

ROSLYN UNION FREE SCHOOL DISTRICT

HOMELESS CHILDREN

POLICY 5151

The Board of Education recognizes its responsibility to identify homeless children, as that term is defined under federal and state law, within the School District, encourage their enrollment and eliminate existing barriers to their education which may exist in School District practices. The Board of Education will provide that homeless children attending the schools in the School District with access to the same free and appropriate public education, including preschool services to which they are eligible, as other children.

In order to determine whether there are unserved homeless children in the School District, the School District shall contact the local department of social services, local runaway and homeless youth shelters and any other shelters located in the School District. It is understood that not all homeless students can be identified through agencies as they may be sharing the housing of other persons, such as family or friends, due to loss of housing, economic hardship, or other similar reason. Accordingly, the School District will utilize an enrollment form that asks for a description of the current living arrangement of the child or youth in order to determine whether the child or youth meets the definition of a homeless child under the McKinney-Vento Homeless Education Assistance Act and New York State Education Law.

A “homeless child” is a child who lacks a fixed, regular, and adequate nighttime residence or who has a primary nighttime location in a public or private shelter designed to provide temporary living accommodations, or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This definition also includes a child who shares the housing of others due to loss of housing, economic hardship, or similar reason; lives in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; lives in a car, park, public space or abandoned building, substandard housing, bus or train station or similar setting; has been abandoned in a hospital or is awaiting foster care placement; or is a migratory child who qualifies as homeless. An “unaccompanied youth” is a homeless child not in the physical custody of a parent or legal guardian.

A homeless child has the right to attend school in either the district of origin (i.e., where he/she resided before becoming homeless), or the school in which he/she was last enrolled, including preschools, and receiving schools (i.e., the school a child is to attend after completing the final grade level at the school of origin), the school in the district of current location (i.e., where he/she currently resides as a result of his/her homelessness) that he/she is entitled to attend based on attendance zone or general eligibility, or a school in a district participating in a regional placement plan. The child is entitled to attend the designated school district on a tuition-free basis for the duration of his or her homelessness. If the child is relocated to temporary housing outside the School District, or to a different attendance zone or community school district within the School District, the child is entitled to continued attendance in the same school building until the end of the school year and for one additional year if that year constitutes the child’s terminal year in such building. If the child is relocated to temporary housing outside the School District, or to a different attendance zone or community school district within the School District, the child is entitled to continue attendance in the same school building until the family secures permanent housing. If the child relocates to permanent housing outside the School District and was previously in temporary housing this school year, he/she is entitled to transportation for the remainder of the school year.

The Superintendent of Schools or his/her designee shall develop procedures necessary to expedite the homeless child's access to the designated school. Such procedures shall include:

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1. Admission: Upon designation, the School District shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical or immunization records, proof of residency or other documentation and even if there is a dispute with the child's parents regarding school selection or enrollment. During a dispute, the student may continue attending the school until final resolution of the dispute, including all available appeals.

Homeless children will have the same opportunity as other children to enroll in and succeed in the School District's schools. They will not be placed in separate schools or programs based on their status as homeless. The District shall eliminate barriers to identification, enrollment and retention of homeless children, including barriers to enrollment and retention due to outstanding fees, fines or absences.

