

5.13 HOMELESS STUDENTS—

The School Board of Nassau County shall ensure that homeless children and youth are provided with equal access to free, appropriate educational programs, have an opportunity to meet the same challenging State of Florida academic standards, are not stigmatized or segregated, separated, or isolated into another educational program on the basis of their status as homeless and to establish safeguards that protect homeless students from discrimination on the basis of their homelessness.

I. Definitions

- a. The McKinney-Vento Act defines homeless students as individuals who lack a fixed, regular, and adequate nighttime residence and includes:
 - i. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 - ii. Students who are living in motels, hotels, FEMA trailers, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
 - iii. Students who are living in emergency or transitional shelters; are abandoned in hospitals; are waiting foster care placement.
 - iv. Students who have a primary nighttime residence that is not designated for, or ordinarily used as a regular sleeping accommodation for human beings.
 - v. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
 - vi. Migratory students qualify as homeless if they are living in any of the circumstances described above (1-5).
- b. The term "unaccompanied youth" means a student who is not in the physical custody of a parent or guardian.
- c. Certified Homeless Youth – A minor, homeless child or youth, including an unaccompanied youth, who has been certified as homeless or unaccompanied by a school district homeless liaison, the director of an emergency shelter program funded by the U. S. Department of Housing and Urban Development or designee, or the director of a runaway or homeless youth basic center or transitional living program funded by the U. S. Department of Health and Human Services or designee, a licensed clinical social worker, or a circuit court.
- d. The term "school of origin" means the school that the student attended when permanently housed or the school where the child or youth was last enrolled.

- e. The terms “enroll and enrollment” mean attending school and participating fully in school activities.
 - f. The term “immediate” means without delay.
 - g. The term “parent” means parent or guardian of a student.
 - h. The term “liaison” means the staff person designated by our LEA and each LEA in the state as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Act.
- II. The District homeless education liaison shall make a final determination of homeless status on a case-by case basis. If the District’s liaison determines that a minor is an unaccompanied homeless youth, the liaison shall issue to the youth a certificate documenting his/her status as required by law.
- III. School Selection
- a. The District shall, according to the student's best interest, and by parent, guardian, or unaccompanied youth request, continue the homeless student's education in the school of origin for the duration of homelessness, or enroll the student in a District school in the attendance zone in which the homeless student is actually living on the same basis as other district students.
 - b. In determining the best interest of the student, the District shall consider the following:
 - i. To the extent feasible, keep a homeless student in the school of origin, unless doing so is contrary to the wishes of the student's parent or guardian.
 - ii. Provide a written explanation, including a statement regarding the right to appeal, if the District sends a homeless student to a school other than the school of origin as requested by the parent or guardian.
 - iii. In the case of an unaccompanied student, ensure that the District homeless education liaison helps in placement or enrollment decisions, considers the views of the student and provides notice of the right to appeal placement and enrollment decisions.
 - iv. The school of origin means the school that the student attended when permanently housed, or the school in which the student was last enrolled. The choice regarding placement shall be made regardless of whether the student lives with the homeless parents or guardian or has been temporarily placed elsewhere.
 - v. The requirements of Administrative Rule 5.01 – Student Assignment I. – IV. and VI. shall not apply to homeless students.

- vi. The school selection may be documented through the Student Assignment waiver process.

IV. Enrollment

The District will immediately enroll a homeless student, new to the district, in school, even if the student does not have the documents usually required for enrollment, such as school records (includes Individualized Education Plan-IEP), medical records or proof of residency.

- a. The District will ensure that homeless students are not segregated on the basis of their status as homeless. A homeless student will be assigned to the District school in the attendance zone in which the student is actually living or to the student's school of origin as requested by the parent or guardian and in accordance with the student's best interest.
- b. Homeless students have a right to either remain in their school of origin or to attend school where they are temporarily residing.
- c. Homeless students who choose to remain in their school of origin have the right to remain there until the end of the school year in which they get permanent housing.
- d. If a homeless student arrives without records, the assigned school Guidance Counselor shall assist the family and contact the previously attended school system to obtain the required records.
- e. The District shall immediately contact the school last to obtain relevant academic and other records. The District shall immediately refer the parent or guardian to the school's Guidance Counselor and the district's Homeless Liaison, for children and youth in transition, who will help in obtaining necessary immunizations or records if the student needs to obtain these records.

V. Residency

A homeless student is considered a resident if the child or youth is personally somewhere within the district with a purpose to live here temporarily, but not necessarily to remain permanently.

- a. The student shall be considered a resident when living with a parent, guardian, or person in loco parentis not solely for school purposes or for participation in extracurricular activities.
- b. Homeless students who do not live with their parents or guardians may enroll themselves in school.

- c. The address listed on the enrollment forms becomes proof that the student lives in Nassau County, Florida.

VI. Guardianship

- a. For purposes of school placement, any parent, guardian or person in loco parentis who has legal or physical custody of a homeless child or youth shall enroll that child or youth directly in a District school.
- b. The Caregiver's Authorization Affidavit form must be completed within a reasonable period of time for those homeless students who are not accompanied by a parent or guardian, once a child or youth is enrolled in and attending a school.

VII. Disputes

If a dispute arises over school selection, enrollment, or any issue covered in this policy:

- a. The student shall be immediately admitted to the school of origin or assigned zone school as requested by the parent or guardian, pending resolution of the dispute;
- b. The parent or guardian of the student shall be provided with a written explanation of the District's decision regarding school selection, including the rights of the parent, guardian or student to appeal the decision through the District's enrollment dispute procedure and the Florida Department of Education's appeal process;
- c. The student, parent or guardian shall be referred to the District Homeless Liaison, who shall ensure the resolution process is carried out as expeditiously as possible after receiving notice of the dispute; and
- d. In the case of an unaccompanied student, the District Homeless Liaison shall ensure that the student is immediately enrolled in school pending the resolution of the dispute.

VIII. Transportation

The District shall ensure at the request of the parent, or in the case of an unaccompanied youth, the District Homeless Liaison, transportation will be provided for a homeless student to the school of origin as follows:

- a. If the homeless student continues to live in the School District of Nassau County, in which the school of origin is located, transportation will be provided.
- b. If the homeless student moves to an area served by another district, though continuing his or her education at the school of origin, the district of

origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin.

- c. If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.

IX. Comparable Services

Homeless students shall be provided services and educational programs comparable to those offered to other students in the school selected, including the following:

- a. Preschool programs
- b. Transportation services
- c. Educational Services for which the student meets the eligibility criteria, including special education and related services and programs for English language learners
- d. Vocational and technical education programs
- e. Gifted programs
- f. School nutrition programs
- g. Title I
- h. Before- and After-School programs

X. Homeless Liaisons

The Superintendent shall ensure that there is a District Homeless Liaison and his/her duties are communicated to district and school personnel and appropriate community agencies and providers.

Authority: 1001.42, 1003.21 F.S.

Law Implemented: 1001.43, 1003.01, 1003.21, 1003.22, F.S. The McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 – 11436; Title I, Part A of the Elementary and Secondary Education Act, 20 U.S.C. §§6311 – 6315; The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 *et seq.*; April 6, 2002 Policy of the Child Nutrition Division of the U.S. Department of Agriculture; June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.

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