

# SMYRNA SCHOOL DISTRICT

## District Policy

Article: 5000 Students

Title: Homeless Youth

Policy #: 5117

### **Students Homeless Education Program**

It is the policy of the Smyrna School District Board of Education to ensure that homeless children and youth are provided with equal access to its educational programs, have an opportunity to meet the same challenging state of Delaware and Smyrna School District academic standards, are not segregated on the basis of their status as homeless and to establish safeguards that protect homeless students from discrimination on the basis of their homelessness.

**The Smyrna School District will fully implement the McKinney-Vento Homeless Assistance Act.**

### **Procedure**

#### **Students Homeless Education Program**

##### **1. Definitions**

- a. Homeless Children and Youth – individuals who lack a fixed, regular, and adequate nighttime residence. Homeless children and youth include students who are:
  - sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - living in motels, hotels, or campgrounds due to the lack of alternative adequate accommodations;
  - living in emergency or transitional shelters;
  - abandoned in hospitals;
  - awaiting foster care placement, including all children in foster care placement
  - using a nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
  - living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
  - migratory children living in any of the circumstances described above;
  - unaccompanied youth living in any of the circumstances described above; and/or
  - runaway children or children who are abandoned.
- b. Unaccompanied Youth – a school-eligible youth not in the physical custody of a parent or guardian, including students who are runaways, students who are denied housing by their parents and other youth without a legal or participating caregiver.
- c. Migratory Child – a child who is a migratory agricultural worker or a migratory fisher, or child who has a parent, spouse, or guardian who is a migratory agricultural worker or a migratory fisher; AND the child moved within the preceding 36 months in order to seek or obtain qualifying work, or to accompany or join the migratory agricultural worker or migratory fisher in order to seek or obtain qualifying work.
- d. School of Origin – the last school the student was enrolled in or the school attended when the student was last permanently housed.
- e. School of Residence – the school that serves students residing in the geographic location where the student stays at night (lays his/her head).
- f. Surrogate Parent – an individual appointed by the DISTRICT and who:

- is not an employee of the Department of Education, the LEA, or any other agency that is involved in the education or care of the child (this requirement applies to all employees of the agency and not just those working directly with a particular child);
  - has no interest that conflicts with the interests of the child he or she represents; and
  - has knowledge and skills that ensure adequate representation of the child.
- g. Permanent Housing – any signed lease or long-term, approved living situation. Self-paying day-to-day in a motel is not considered permanent housing.

2. **Homeless Liaison**

The Homeless Liaison and/or his or her designee is responsible for identifying and immediately enrolling homeless children and youths present in the Smyrna School District. The Homeless Liaison and/or his or her designee is also responsible for providing assistance and support to homeless children and youth so as to help them succeed in school. The Homeless Liaison and/or his or her designee shall ensure that:

- a. Homeless children and youths are identified by the school designee and through outreach and coordination with other entities and agencies on an annual basis.
- b. Homeless children and youths immediately enroll in and have a full and equal opportunity to succeed in the challenging curriculum of the schools in the Smyrna School District.
- c. Homeless children and youths and their families receive educational services for which they are eligible and referrals to other appropriate services.
- d. The parents/guardians of a homeless child are informed of the educational rights and related opportunities available to them and are provided with meaningful opportunities to participate in the education of the child/youth.
- e. Public notice of the educational rights of homeless children and youths is disseminated in such public places as schools, meal sites, shelters, and other locations frequented by youth and parents or guardians.
- f. The parents/guardians of a homeless child or youth are informed of all transportation services, including transportation to the school of origin or to the school of residence.
- g. There is coordination of services between Smyrna School District and other homeless family service providers and other school districts (See Section 7.c, below).
- h. Assistance is provided to children and youth to obtain necessary immunizations, or immunization or medical records and other records ordinarily kept by the school.
- i. Students are not segregated on the basis of their status as homeless.
- j. Programs for homeless students are coordinated with other federal and local programs.
- k. In cases of homelessness resulting from alleged domestic violence, the parent/guardian will be informed that the student's e-school data can remain private if the parent indicates so in writing and that both parents have the legal right to access their child's school records unless contrary to a court order or judgment.
- l. Students identified as unaccompanied youth are provided assistance in making enrollment decisions.
- m. School designees are provided training on the McKinney-Vento Homeless Assistance Act and Smyrna School District Board policy related to homeless children and youth on an annual basis.

n. Enrollment disputes are mediated.

