

Policy Code: 3250 HOMELESS STUDENTS

As required by the North Carolina Constitution and North Carolina law, the board of education is committed to providing a free public school education to all children who are legally entitled to enroll in the school system. In accordance with the McKinney-Vento Homeless Assistance Act and the North Carolina State Plan for Educating Homeless Children, the board will make reasonable efforts to identify homeless children and youth of school age located within the area served by the school system, encourage their enrollment, and eliminate barriers to their receiving an education that may exist in school system policies or practices. Based on individual need, homeless students will be provided services available to all students, such as preschool, free or reduced price school meals, services for English learners, special education, career and technical education (CTE), academically or intellectually gifted (AIG) services, and before- and after-school care.

The provisions of this policy will supersede any and all conflicting provisions in board policies that address the areas discussed in this policy.

A. DEFINITION OF HOMELESS STUDENTS

Homeless students are children and youth who lack a fixed, regular, and adequate nighttime residence. The term "homeless student" will also be deemed to include the term "unaccompanied youth," which includes a youth who is not in the physical custody of a parent or guardian. Homeless children and youth include those students who are as follows:

1. sharing the house of other persons due to loss of housing, economic hardship, or a similar reason;
2. living in motels, hotels, transient trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
3. living in emergency or transitional shelters;
4. abandoned in hospitals;
5. living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
6. living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
7. living in a migratory situation that qualifies as homeless because the child lacks a fixed, regular, and adequate nighttime residence.

B. HOMELESS LIAISON

The superintendent or designee shall appoint and train a school employee to serve as the homeless liaison. The homeless liaison's duties include, but are not limited to, the following:

1. ensuring that school personnel identify homeless children and youth;
2. ensuring school/preschool enrollment of and opportunities for academic success for homeless children and youth;
3. ensuring that homeless families and children have access to and receive educational services for which they are eligible;
4. ensuring that homeless families and children receive referrals to healthcare, dental, mental health and substance abuse, housing, and other appropriate services;

5. informing parents or guardians and any unaccompanied youth of available transportation services and helping to coordinate such services;
6. ensuring that public notice of the educational rights of homeless students is disseminated in locations frequented by parents or guardians and unaccompanied youth;
7. informing parents or guardians of educational and related opportunities available to their children and ensuring that parents or guardians have meaningful opportunities to participate in their children's educations;
8. helping to mediate enrollment disputes, including ensuring that a homeless child or youth is enrolled immediately pending final resolution of the dispute;
9. informing unaccompanied youth of their status as independent students and assisting in verifying such status for the purposes of the Free Application for Federal Student Aid;
10. ensuring that school personnel providing services to homeless students receive professional development and other support;
11. working with school personnel, the student, parents or guardians, and/or other agencies to obtain critical enrollment records, including immunization and medical records, in a timely manner; and
12. working with the superintendent or designee to identify board policies or procedures that might serve as a barrier to enrollment of homeless students, including those related to immunization records, medical records, uniforms or dress codes, school fees, and school admission.

C. ACCESS TO STUDENTS' RECORDS

Homeless students transferring into the school system may provide cumulative and other records directly to school system personnel. The superintendent or designee shall not require that such records be forwarded from another school system before the student may enroll. However, school personnel shall immediately request the official records from the previous school.

School personnel shall immediately enroll homeless students, even if they do not have proof of residency, school and immunization records, birth certificates, or other documents; have missed application or enrollment deadlines during a period of homelessness; have outstanding fees; or are not accompanied by an adult. The homeless liaison shall assist the students and parents or guardians in securing appropriate records or otherwise meeting enrollment requirements.

Information regarding a child or youth's homeless situation must be treated as a student record and protected accordingly. See policy 4700, Student Records.

D. ENROLLMENT

A homeless student (or the student's parent or guardian) may request to attend his or her school of origin or any public school that other students living in the same attendance area are eligible to attend. The school of origin is defined as the school the student attended before losing permanent housing or the school in which the student was last enrolled, including a preschool. When a student 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. Unless, not in the student's best interest, a homeless student who

continues attending the school of origin will remain enrolled in the school of origin for the entire time the student is homeless and until the end of any academic year in which the student moves into permanent housing.

The superintendent shall designate the director of student assignment or other appropriate personnel to decide, in consultation with the homeless liaison, which school a homeless student will attend. The decision will be based upon the student's best interest. The superintendent's designee must presume that keeping the student in the school of origin is in the student's best interest unless contradicted by the student's parent or guardian or the unaccompanied youth. The superintendent's designee must consider student-centered factors related to the student's best interest, including factors concerning the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent or guardian or the unaccompanied youth. If the superintendent's designee determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian or unaccompanied youth, he or she must provide a written explanation of the reasons for the determination to the parent or guardian or unaccompanied youth, along with information regarding the right to appeal the placement decision.

E. ENROLLMENT DISPUTE RESOLUTION

The school system will implement an enrollment dispute resolution process that is consistent with the process required by the State Board of Education in the North Carolina Administrative Code, [16 N.C.A.C. 6H .0112](#).

