

POLICY

SOMERSET COUNTY
BOARD OF EDUCATION

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Subject: Procedures for the Registration, Transfer and Withdrawal of Homeless Children/Youth	Date Approved: March 19, 1991 September 16, 2003 February 21, 2006 May 26, 2009 Date Revised: July 2003 December 19, 2005 March 17, 2009 Date Effective: March 19, 1991 February 21, 2006 May 26, 2009

1. PURPOSE

Title VII, Subtitle B, of the Stewart B. McKinney-Vento Homeless Assistance Act as amended by the No Child Left Behind Act of 2001 Public Law (107-10), Education for Homeless Children and Youths, Title X, Subtitle B: Provides federal regulations for ensuring that homeless children and youths have access to a free, appropriate public education including preschool education, which would be provided to children of residents of the state and is consistent with state attendance laws. It includes educational services for which the child meets the eligibility criteria, such as compensatory education programs for the disadvantaged, educational programs for the handicapped and for students with limited English proficiency, programs in vocational education, programs for the gifted and talented and school meal programs.

2. GUIDELINES

A. Definitions (COMAR 13A.05.09.01/.02):

- (1) McKinney-Vento Act defines homeless children and youth as individuals who lack a fixed, regular, and adequate nighttime residence. The term includes:
- (2) Children and youth who are:
 - (a) sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as double-up);
 - (b) living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations; or
 - (c) abandoned in hospitals;
 - (d) living in emergency or transitional shelters; or
 - (e) awaiting foster care placement

- (3) Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- (4) Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (5) Migratory children – students as defined under federal law who qualify as homeless because they are living in circumstances set forth above. This includes children and youths who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason.
- (6) “Unaccompanied youth” – means a youth not in the physical custody of a parent or guardian.
- (7) Parent – includes natural parent, adoptive parent, legal guardian, person acting in place of parent or person legally responsible for student’s welfare
- (8) “Enroll” and “Enrollment”- include attending and participating fully in school activities.
- (9) “School of origin”- defined as the school the child/youth attended when permanently housed or the school the student last attended when enrolled.
- (10) “Local Homeless Liaison” – defined as the local school system’s Homeless Coordinator for children, youth, and families.

B. Registration/Enrollment

- (1) A parent or guardian and student with a questionable place of residence may present themselves to register at a public school. School personnel should make a determination of student's homelessness based upon the definition given. If the student is identified as homeless, register the student immediately and arrange free lunch and transportation needs.
- (2) The homeless student has options for registration:
 - (a) maintain status of a registered student in the school/school district attended before the homeless situation developed provided transportation can be resolved where feasible or
 - (b) register in the school/school district where he/she is presently living. Before making a decision, administrative personnel should consult with the parent or guardian and/or student and carefully consider what is in the best interest of the student (e.g., transportation, special programs, family plans).
- (3) A student may arrive at the school without a parent or legal guardian and want to register.

If it is determined, by definition, that the student is homeless, register the student and Contact the Student Services Department. The Student Services Department will assist the school in locating and making contact with the parent or guardian to complete the registration process. Documentation of all written/verbal communication and home visits to contact the parent or guardian must be maintained.

- (4) In exceptional situations where no parent or legal guardian can be located, the school administration will contact the local Department of Social Services to report the homeless child as a child in need of assistance. In turn, they will also report their contact with the Department of Social Services to the Student Services Department. A child in need of assistance may be taken into custody by court order and placed in court-approved shelter care. Where no parent, legal guardian or other individual assumes legal responsibility, the local Department of Social Services becomes the court appointed legal custodian for the homeless child. The child may be placed in foster care and temporary authority for decision-making will be delegated to a foster parent.
- (5) Reports
 - (a) A homeless student without a birth certificate and/or immunization records may want to register. If so, the school administrative personnel should register the student and contact the former school by telephone to request the student's records and discuss immunization information and tentative placement. An instructional diagnostic test may also be administered to determine the student's skill needs and appropriate placement. If it is determined that no records are available or exist, the local school should create a cumulative record folder in accordance with the Maryland Student Records System guidelines.
 - (b) The school administrative personnel should contact the local health department to obtain information about the immunization status of a homeless student. If there are no records of the homeless student's immunization status, an appointment for the student needs to be made immediately with the local health department and follow-up provided to ensure that the student has been immunized of blood titers drawn.