2. Transportation: The School District shall provide transportation for homeless students currently residing within the School District in accordance with the district's transportation guidelines, and as required by applicable law. If a child is receiving transportation to his/her school of origin and obtains permanent housing during the school year, the student has the right to continued transportation services to the school or origin until the end of the academic year, as well as if the student completes the final grade level in a building, or attends the designated receiving school at the next level. If the homeless child attends a summer educational program and the lack of transportation poses a barrier to such child's participation in the summer educational program, the District shall provide transportation. Additionally, the District shall provide or arrange for transportation to extracurricular or academic activities where: (1) the homeless child participates in or would like to participate in an extracurricular or academic activity, including an after-school activity at the school; (2) the homeless child meets the relevant eligibility criteria for the activity the lack of transportation poses a barrier to such child's participation in the activity. The District should provide transportation for academically-based extracurricular activities and summer school and each potential activity should be reviewed on an individual basis to determine transportation eligibility.
3. School Records: For homeless students attending school out of the School District, the School District shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship papers, if applicable. For homeless students attending school in the School District, the School District shall request the student's records (academic, medical, etc.) from the school the student last attended.
4. Coordination: The School District shall coordinate with local social services agencies and other entities providing services to homeless children and their families for the provision of services to homeless children, and shall coordinate with other school districts on issues of prompt identification, transportation, transfer of records, and other inter-district activities. This shall include ensuring the provision of appropriate services to homeless students with disabilities who are eligible for services under either Section 504 or IDEA.

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The Superintendent of Schools or his/her designee shall also designate a liaison for Homeless children and ensure that this person is aware of his or her responsibilities under the law. The Superintendent shall ensure that the liaison receives appropriate professional development on identifying and meeting the needs of homeless students, including the definitions of terms related to homelessness. The liaison's responsibilities shall include, but not be limited to, ensuring that:

1. Parents or guardians of homeless children are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
2. Parents and guardians and unaccompanied youth are fully informed of all transportation services available to them, and are assisted in accessing them;
3. Enrollment disputes involving homeless children are promptly mediated and resolved;
4. School personnel, through outreach and in coordination with shelters and social service agencies and other appropriate entities identify homeless children, including homeless preschoolers;
5. Homeless children receive educational services for which they are eligible, as well as referrals to health care and other appropriate services for homeless children and their families, and;
6. Public notice of educational rights of homeless children is disseminated in locations frequented by homeless unaccompanied youth and parents/guardians of homeless children, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to them;
7. Staff who provide services to homeless students receive required professional development and support on identifying and meeting the needs of homeless students;
8. Homeless unaccompanied youth are informed of their rights, are enrolled in school, and have opportunities to meet the same State standards set for all students, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations.

In accordance with law and regulation, the School District will offer a prompt dispute resolution process described in more detail below.

In accordance with the Regulations of the Commissioner of Education, the School District shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children within the State.

The district office shall maintain forms provided by the Commissioner of Education for designating a homeless child's district of attendance. These forms must be provided to any homeless child or parent or guardian who seeks to enroll a child in school. The School District's liaison for homeless students shall assist the homeless child and/or parent or guardian in understanding their rights under the law and provide them with information regarding the

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educational and related opportunities available to them.

School placement decisions for homeless children will be based on the “best interest of the child.” Unless doing so is contrary to the wishes of the child’s parent or guardian, to the extent possible, a homeless child will continue to attend the school of origin (i.e. the school the child attended when he or she became homeless or the school in which the student was last enrolled.)

If the School District wishes to send a homeless child to a school other than the school of origin or a school requested by the parent/guardian or unaccompanied youth, the Superintendent of Schools or his/her designee shall provide the parent/guardian or unaccompanied youth with a written explanation of its decision, together with a statement regarding the right to appeal the placement which shall be in a manner and form understandable to them. The Superintendent of Schools or his/her designee shall refer any such dispute to the School District’s liaison for the homeless for resolution. The homeless child must be enrolled in the school sought by the parent or guardian pending final resolution of the dispute, including all available appeals.

Admission Procedures

Upon designation, the Superintendent of Schools or his/her designee shall immediately:

