



Book	Neola Templates for Processing
Section	5000 Students
Title	HOMELESS STUDENTS
Code	po5111.01
Status	From Neola

### 5111.01 - HOMELESS STUDENTS

#### Definitions

Children who are identified as meeting the Federal definition of "homeless" will be provided a free appropriate public education (FAPE) in the same manner as all other students of FLVS. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. FLVS shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. FLVS shall regularly review and revise its policies, including school discipline policies that impact homeless students, including those who may be a member of any of the protected classes (Policy 2260).

Homeless children and youth, including "certified homeless youth" under State law, are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include children and youth who meet any of the following criteria:

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
- C. live in emergency or transitional shelters
- D. are abandoned in hospitals
- E. 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, or
- F. live in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.

**NOTE:** According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see *Education for Homeless Children and Youth Programs, Non-Regulatory Guidance*, U.S. Department of Education (ED), for factors to consider when determining whether a child or youth is living in "substandard housing".

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian. Under State law an unaccompanied homeless youth who is sixteen (16)

years of age or older and found to be an unaccompanied homeless youth eligible for services under Federal law shall be issued a certificate by FLVS's Liaison for Homeless Children on FLVS letterhead documenting his/her status which is to be accepted by medical providers and the courts.

The term eligible school is the school of origin, the school zoned for the address where the student is temporarily residing, or another school, which student's residing in that attendance zone are eligible to attend.

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

Additionally, pursuant to Federal and State law, children or youth who are experiencing homelessness also include migratory children who are living in circumstances described in A-F above.

### **Identification**

The liaison, in collaboration with the FLVS Full Time enrollment team, school advocates, and school personnel, will identify homeless children who seek enrollment in our schools. The liaison will train the school advocates and school personnel on possible indicators of homelessness, sensitivity in identifying families and youth in transition, and procedures for forwarding information indicating homelessness to the liaison. FLVS Full Time will utilize the enrollment document on Student Residency Declaration form to identify homeless students to ensure barriers to identifying, enrolling, and retaining homeless children and youth in school are removed [s.722(g)(1)(J)]

The liaison will maintain data on the number of homeless children and youth in school, where they are living, their academic achievement (including performance on statewide and district-wide assessments), and the reasons for any enrollment delays, interruptions in their education, or school transfers. The liaison will collaborate with the school counselors to ensure no barriers exist for receiving credit for full or partial coursework satisfactorily completed by homeless children and youth while attending a prior school [s.722(g)(1)(F)(ii)].

### **Services to Homeless Children and Youth**

FLVS will provide services to homeless students that are comparable to other students at FLVS, including other educational programs and services, if any for which the homeless student meets eligibility criteria including:

- A. Title I, Part A
- B. public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria
- C. programs for children with disabilities
- D. programs for English learners (ELs) (i.e., students with Limited English Proficiency (LEP))
- E. programs in career and technical education
- F. programs for gifted and talented students
- G. before - and after-school programs (if any)

In addition, unaccompanied homeless high school youth will receive counseling to prepare and improve their readiness for postsecondary education [s. 722(g)(1)(K)].

The President and Chief Executive Officer (CEO) will appoint a Liaison for Homeless Children who will perform the duties as assigned by the CEO. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths.

FLVS coordinates district programs and collaborates with other school districts, community service providers and organizations, including: local social services and other community agencies to provide support to homeless students and their families, [s.722(g)(5)(A)(i)]; other school districts regarding homeless student-related transportation, transfer of school records, and other inter-district activities, as needed, [s.722(g)(5)(A)(ii)]; housing authorities, and [s.722(g)(5)(B)]; and ESE [s.722(g)(5)(D)].

### **School Stability**

Maintaining a stable school environment is crucial to a homeless student's success in school. To ensure stability, FLVS must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors. FLVS must:

- A. continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or
- B. enroll the student in any public school that non-homeless students who live in the attendance area in which the child or youth, or the family of the child or youth, is actually living are eligible to attend.

When determining a child or youth's best interest, FLVS must assume that keeping the homeless student in the school of origin is in that student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or the student if he or she is an unaccompanied youth. The school of origin is the school the student attended or enrolled in when permanently housed, including a public preschool. The school of origin also includes the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin.

When determining the student's best interest, FLVS must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). FLVS also considers the school placement of siblings when making this determination.

If FLVS finds 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, FLVS must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

### **Immediate Enrollment**

FLVS has an obligation to remove barriers to the identification, enrollment, and retention of homeless students. If a school other than the student's school of origin is chosen on the basis of a best interest determination, the homeless student must be immediately enrolled, even if the student does not have the documentation typically necessary for enrollment, such as immunization and other required health records, proof of residency, proof of guardianship, birth certificate, or previous academic records. The homeless student must also be enrolled immediately regardless of whether the student missed application or enrollment deadlines during the period of homelessness, fails to meet uniform or dress code requirements, has outstanding fines or fees, or absences, or other required documentation.

