportation for students experiencing homelessness.

B. Identification

The district will:

1. Use a housing questionnaire in its enrollment process. The questionnaire will be distributed universally so as to avoid stigmatizing children and youths and their families experiencing homelessness;

- 40 2. Ensure that referral forms used to identify and support students experiencing homeless-
41 ness are accessible and easy to use;
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- 43 3. Include its homeless liaison’s contact information on its website;
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- 45 4. Provide materials for students experiencing homelessness and parents, if necessary and to
46 the extent feasible, in their native language;
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- 48 5. As practicable, provide annual guidance for school staff on the definition of homeless-
49 ness, signs of homelessness, the impact of homelessness on students and steps to take
50 when a potentially homeless student is identified, including how to connect the student
51 with appropriate housing and support service providers;
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- 53 6. Develop interagency partnerships to serve families and youths experiencing homeless-
54 ness; and
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- 56 7. Work with the state homelessness coordinator to facilitate services to families and youths
57 made homeless by natural disasters or other catastrophic events.
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59 **C. Placement and enrollment:**

60 The district shall:

- 61 1. When deciding placement, presume that allowing the student experiencing homelessness
62 to remain in their school of origin is in the student’s best interest, except when doing so is
63 contrary to the request of the student’s parent or guardian or unaccompanied youth;
- 64 2. If the parent/guardian contests the district’s decision, make a best interest determination
65 based on factors such as the impact of mobility on the student’s educational achievement,
66 health and safety. If the best interest determination is requested by an unaccompanied
67 youth, the process will give priority to the views of the youth;
- 68 3. After conducting a best interest determination, provide to the parent/guardian of the stu-
69 dent in a timely manner and in a language they can understand, a written explanation of
70 the final decision and the right to appeal the decision (see Dispute Resolution Procedure,
71 below);
- 72 4. Pending resolution of disputes that arise over eligibility, school selection or enrollment,
73 immediately enroll a student experiencing homelessness in the school in which the par-
74 ent, guardian or unaccompanied youth seeks enrollment;
- 75 5. Avoid delay or denial of enrollment of students experiencing homelessness, even if they
76 have missed application or enrollment deadlines during any period of homelessness or are
77 unable to produce records required for enrollment (e.g., previous academic records, im-
78 munization records, health records, proof of residency, proof of guardianship, birth certifi-
79 cates);
- 80 6. Avoid requirements for student contact information to be in a form or manner that con-
81 structs a barrier for homeless students.
- 82 7. Provide transportation for students experiencing homelessness to their school or pre-
83 school of origin. Once the student has obtained permanent housing, the district will con-
84 tinue to provide such transportation until the end of the academic year. If the student ex-
85 perience homelessness remains in their school of origin but begins living in an area
86 served by district, the district of origin and the district in which the student experiencing
87 homelessness is living must agree upon a method to apportion the responsibility and costs

- 88 for the student’s transportation to and from their school of origin. If the districts cannot
 89 reach agreement, the responsibility and costs for transportation will be shared equally;
 90 8. Continue to provide transportation to their school of origin pending the outcome of en-
 91 rollment or transportation disputes;
 92 9. Immediately contact the school last attended by the students experiencing homelessness
 93 to obtain relevant academic and other records;
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95 **D. District’s homeless liaison**

96 The district liaison shall ensure that:

- 97 a. Children and youths experiencing homelessness are identified by school personnel and
 98 through coordination of activities with other entities and agencies
 99 b. Children and youths experiencing homelessness enroll and have a full and equal opportunity
 100 to succeed in school;
 101 c. Families, children and youths experiencing homelessness receive educational services for
 102 which such families, children and youths are eligible, including Head Start and Even Start
 103 programs, preschool programs administered by the district and referrals to health care ser-
 104 vices, dental services, mental health services, and other appropriate services;
 105 d. Students experiencing homelessness are identified and provided proper access to free school
 106 meals.
 107 e. The parents or guardians of children experiencing homelessness and youths are informed of
 108 the educational and related opportunities available to their children and are provided with
 109 meaningful opportunities to participate in the education of their children;
 110 f. Public notice of the educational rights of children and youths experiencing homelessness is
 111 disseminated where such children receive services (e.g., schools, family shelters, soup kitch-
 112 ens);
 113 g. Enrollment disputes are mediated in accordance with Paragraph C, Placement and enrollment,
 114 above; and
 115 h. The parents or guardians of a child or youth experiencing homelessness, and any unaccompa-
 116 nied youth, is fully informed of all transportation services, including transportation to the
 117 school of origin and is assisted in accessing transportation to the school selected;
 118 i. Unaccompanied youths enrolled in school have opportunities to meet the same challenging
 119 state academic standards as the state establishes for other children and youths, are informed
 120 of their status as independent students under section 480 of the Higher Education Act of 1965
 121 (HEA) (20 U.S.C. 1087vv) for federal student aid purposes, and their right to receive verifi-
 122 cation of this status from the local liaison;
 123 j. Barriers that prevent students experiencing homelessness from receiving credit for full or par-
 124 tial coursework satisfactorily completed while attending a prior school are identified and re-
 125 moved;
 126 k. Affirm whether students experiencing homelessness meet the U.S. Department of Housing
 127 and Urban Development (HUD) definition of homelessness to qualify them for HUD home-
 128 less assistance programs and refer families and students experiencing homelessness to hous-
 129 ing and other services;
 130 l. Assist parents, guardians and unaccompanied youth in obtaining immunizations, health
 131 screenings, guardianship records and other documents normally required for enrollment; and
 132 m. Assist unaccompanied youths in connecting with needed supports such as housing assistance,
 133 health care and other services.