1. Review the McKinney Vento Registration Questionnaire to ensure that it is complete;
2. Admit the homeless child even if the child or his/her parent or guardian is unable to produce records normally required for enrollment, or the student has missed application or enrollment deadlines, or there is an unresolved dispute regarding school selection or enrollment;
3. Where applicable, make a written request to the school district where a copy of the child’s records are located for a copy of the homeless child’s school records; and
4. Notify the liaison for homeless children of the child’s admission. Upon notification, the liaison shall:
 - a) Notify the child and/or the parent or guardian of the educational and related opportunities available to homeless children including transportation;
 - b) Ensure that the child receives the educational services for which they are eligible as administered by the School District;
 - c) Make necessary referrals to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services;
 - d) Ensure that any enrollment disputes are mediated promptly and in accordance with law;
 - e) When assisting unaccompanied youth in placement or enrollment decisions, give him/her the opportunity to explore education opportunities available to him/her, give priority to the views of such youth and inform them of their status as “independent students” for purposes of applying for federal financial aid for college and assist with that process; and
 - f) Assist homeless children and their parents/guardians in obtaining required immunizations, health screenings, immunization records or health records.

The Superintendent of Schools or his/her designee shall forward a copy of the designation form to the Commissioner of Education and the school district of origin where applicable.

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Transportation

In accordance with the Education Law, the school district of current location shall provide transportation to homeless children, where designated, as the school district of attendance, on the same basis provided to resident students. For homeless children who are ineligible for transportation whether from the local Department of Social Services or a residential program licensed by the Division for Youth (DFY) for runaway and homeless youth, the designated school district shall provide transportation from the child's temporary location and the school on the same basis it transports its resident students. If the student remains in the district of origin or district last enrolled, that district is responsible for transporting the student to that district. Such transportation shall not be in excess of 50 miles each way except where the Commissioner of Education certified the transportation in excess of 50 miles is in the best interest of the child.

Transportation must be provided when the district receives notice of a child's homeless status, as well as during the pendency of disputes. If a child is receiving transportation to his/her school or origin and obtains permanent housing during the school year, the student has the right to continued transportation services to the school of origin until the end of the academic year, as well as if the student completes the final grade level in a building, or attends the designated receiving school at the next level.

Dispute Resolution Process

If, after the Superintendent of Schools or his/her designee reviews the designation forms (STAC-202), he/she finds that the student is either not homeless, not entitled to attend the District's school, or not entitled to transportation (if requested), the Superintendent of Schools or his/her designee will do the following:

1. Contact the School District's homeless liaison to assist in the dispute resolution process; and
2. Contact the student and parent (if available) and inform them of their opportunity to provide more information prior to the School District making a final determination.

If, after consideration of any additional information and input from the homeless liaison, the Superintendent of Schools or his/her designee makes a final determination that a student is not homeless, or not entitled to enrollment or transportation he/she must provide the student's parent or guardian, or the student, if the student is an unaccompanied youth, with written notice.

1. State the rational/basis for the School District's determination;
2. State the date as of which the student will be excluded from the School District's schools (or transportation);
3. Advise that the School District's final determination may be appealed to the Commissioner of Education;
4. Provide the name and contact information of the School District' homeless liaison;
5. Inform the student's parent or guardian or the student, if the student is an unaccompanied youth, that the School District's homeless liaison is required to assist him/her in filing such an appeal; and
6. Include, as an attachment, the form petition needed to file an appeal to the Commissioner.

The Superintendent of Schools or his/her designee will deliver the School District's final decision to the parent, guardian or unaccompanied youth in a timely manner. The student must remain

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enrolled and provided with transportation, if requested, until the School District makes a final determination and for a minimum of thirty (30) days after the determination to give the student's parent or guardian or unaccompanied youth the opportunity to appeal to the Commissioner of Education.

If the parent/guardian or student commences an appeal to the Commissioner within thirty (30) days of the final determination, the homeless child or youth will be permitted to continue to attend the school that he/she is enrolled in at the time of the appeal and/or receive transportation to that school until the Commissioner renders a decision.

Cross-ref: 5100 Student Attendance
 5150 School Admissions
 5152 Admission of Non-Resident Students

Ref: 42 USC §§11431, et seq.
 Education Law §§; 305; 3202; 3209
 Executive Law §§532-b; 532-e
 Social Services Law §§17; 62; 397
 8 NYCRR §§100.2; 175.6

Adopted: February 5, 2015

Revised and Adopted: