

Book

Administrative Rules

Section

CHAPTER 5 - PART I

Title

THE DISTRICT SCHOOL BOARD

Code

5.13 HOMELESS STUDENTS

Status

Active

Adopted

December 14, 2006

Last Revised

June 13, 2019

Last Reviewed

May 9, 2019

Prior Revised Dates

3/26/2015

5.13 HOMELESS STUDENTS

The School Board of Nassau County shall ensure that homeless children and youth (including those not yet identified and enrolled in the homeless program) have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths and other services needed to ensure an opportunity to meet the same challenging state academic standards to which all students are held and to fully participate in the district's academic and extracurricular activities and not be stigmatized or segregated on the basis of their status as homeless. The Home Liaison shall make a final determination of homeless status on a case by case basis. A homeless student who becomes stably housed during the academic year may remain at their school of origin for the remainder of the academic year and continue to receive all McKinney-Vento Act benefits.

I. Definitions

A. The McKinney-Vento Act defines homeless students as individuals who lack a fixed, regular, and adequate nighttime residence and includes:

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
2. Students who are living in motels, hotels, FEMA trailers, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
3. Students who are living in emergency or transitional shelters; are abandoned in hospitals; are waiting foster care placement.
4. Students who have a primary nighttime residence that is not designated for, or ordinarily used as a regular sleeping accommodation for human beings.
5. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
6. 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. The term "school of origin" means the school that the student attended when permanently housed or the school in which the child or youth was last enrolled, including a district preschool program..

D. The "designated receiving school" includes the next level school, elementary from prekindergarten, middle from elementary, high from middle, that a homeless child or youth, whose homelessness continues into the next school year, may attend when that next level school is the district designated school for those students in the homeless student's school of origin.

E. An "eligible school" includes the school of origin, the school zones for the address where the student is temporarily residing, or another school which students residing in that attendance zone are eligible to attend.

F. The terms "enroll and enrollment" mean attending school and participating fully in school activities.

G. The term "immediate" means without delay.

H. The term "parent" means parent or guardian of a student.

I. 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. 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.

III. School Selection

A. The District shall, according to the student's best interest, and by parent, guardian, caregiver, 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 currently living in any case in which a family becomes homeless between academic years or during an academic year.

B. In determining the best interest of the student, 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 child's or youth's parent, guardian, caregiver, or (in the case of an unaccompanied youth) the youth.

2. Consider student-centered factors to determine a placement that is in the student's best interest when determining placement in a school other than the child's or youth's school of origin.
3. 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.
4. 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.
5. The requirements of Administrative Rule 5.01 – Student Assignment I. – IV. and VI. shall not apply to homeless students.
6. The school selection may be documented through the Student Assignment waiver process.
7. Disputes - If a dispute arises over school selection:
 - a. The student shall be immediately admitted to the school of origin or assigned zone school as requested by the parent, guardian, caregiver, or unaccompanied homeless youth, 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; and
 - 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.

IV. Unaccompanied Homeless Youth

- 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.
- C. In cases in which there is no adult willing to serve as the Caregiver, the address of the Homeless Liaison may be used the student. (This should only occur with students 17 years of age and older.)

V. 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 to the school of origin if deemed to be in the student's best interest.

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.

VI. 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, and Title I.

D. Vocational and technical education programs

E. School nutrition programs

F. Before- and After-School programs

G. Preschool programs administered by the district

VII. Student Records Homeless student records will include health, academic, and guardianship records and evaluations for special services. Records will be made available in a timely fashion when a homeless student enters a new school. The records will be held confidential in a manner consistent with section 444 of the General Education Provision Act and will be treated as a student education record (not as directory information).

VIII. Homeless Liaisons

The Superintendent shall ensure that there is a District Homeless Liaison designated to carry out the duties described in the McKinney-Vento Act, including

communicating such duties to school personnel and appropriate community agencies and providers and coordinating with district programs, other school districts, community service providers and other organizations regarding homeless student issues, as needed.

Legal

Authority: 1001.42

Authority: 1003.21 F.S.

Law Implemented: 1001.43

Authority: 1003.21 F.S.

Law Implemented: 1001.43

Law Implemented: 1003.01

Law Implemented: 1003.21

Law Implemented: 1003.22

Law Implemented: The McKinney- Vento Homeless Assistance Act, 42 U.S.C. §§11431 – 11436

Law Implemented : Title I, Part A of the Elementary and Secondary Education Act, 20 U.S.C. §§6311 – 6315

Law Implemented: The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et seq.

Law Implemented: April 6, 2002 Policy of the Child Nutrition Division of the U.S. Department of Agriculture;

Law Implemented: June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.