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In addition to the duties and responsibilities listed above, the district liaison will work to improve systems to identify students experiencing homelessness and coordinate with the district’s nutrition program to ensure that each student experiencing homelessness has proper access to free school meals, and that applicable accountability and reporting requirements are satisfied.

The district shall inform school personnel, service providers and advocates working with families experiencing homelessness of the duties of the district homeless liaison.

E. Dispute Resolution Procedure

The District shall ensure that the child/youth attends the school in which they sought enrollment while the dispute process is being carried out.

1. Notification of Appeal Process

If the district seeks to place a child experiencing homelessness in a school other than the school of origin or the school requested by the parent, the school district shall inform the parent or the unaccompanied youth of the right to appeal. The district shall provide the parent or unaccompanied youth with written notice including:

- a. An explanation of the decision regarding the child’s placement, and contact information for the district and OSPI homeless liaison, including their roles;
- b. Notification of the parent’s right to appeal(s);
- c. Notification of the right to enroll in the school of choice pending resolution of the dispute;
- d. A description of the dispute resolution process including a petition form that can be returned to the school to initiate the process and timelines; and
- e. A summary of the federal legislation governing placement of homeless students (McKinney-Vento Act).

2. Appeal to the School District Liaison – Level I

If the parent or unaccompanied youth disagrees with the district’s placement decision, they may appeal by filing a written request for dispute resolution with the school, the district’s homeless liaison or a designee. If submitted to the school, it will be immediately forwarded to the homeless liaison. The request for dispute resolution must be submitted within fifteen business days of receiving notification of the district’s placement.

The liaison must log the complaint including a brief description of the situation and reason for the dispute and the date and time the complaint was filed.

- a. A copy of the complaint must be forwarded to the liaison’s supervisor and the Superintendent.
- b. Within five business days of receiving the complaint, the liaison must provide the parent or unaccompanied youth with a written decision and notification of the parent’s right to appeal.
- c. The district will verify receipt of the Level I decision;
- d. If the parent or unaccompanied youth wishes to appeal, notification must be provided to the district liaison within ten business days of receipt of the Level I decision. The liaison shall provide the parent with an appeals package containing:

- 175 1. The complaint filed with the district liaison at Level I,
- 176 2. The decision rendered at Level I; and
- 177 3. Additional information provided by the parent, unaccompanied youth and/or homeless
- 178 liaison.

179 **3. Appeal to the School Superintendent – Level II**

180 The parent or unaccompanied youth may appeal the district liaison’s decision to the Superinten-
 181 dent or the Superintendent’s designee using the appeals package provided at Level I.

- 182 a. The Superintendent will arrange for a personal conference to be held with the parent or unac-
 183 companied youth within five business days of receiving the Level I appeals package.
- 184 b. Within five business days of the conference with the parent or unaccompanied youth the Su-
 185 perintendent shall provide that individual with a written decision with supporting evidence
 186 and notification of the parent’s right to appeal to OSPI.
- 187 c. The district will verify receipt of the Level II decision.
- 188 d. A copy of the Superintendent’s decision will be forwarded to the district’s homeless liaison.
- 189 e. If the parent or unaccompanied youth wishes to appeal to the OSPI, notification must be pro-
 190 vided to the district homeless liaison within ten business days of receipt of the Level II deci-
 191 sion.

192 **4. Appeal to the Office of the Superintendent of Public Instruction – Level III**

- 193 a. The district superintendent shall forward a copy of the Level II decision and all written docu-
 194 mentation to the OSPI homeless liaison within five days of rendering a decision. The district
 195 shall submit the entire dispute package to the OSPI in one complete package by U.S. mail.
- 196 b. The OSPI’s homeless education coordinator or designee, along with the appropriate agency
 197 director, and/or agency assistant superintendent shall make a final decision within fifteen
 198 business days of receiving the appeal;
- 199 c. The OSPI’s decision will be forwarded to the district’s homeless liaison. The liaison will dis-
 200 tribute the decision to the parent or unaccompanied youth and the local superintendent.
- 201 d. The OSPI’s decision will be the final resolution for placement of a homeless child or youth in
 202 the district.
- 203 e. The district will retain the record of all disputes, at each level, related to the placement of
 204 homeless children.

205 **F. Inter-District Disputes**

206 If districts are unable to resolve a dispute regarding the placement of a student experiencing home-
 207 lessness, either district may submit a written request to the OSPI seeking resolution.

208 The OSPI will resolve the dispute within 10 business days of notification of the dispute and inform
 209 all interested parties of the decision.

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