C. Best Interest Determination

- (1) In determining the best interest of the homeless student, the Principal/Designee in collaboration with the Homeless Coordinator shall:
 - (a) To the extent feasible, keep the homeless student in the school of origin except when doing so is contrary to the wishes of the homeless student's parent or guardian
 - (b) If the homeless student is sent to a school other than the school requested by the parent or guardian, provide a written explanation to the parent or guardian include a statement regarding the right to appeal

- (c) If the student becomes permanently housed during the academic year, he or she is entitled to stay in the school of origin for the remainder of the academic year
- (d) In the case of an unaccompanied homeless student, ensure that the homeless coordinator assists in placement or enrollment decisions, considers the views of the student, and provides the student with notice of the right to appeal

D. Comparable Services

- (1) Each homeless student shall be provided services comparable to the services offered to other students in the school, which the homeless students attends. Such services include but are not limited to (**Note:** any applicable fees should be waived):
 - (a) transportation services
 - (b) educational and other services that need to ensure that they have an opportunity to meet the same challenging State Student Academic Achievement Standards to which all students are held
 - (c) vocational and technical education programs
 - (d) programs for gifted and talented students
 - (e) school nutrition programs
 - (f) Educational field trips

E. Transfer

- (1) Homeless students very often leave school without officially transferring and obtaining an SRS7 transfer form. If this happens, follow the policy established by the school system:
 - (a) Receiving School: If a homeless student is transferring without the SRS7 transfer form, register the student and call the former school for transfer information.
 - (b) Sending School: Give requested information over the telephone and forward records for the homeless student in a timely manner.
- (2) Withdrawal
 - (a) Homeless students may leave school prior to graduation and without officially transferring. If this happens, school systems should follow established procedures for student withdrawal.
 - (b) A homeless student may return to his/her former school or transfer to a new school within the same academic year. If this happens, make every effort to remove the Student from withdrawal status and place on re-entry or transfer status. School administrative personnel should contact the previous school by telephone to request the student's records and discuss educational placement. Student records should be forwarded in a timely manner.
- (3) Recordkeeping - All homeless children and youth between the ages of 0-18 years who enter a shelter, register in a school or receive emergency motel/hotel placement will be included in the tracking system under the supervision of the Maryland State Department of Education.

- (a) At the time of registration, school administrative personnel should obtain the following information for every homeless student registered: age, sex, race, school level and housing arrangement (shelter, motel/hotel, relatives, etc.).
- (b) Specific information on homeless students may be requested monthly by the Maryland State Department of Education.
- (c) The forms to be used at the school level for recording necessary information to be reported to the Maryland State Department of Education will be found in the administrative procedures. These forms should be part of the registration process and completed as each identified homeless student is registered. Completed forms should be maintained in the school and a copy forwarded to the Student Services department designee by the 5th of each month or upon a student becoming homeless.

F. The Homeless Coordinator

The homeless coordinator shall ensure that:

- (1) Homeless students are identified by school personnel and through coordination activities with other entities and agencies
- (2) Homeless students enroll in and have a full and equal opportunity to succeed in school
- (3) Homeless students and families receive educational services for which such students and families are eligible, including Head Start programs and preschool programs
- (4) The parents of homeless students are informed of the educational and related opportunities available to them and are provided with meaningful opportunities to participate in the education of their children
- (5) Public notice of the educational rights of homeless students is disseminated where such students receive services, such as schools, family shelters, and soup kitchens
- (6) Enrollment disputes are mediated according to applicable procedures
- (7) The parents of homeless students, and unaccompanied homeless students, are fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing such transportation

G. Enrollment Disputes

- (1) If a dispute arises over school selection or enrollment in a school:
 - (a) The homeless student shall be immediately admitted to the school of origin or school in the attendance area where the student actually lives pending resolution of the dispute
 - (b) The parent shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the right to appeal the decision
 - (c) In the case of an unaccompanied homeless student, the homeless liaison shall ensure that the student is immediately enrolled in school pending resolution of the dispute

- (2) Disputes regarding enrollment, school selection and services to be provided shall be addressed as follows:
- (a) Upon receipt of a written complaint from the parent of a homeless student, or an unaccompanied homeless student, the principal shall resolve the complaint within 5 school days
 - (b) If the parent or the unaccompanied homeless student is dissatisfied with the resolution, or if the principal does not issue a decision within 5 days, the parent or the unaccompanied homeless student may file a written complaint with the Superintendent
 - (c) The Superintendent shall issue a decision within 10 school days
 - (d) If the Superintendent does not issue a decision within 10 days, or if the parent or the unaccompanied homeless student is dissatisfied with the decision, the parent or the unaccompanied homeless student may appeal the decision to the local board, in writing, within 30 days, pursuant to Education Article, 4-205(c), *Annotated Code of Maryland*
 - (e) The local board shall decide the appeal on an expedited basis within 45 days of receipt of the appeal
 - (f) If the parent or the unaccompanied homeless student is dissatisfied with the decision of the board, the parent or the unaccompanied homeless student may appeal the decision to the State board, in writing, within 30 days, pursuant to *COMAR 13A.05.09.07.07*
 - (g) During the dispute resolution process including any appeals, the student shall remain enrolled in the school system/school.