1. Initiation of the Dispute and Stay Put

If a dispute arises over school selection or enrollment in a school for a homeless student, the following must occur:

- a. The homeless student will be immediately admitted to the school in which enrollment is sought, will receive all services for which he or she is eligible, and will be allowed to participate fully in school activities, pending resolution of the dispute.
- b. ~~The unaccompanied youth or parent or guardian of the student will be provided a written explanation of the school's decision regarding the enrollment, including the right to appeal the decision. Such information must be provided in a language that the parent or guardian or unaccompanied youth can understand.~~ **Within one school day of learning of the unaccompanied youth or parent or guardian of the student (hereinafter "complainant") disagreement, the homeless liaison shall provide the complainant a copy of the school system's uniform statement of rights and procedures that is written in a language, manner, and form the complainant can understand, to the extent the school system deems practicable.** The information must contain:
 - 1) contact information, including telephone number and address of the homeless liaison and of the State coordinator for homeless education, with a brief description of their roles;
 - 2) the right to initiate the dispute resolution process either orally or in writing;

- 3) a simple **complaint** form that ~~parents or guardians or unaccompanied youth~~ a **complainant** can **understand**, complete and submit to the homeless liaison to initiate the dispute resolution process;
 - 4) a step-by-step description of how to dispute the school's decision, **or request an extension of time to appeal**;
 - 5) ~~notice of the right to enroll immediately in the school of choice or remain in the school of origin with transportation provided pending resolution of the dispute~~ **notice of the right to enroll immediately in the school located in the assignment area of the student's temporary residence or remain in the school of origin with transportation provided by the school system pending resolution of the dispute, if such transportation is requested by the parent, guardian, or homeless liaison on behalf of the youth**;
 - 6) notice that ~~immediate~~ **the right to** enrollment includes **the right to fully participate** in all school activities; and
 - 7) notice of the right to obtain assistance of advocates or attorneys.
- c. The ~~student or parent or guardian~~ **complainant** will be referred to the system's homeless liaison, who shall carry out the appeal process as expeditiously as possible after receiving notice of the dispute.

2. Homeless Liaison Review

- a. Any parent or guardian or student initiating an enrollment dispute (hereinafter "complainant") is encouraged to attempt to resolve the dispute informally through discussion with the homeless liaison. If the dispute cannot be resolved informally, the complainant may present a formal complaint orally or in writing to the homeless liaison either directly or through the principal of the school at which enrollment is sought.
- b. The complaint should include the date of the filing, a description of the disputed enrollment action, the name of the person(s) involved, and a description of the relief requested. The complainant must be informed of the right to provide supporting written or oral documentation and to seek the assistance of an advocate or attorney.
- c. **No more than two school days after the complainant initiates the dispute resolution process, the local liaison shall (1) inform the superintendent, other appropriate school officials participating in the dispute resolution process, and the State Coordinator of the dispute and (2) provide a written decision, including the reasons for the decision, to the complainant and the superintendent.**

~~c. Within five school days after receiving the complaint, the homeless liaison shall provide a written decision, including the reasons for the decision, to the complainant and the superintendent.~~

3. Appeal to the Superintendent of the Liaison's Decision

- a. Within **five two** school days of receiving the liaison's decision, the complainant may appeal the decision to the superintendent in writing.

The homeless liaison shall ensure that the superintendent receives copies of the written complaint and the response.

b. The superintendent or designee shall schedule a conference with the complainant to discuss the complaint.

c. Within ~~five~~ **four** school days of receiving the appeal, the superintendent or designee shall provide a written decision to the complainant including a statement of the reasons for the decision.

4. Appeal to the Board of the Superintendent's Decision

If the complainant is dissatisfied with the superintendent's decision, he or she may file a written appeal with the board of education **within two days**.

The board will provide the complainant with a written decision within ~~30~~ **five** days of receiving the appeal. **In unusual circumstances the board or board panel may extend this time but will avoid exceeding the lesser of (1) 15 school days from when the complaint was received or (2) 30 calendar days from when the complaint was received.** The board's decision will constitute the final decision of the school system. The written statement of the board's opinion will include the name and contact information of the State coordinator for homeless education and will describe the appeal rights to the State coordinator.

5. Appeal to the State Coordinator of the Board's Decision

If the complainant is dissatisfied with the action taken by the board of education, he or she may file an appeal with the State coordinator for homeless education, who will issue a final decision on the complaint. Within ~~five~~ **three** school days following a request from the State coordinator, the homeless liaison shall provide the record of complaint and a copy of the board's decision along with any other information requested regarding issues in the appeal.

F. TRANSPORTATION

The board of education will provide homeless students with transportation services comparable to those of other students. In addition, at the parent or guardian's request (or at the request of the homeless liaison for unaccompanied youth), the board will provide transportation services to/from the school of origin. The superintendent or designee and the homeless liaison shall coordinate homeless students' transportation needs, based on the child's best interest. In situations in which a student attends school in this system but his or her temporary housing is in another system (or vice versa), the superintendent or designee shall work with the other system to share the cost and/or responsibility for transportation. If an agreement cannot be reached between the systems, the cost of such transportation will be divided evenly.

If a homeless student becomes permanently housed and chooses to remain in his or her school of origin, the board will provide transportation to the student for the remainder of the school year.

G. TITLE I

Homeless students are automatically eligible for Title I services. The homeless liaison and the Title I director shall collaborate to identify the needs of homeless students.

LEGAL REF: McKinney-Vento Homeless Assistance Act, [42 U.S.C. 11431](#), *et seq.*;
Non-Regulatory Guidance on Education for Homeless Children and Youths Program,
U.S. Department of Education (July 2016); [G.S. 115C-366\(a2\)](#); [16 N.C.A.C. 6H .01124](#),
[.0115](#), [.0116](#); State Board of Education Policy [SPLN-000](#)

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Edenton-Chowan Schools