

Gardner Public Schools

The goal of the McKinney-Vento Homeless Education Assistance Act is to ensure that each homeless child, or youth, has equal access to the same free, appropriate public education, including a public preschool education as provided to other children and youths.*

* Please refer to the district policy HOMELESS STUDENTS: ENROLLMENT RIGHTS & SERVICES (JFABD), for further information

Definitions

Section 725(2) of the McKinney-Vento Act, as reauthorized under the Every Student Succeeds Act of 2015 (ESSA), defines “**homeless children and youths**” as individuals who lack a fixed, regular, and adequate nighttime residence. The term includes

- Children and youths who are:
 - sharing the housing of other persons due to loss of housing, economic hardship, or similar reason (sometimes referred to as doubled up);
 - living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative, adequate accommodations;
 - living in emergency or transitional shelters; or
- -abandoned in hospitals Children and youths 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;
- Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children who qualify as homeless because they are living in circumstances described above

School of origin: the school the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled, including preschool. When a child or youth completes the final grade level served by the school of origin, the school of origin includes the designated receiving school at the next grade level for all feeder schools.

Unaccompanied youth: a homeless child or youth not in the physical custody of a parent or guardian.

Enrollment

All homeless students are enrolled and given needed support without delay. Each building administrative assistant know to contact Pupil Services whenever a student is identified in need so supports can be coordinated through one office. The Gardner Public Schools recognizes that consistent, uninterrupted education is vital for academic achievement. In determining the best interest of the child or youth the district shall:

1. Presume that keeping the child in the school of origin is in the child or youth's best interest except when doing so is contrary to the request of the child or youth's parent or guardian or unaccompanied youth.
2. Consider student centered factors related to the child or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian, or unaccompanied youth.

Due to the realities of homelessness and mobility, students in transition may not have enrollment documents available. Nonetheless, the school selected for enrollment must immediately enroll any child or youth in transition. Enrollment may not be denied or delayed due to a lack of documentation normally required for enrollment. This includes the following:

- Proof of residency
- Transcripts/school records. (The enrolling school must contact the student's previous school(s) to obtain records. Initial placement of students whose records are not immediately available can be made based on the student's age and information gathered from the student, parent, and previous teachers or schools.
- Immunizations or immunization/health/medical/physical records (if necessary, the school must refer students to the homeless liaison to assist with obtaining immunizations and/or immunizations and other medical records. Health records may often be obtained from previous schools. Local physicians may be contacted to initiate immunizations when needed)
- Proof of guardianship may often be obtained from a social worker or court documents
- Birth Certificate
- Any other documentation required, e.g. IEPs, Section 504 Plans, School Discipline Records
- Any documentation/factor related to the student's living situation

Unaccompanied youth must also be immediately enrolled in school. They may

enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or liaison from the courts or a state agency. The terms “enroll” and “enrollment,” are defined to mean the attending school and availability to participate in school activities.

The school district recognizes the needs for enrollment of unaccompanied children and youth, and at the same time reserves its rights and legal authority to balance those needs versus the safety of the school. As a result these procedures and the accompanying policy do not preclude the district from exercising its rights to ensure the public safety of all of its children. Should the district find that information that was provided was deliberately falsified either orally or in writing, it reserves the right to pursue criminal charges to the extent of the law.

Information about a homeless student’s living situation shall be treated as a student education record and not be deemed to be directory information and therefore cannot be shared with the public including landlords.

Transportation

Without appropriate transportation, a student may not be able to continue attending his/her school of origin. To avoid such forced school transfers, transportation shall be provided to the school of origin for a child or youth in transition. Transportation will be provided for the entire time that the youth has a right to attend that school, as defined above, including during pending disputes. The homeless liaison shall request transportation to and from the school of origin for an unaccompanied youth. The length of the commute will be considered in determining the feasibility of placement in the school of origin. Factors that may be considered are time of day of transportation, distance to and from school, age of the student medical needs or other disabilities. Parents and unaccompanied youth must be informed of this right to transportation before they select a school for attendance. Transportation will be provided until the end of the school year.

Transportation requests from schools should be made to the homeless liaison in a timely manner in order to avoid or minimize delay. If the student in transition is living in Gardner, but attending school in another district, the Gardner Public Schools will work mutually with the other district to determine who must arrange transportation. It is the Gardner Public School’s policy that inter-district disputes shall not result in a student in transition missing school. If such disputes occur, the Gardner Public Schools will arrange transportation and immediately bring the matter to the State Coordinator for the Education of Homeless Children and Youth.

In addition to receiving transportation to and from the school of origin, children and youth in transition shall also be provided with other transportation services

comparable to those offered to all other students.

Services and Parent Engagement

The District Homeless Liaison works with the guidance department, administrative assistants, nurses, and other school personnel to ensure that parents and guardians of homeless students are informed of the educational and related opportunities available to their children and are provided meaningful opportunities to participate in their children's education.

Children and youth in transition shall be provided services comparable to services offered to other students in the school selected. These services include public preschool programs and other educational programs or services for which a homeless student meets the eligibility criteria.

- Transportation (as described above)
- Title I (as described below)
- Educational services for which the student meets eligibility criteria, including special education and related services and programs for English language learners
- School nutrition programs
- Before and after school programs
- Career and technical education

Homeless families and homeless children and youth receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services. Counselors in each building notify the district care coordinators as applicable.

The Gardner Public Schools recognize that children and youth in transition suffer from disabilities at a disproportionate rate, yet may not be frequently evaluated or provided with special education services. To address this problem, evaluations of children and youth suspected of having a disability receive evaluation services coordinated with the student's prior and subsequent schools, as necessary, to ensure timely completion of a full evaluation.