The enrolling school must immediately contact the school last attended by the homeless student to obtain relevant academic or other records. If the student needs immunization or other health records, the enrolling school must immediately refer the parent, guardian or unaccompanied youth to the Liaison, who will help obtain the immunizations, screenings or other required health records. Records usually maintained by the school must be kept so that they are available in a timely fashion if the child enters a new school or district. These records include immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs. Procedures for inter-State records transfer between schools should be taken into account in order to facilitate immediate enrollment.

In addition, it shall be FLVS's responsibility to make sure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extracurricular activities, including summer school, career and technical education, and advanced placement (if available).

## **Dispute Resolution**

Homeless families and youths have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, FLVS must follow its dispute resolution procedures, consistent with the State's procedures. If such a dispute occurs, FLVS will immediately enroll the homeless student in the school in which enrollment is sought pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved. In the case of an unaccompanied youth, the liaison shall ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of such dispute. [s. 722(g)(3)(E)(iv)]

Pursuant to Federal and State law, State Board rule, and this policy, FLVS will provide the parent, guardian, or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by FLVS, along with a written explanation of appeal rights.

FLVS's notice and written explanation about the reason for its decision will include, at a minimum, an explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, including the following:

- A. a description of the proposed or refused action by the school;
- B. an explanation of why the action is proposed or refused;
- C. a description of other options the school considered and why those options were rejected;
- D. a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources;  
and
- E. an appropriate timeline to ensure deadlines are not missed.

FLVS's notice and written explanation shall include contact information for the Liaison and the State Coordinator, and a brief description of the roles of each. FLVS's notice and written explanation shall also inform the parent, guardian, or unaccompanied youth that the Liaison is responsible for providing information describing the State-level dispute resolution process and distributing the appropriate forms to all parties wanting to file an appeal.

To initiate the State-level appeals process, within ten (10) working days after receiving written notification of FLVS-level or inter-district decision, the parent, guardian, or unaccompanied youth may file an appeal with the Liaison, who must provide it to FLDOE. Upon receipt of an appeal, the Liaison is required to notify FLDOE of the State-level appeal and provide that appeal to the FLDOE. The local liaison also must log incidents of State-level appeals in the FLDOE Online Dispute Resolution Tracking System.

The FLDOE and the Commissioner of Education will render a decision on any appeal and provide a copy of such decision to the parties.

All decisions and notices shall be drafted in a language and format appropriate for low-literacy, limited vision readers, and individuals with disabilities.

For children and youth and/or parents or guardians who are English learners or whose dominant language is not English, FLVS will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to federal laws.

FLVS will also provide electronic notices via email if the parent, guardian or unaccompanied youth has access to email followed by a written notice provided in person or sent by mail.

### **Homeless Children in Preschool**

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs, including Head Start programs, administered by FLVS. Additionally, the homeless child must remain in the public preschool of origin, unless a determination is made that it is not in the child's best interest. When making such a decision on the student's best interest, FLVS takes into account the same factors as it does for any student, regardless of age. It also considers pre-school age specific factors, such as 1) the child's attachment to preschool teachers and staff; 2) the impact of school climate on the child, including school safety; the quality and availability of services to meet the child's needs, including health, developmental, and social-emotional needs; and 3) travel time to and from school.

### **Public Notice**

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, FLVS shall post public notice on the FLVS website of educational rights of children and youth experiencing homelessness in a manner and form understandable to the parents and guardians and unaccompanied youths.

### **Records**

The local liaison will assist the homeless students and their parent(s) or guardian(s) or unaccompanied homeless students in their efforts to provide documentation to meet State and local requirements for entry into school.

All records for homeless students shall be maintained, subject to the protections of the Family Educational Rights and Privacy Act (FERPA), and in such a manner so that they are available in a timely fashion and can be transferred promptly to the appropriate parties, as required. Pursuant to the McKinney-Vento Act, information regarding a homeless student's living situation is not considered directory information (under section 444 of the General Education Provisions Act (20 U.S.C. 1232g) and must be provided the same protections as other non-directory personally identifiable information (PII) contained in student education records under FERPA. FLVS shall incorporate practices to protect student privacy as described in any of its administrative procedures and in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA). Records are also held confidential in a manner consistent with section 444 of the General Education Provision Act (20 U.S.C. 1232g)

No FLVS Board of Trustees policy, or FLVS administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

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Legal                    F.S. 743.067  
                              F.S. 1002.37  
                              F.S. 1003.01  
                              F.S. 1003.21  
                              F.S. 1003.22  
                              F.S. 1009.21  
                              F.S. 1009.25  
                              42 U.S.C. 11431 et seq.