



## **McKinney-Vento Homeless Education Act**

### **Standard Operating Procedure / Policy**

**Subject:** McKinney-Vento Homeless Education Act

**Effective Date:** 2019| **Revised Date:** 2021

**Purpose:** Education of Homeless Children and Youth

#### **Introduction**

BIA adopts the federal definition of homeless children and youth as defined in The McKinney-Vento Homeless Education Act. Under the McKinney- Vento Homeless Education Act, homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence. BIA will follow the requirements of the McKinney-Vento Homeless Assistance Act (reauthorized in 2004) to ensure that all students receive a free, appropriate, public education and are given meaningful opportunities to succeed in our schools.

#### **Identification of Homeless Children and Youth**

The registrar and staff are sensitive to the parents and are able to identify those who may not have a permanent home. Residency affidavits, which are required annually, are also a means of identification. These families are then referred to the Homeless Liaison for final determination of their status.

Homeless Children and Youth include:

- Are temporarily sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason
- Are living in motels, hotels or camping grounds due to the lack of alternative adequate accommodations
- Are living in emergency shelters
- Are abandoned in hospitals
- Having a nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings
- Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- Runaway children or children who are abandoned



Migratory children and unaccompanied youth (youth not in the physical custody of a parent or guardian) may be considered homeless if they meet the above definitions. Homeless status is determined in cooperation with the parents in the case of unaccompanied youth the local educational agency liaison and the district liaison.

Homeless children at BIA have access to the educational and other services that are available to all students. In addition, the Title I-A Homeless set aside funds can be used to pay for internet connectivity, transportation, field trips, school supplies or any other academic needs that parents of non-homeless students would provide.

Children are viewed with respect at BIA; therefore, this policy will not refer to children as homeless - it will instead use the term children and youths experiencing homelessness.

## **Definitions**

The term children and youths experiencing homelessness includes students who are otherwise legally entitled to, or eligible for, a free, public education (including preschool), but who lack a fixed, regular, and adequate nighttime residence.

A child or youth is considered to be experiencing homelessness for as long as he or she is in a living situation outlined in the McKinney-Vento Act and until the end of the school year in which the student moves into permanent housing.

The term unaccompanied youth includes a youth not in the physical custody of a parent or guardian and who is homeless as defined by law. The more general term youth also includes unaccompanied youth.

The terms enroll and enrollment include attending classes and participating fully in school activities.

Immediate means without delay.

Parent means a person having legal or physical custody of a child or youth. Legal guardians are included in this term.

School of origin means the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.



Local Liaison is the staff person designated by the system's LEA and each LEA in the state as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Homeless Assistance Act.

### **Identification Process**

The Homeless Liaison in collaboration with community organizations and/ GaDOE, will identify children and youths experiencing homelessness in the district, both in and out of school, and maintain access to data regarding students in this situation. The liaison or designee will train school personnel on possible indicators of homelessness, sensitivity in identifying families and youth experiencing homelessness, and procedures for forwarding information indicating homelessness to the liaison. The liaison will also instruct school registrars and secretaries to offer homeless education information upon the enrollment and withdrawal of every student and to forward information indicating homelessness to the liaison.

Children and youths experiencing homelessness will be assessed, reported on, and included in accountability systems as required by federal law and U.S. Department of Education Regulations and Policy Guidance. The liaison will keep data on the number of children and youths experiencing homelessness in the district - where they are living, their academic achievement (including performance on state and district-wide assessments), and the reasons for any enrollment delays, interruption in their education, or school transfers.

### **School Selection**

Each child and youth experiencing homelessness has the right to remain at his or her school of origin or to attend the school that serves students who live in the attendance zone in which the child or youth is actually living. Therefore, children and youths experiencing homelessness may remain at BIA to the extent feasible, except when doing so is contrary to the wishes of the child's parent or guardian.

### **Enrollment**

Consistent, uninterrupted education is vital for academic achievement. Due to the realities of homelessness and mobility, students experiencing homelessness may not have school enrollment documents readily available. Nonetheless, the school selected for enrollment must immediately enroll any child or youth in this situation. Enrollment will



not be denied or delayed due to the lack of any document normally required for enrollment.

Transitional students (both homeless and foster) are entitled to enrollment regardless of availability of paperwork. Paperwork should include: a) affidavit of residence for those sharing house with others; b) Hotel/motel receipts for those individuals living in hotel, motel, campground or similar setting; c) verification of living in shelter by a social worker; d) verification of living in a residency not designed for regular sleeping accommodations (cars, parks, public buildings, abandoned buildings, etc.)