3. **Enrollment**

- a. Homeless children and youths must be immediately enrolled in and permitted to attend classes and school activities with their non-homeless peers.
- b. Homeless children and youth shall, according to the child's best interest, be permitted to:
  - continue in the school of origin for the duration of homelessness, in any case in which a family becomes homeless between academic years or during an academic year, or for the duration of the academic year, if the child or youth becomes permanently housed during an academic year; OR
  - enroll in the local attendance area school as determined by where the child is actually staying at night.
- c. In determining the best interests of the child or youth to the extent feasible the child or youth will be kept in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth, for the duration of homelessness. Student-centric factors should also be considered. If the school of origin is not to be the placement, a written explanation for the placement decision shall be provided. The liaison shall also provide all unaccompanied youth with assistance and notice of rights.
- d. Parents/guardians of a homeless child or youth and unaccompanied youth may also seek an internal transfer to any school in the DISTRICT upon the same terms and conditions that any non-homeless student is permitted to file an application for an internal school transfer. However, DISTRICT-provided transportation is not available if the sole basis for attendance is a request filed under the DISTRICT's internal transfer policy. When placement/enrollment in specific school is pursuant to rights expressly granted to homeless students by state or federal law, the DISTRICT's internal transfer policy shall not interfere with those rights (e.g., enrollment in the "school of origin" shall not be revoked under the DISTRICT's internal transfer policy at any point during the duration of the student's statutory right to attend the "school of origin").

4. **Residency**

- a. A homeless child or youth is a resident if the child is personally present somewhere within the Smyrna School District with a purpose to remain but not necessarily to remain permanently.
- b. The child or youth 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.
- c. Homeless students who do not live with their parents or guardians shall be permitted to enroll themselves in school.
- d. The address listed on the homeless enrollment form becomes proof of residency.

5. **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 Smyrna School District school.
- b. Once a child or youth is enrolled in and attending a Smyrna School District school, all required documentation, including verification of age, must be completed within a reasonable period of time for those children or youth who are not accompanied by a parent or guardian.

6. **Comparable Services**

- a. Each homeless child or youth shall be provided services comparable to services offered to other students in the school selected, such as:
- fee waivers
  - early childhood programs
  - transportation services
  - educational services for which the child or youth meets eligibility criteria such as ESL or special education programs
  - programs for “At Risk” students
  - programs for advanced learners
  - school nutrition programs including school lunch, breakfast and snack programs
  - Title I services
  - after-school programs

7. **Transportation to the School of Origin**

- a. At the request of the Homeless Liaison or designee, transportation will be provided for homeless children and youths to the school of origin for the duration of homelessness. The Smyrna School District has the right to determine the mode of transportation to the school of origin.
- b. Where a homeless student is attending a school pursuant to a legal entitlement applicable to homeless children and youths (i.e., the school of origin or the attendance-area school applicable to a temporary residence), and where the family finds permanent housing, the Smyrna School District will provide or fund transportation for the remainder of the school term to/from the school the student was attending at the point they found permanent housing. For most middle and high school students, the transportation option available under this paragraph will be in the form of a DISTRICT-provided Metro bus pass. Students who find permanent housing in an attendance area other than the attendance area for the school the student was attending at the point they found permanent housing will be required to follow the internal transfer processes set forth in Board Policy 5109 in order to apply for an internal transfer for the following school year if they wish to continue attendance in the non-attendance area school or the following school year.
- c. In the case where the school of origin and current residence are in two different school districts, the two school districts will agree on a method for transportation and share costs.

8. **Homeless Unaccompanied Youth**

- a. A homeless unaccompanied youth who is also a student with a disability with either and IEP or a 504 Plan or who is in the process of being evaluated for special education services shall be provided with a surrogate parent if, after multiple attempts, the legal parent or guardian cannot or will not participate in the student’s special education.
- b. Homeless unaccompanied youth who are without an adult caregiver, even if they are minors, may excuse their own absences in accordance with the DISTRICT’s attendance policies and may sign school paperwork normally intended for parent/guardian signature.

9. **Disputes**

- a. If a dispute arises over school selection or the initial/on-going enrollment in a school the child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute.
- b. The Homeless Liaison shall carry out the dispute process as expeditiously as possible after receiving the notice of the dispute.

- c. Appeals will go to the SUPERINTENDNT or his/her designee. The parent or guardian of the child or youth, or unaccompanied youth shall be provided with a written explanation of the appealed decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision to the School Board and then to the Delaware Department of Education.

Approved by Board of Education, April 12, 2017