When necessary, the district will expedite the request for the designation of a surrogate parent.

If a student has an individualized education plan (IEP), or Section 504 Accommodation Plan, the enrolling school shall immediately implement said plan. Any necessary TEAM meetings or re-evaluations will be expedited. If complete records are not available, IEP TEAMS will use their best judgment in choosing the best course of action in balancing procedural requirements and

the provision of services. In all cases, the goal will be to avoid a disruption in services.

When applying any district policy regarding tardiness or absences, any tardiness or absences related to a child or youth's living situation will be excused. The Gardner Public Schools will ensure that every effort is made to identify and afford equal access to the curriculum and support services. The homeless liaison in concert with appropriate school personnel (guidance, school nurse) will refer students for appropriate outpatient healthcare services including dental, mental health services, and other appropriate services.

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 these procedures must be provided in a form, with manner and language understandable to each parent.

Free Meals

To help ensure that children and youth in transition are available for learning, The U.S. Department of Agriculture has determined that all children and youth in transition are automatically eligible for free meals. On the day that the child or youth in transition enrolls in school, the enrolling school will submit the student's name to the appropriate resource for immediate processing.

Title I

Children and youth in transition are automatically eligible for Title I services, regardless of what school they attend. The trauma and instability of homelessness puts such students at risk for academic regression and warrants additional support. The Director of Title I will reserve such funds that are necessary to provide services comparable to those provided to Title I students to children and youth in transition attending non-participating schools. The amount reserved shall be determined by a formula based upon per pupil Title I expenditure and developed jointly by the Director of Title I, and the homeless liaison.

The Gardner Public School's Title I Plan will be coordinated with our McKinney-Vento services.

Children and youth in transition will be assessed, reported on, and included in accountability systems, as required by state and federal law and regulations.

Training

The homeless liaison or designee will conduct training and sensitivity awareness activities for the following school staff on an annual basis:

- Superintendent and/or designee
- Principals
- Assistant Principals
- Federal Program Administrators
- School Secretaries
- Counselors, Adjustment Counselors, School Psychologists
- Cafeteria workers\School Nurses
- Teachers and Other Professional Staff

The training and activities will be designed to increase staff awareness of homelessness, facilitate immediate enrollment, ensure compliance with the policy and procedures, and increase sensitivity to children and youth in transition.

Disputes

If a dispute arises over any issue covered in the policy or procedures, the child or youth in transition shall be immediately admitted to the school in which enrollment is sought, pending final resolution of the dispute. The student shall also have the rights of a student in transition to all appropriate educational services, transportation, free meals, and Title I services, while the dispute is pending. The duration of responsibility for Gardner Public Schools for homeless students living outside of Gardner and transported to their school of origin in Gardner, will cease at the end of the school year.

If a dispute arises over a homeless student's placement or enrollment in a school. The school must immediately notify the district's homeless education liaison. The homeless liaison will ensure:

1. the school in which enrollment is sought immediately admits the homeless student and transportation provided (if needed), pending resolution of the dispute;
2. the school provides the parent or guardian of the school with a clear, easy to understand written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or unaccompanied youth to appeal the decision to ESE and the option to obtain independent information and counsel;
3. written notice of the denial to the parent, guardian, or unaccompanied youth on the day of the denial is provided using the form prescribed by ESE (see School District Notification of Enrollment Decision)
4. the prescribed ESE form to be completed by the parent/guardian, or unaccompanied homeless youth is provided should he or she decide to appeal the school district's enrollment decision. (see Appeal of School

District's Enrollment Decision);

5. assistance is given to the parent/guardian or unaccompanied homeless youth in promptly submitting an appeal to ESE in three school days with an extension of up to ten additional school days (contact must be made to the state coordinator regarding an extension)
6. notice is given to the parent/guardian or unaccompanied homeless youth that he or she may initiate a dispute by contacting ESE if the district has not notified the parent of its enrollment decision or the parent's right to appeal that decision.

Following receipt of the district's denial from the appeal by the parent/guardian or unaccompanied homeless youth and any additional requested information, the ESE Commissioner or the Commissioner's Designee shall promptly issue a decision usually in 5 to 10 school days. The decision of the Commissioner or Commissioner's Designee shall be final

Public Notice

The homeless liaison ensures that public notice of the educational rights of homeless children and youth is disseminated in locations frequented by parents or guardians of such children and youth and unaccompanied youth, including schools, shelters, public libraries, and soup kitchen in a manner and form understandable to the parents and guardians and unaccompanied youth.

The Homeless Liaison for the Gardner Public Schools is the Director of Pupil Personnel Services, and can be reached at (978) 630-4076.

ESE's Homeless Education State Coordinator: (781) 338-6330, Sarah Slautterback sslautterback@doe.mass. See attached forms:

IV a. School District Notification to Parent/Guardian of Enrollment Decision

IV b. Parent/Guardian Appeal of School District Enrollment Decision

McK-V

Form A

POLICY
HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

To the extent practical and as required by law, the district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs.

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
7. Migratory children living in conditions described in the previous examples.

The superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families.

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living, or other schools. Attendance rights by living in attendance areas, other student assignment policies, or intra- and inter-district choice options are available to homeless families on the same terms as families resident in the district.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to district policies. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student, or will divide the costs equally.

The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students.

File: JFABD

[Adopted: March 2004]

LEGAL REF.: Title I, Part C

Every Student Succeeds Act, 2015