Unaccompanied youth must also be immediately enrolled in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or the LEA local liaison. If complete records are not available, IEP teams or other committees or school officials, as appropriate, must use good judgment in choosing the best course of action, balancing procedural requirements, and the provision of services. In all cases, the goal will be to avoid any disruption in appropriate services.

Students identified as homeless are entitled:

- To enroll in school immediately with or without typical documentation such as medical records, proof of residency or school records.
- To continue in the school of origin or enroll in a public school in the district where they are temporarily housed.
- When feasible, to transportation to their school of origin or the school where they are to be enrolled.
- To participate in all activities that the school sponsors.
- To Title I services.
- To services without fear of discrimination.
- To receive all other educational and supplemental services that all students are provided.

During a parent conference, the Homeless Liaison will discuss available options to assist the family, such as providing lists of outside resources. Title I set aside funds will cover costs to assist transitional students to fully participate in school, such as providing Internet capability through a hotspot.

The Homeless Liaison will keep details of the conference with the parents and notate the discussions in the student information system. If the liaison deems necessary, she



may sign permission slips for unaccompanied youth to attend field trips or other school sponsored activities.

### **Transportation**

Transportation is not offered to any student at BIA; however, BIA may assist with transportation needs when needed by any student considered experiencing homelessness.

### **Services**

Children and youths experiencing homelessness shall be provided services comparable to services offered to other students in the school selected. School personnel must also inform parents of all educational and related opportunities available to their children and provide parents with meaningful opportunities to participate in their children's education. All parent information required by any provision of this policy must be provided in a form, manner, and language understandable to each.

### **Disputes/Complaints /Fraud**

Written notice will be provided to homeless youth and their families when enrollment and continuation of a homeless child or youth in the school of origin is not feasible. If a dispute arises due to the determination, the process in the Education for Homeless Policy and Procedures manual

If a dispute arises over any other issue covered in BIA's Homeless policy or procedures, the child or youth experiencing homelessness shall be immediately admitted to the school pending final resolution of the dispute. The child shall have rights to all the privileges and services that a non- homeless student would have. Should a family provide false information regarding their situation, BIA, at its discretion, could withdraw the student and recommend a return to their local school district.

#### **Level I Appeal – Homeless Liaison**

- The Homeless Liaison will maintain a log of all disputes with time and date of receipt.
- The parent or unaccompanied youth may file a request for dispute resolution with the District Liaison by submitting a request for appeal in writing via email or completing the Dispute Resolution Form



- Within one business day, the Homeless Liaison will consider all documentation and make a determination. The Homeless Liaison will notify the parent or guardian of the determination in writing.

- If the parent or unaccompanied youth disagrees with the decision made at this level, the parent or unaccompanied youth shall notify the Homeless Liaison of their intent to proceed to Level II within two (2) business days of the Level I decision.

#### Level II Appeal – Head of School

- The parent or unaccompanied youth may appeal the decision to the Head of School, or the Head of School's designee (the designee shall be someone other than the District's Liaison) using dispute resolution form provided at the Level 1

- The Head of School or designee will provide a decision in writing to the parent or unaccompanied youth with supporting evidence and reasons, within three (3) business days of the Head of School's or the designee's receipt of the appeals form.

- A copy of the appeals form, along with the written decision made at Level II is to be shared with the District's Liaison

- If the parent or unaccompanied youth disagrees with the decision made at Level II, the parent or unaccompanied youth shall notify the District's Liaison of their intent to proceed to Level III within two (2) business days of the Head of School's written decision.

#### Level III Appeal – GaDOE

- The District Superintendent or designee should forward all written documentation and related paperwork to the GaDOE Department of Legal Services for review, within five (5) business days of being informed that the parent or unaccompanied youth would like to appeal the decision

- A complaint to GaDOE must be made in one of two ways:

- o In writing and signed by the complainant

- o Or Submitted electronically through the Department's online complaint process at:

- <http://programcomplaint.doe.k12.ga.us/everestwebportal/webform.asp>

GaDOE Contact: Eric McGhee, Grants Program Manager, Phone: (404) 344-4526, Fax: (404) 344-4526, Email: [emcghee@doe.k12.ga.us](mailto:emcghee@doe.k12.ga.us).