

# **Florida Atlantic University Schools**

Alexander D. Henderson University School  
Florida Atlantic University High School

## **FAUS Homeless Students Policy 2009-2010**



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**MCKINNEY-VENTO ACT FOR HOMELESS STUDENTS**

Florida Atlantic University Schools shall ensure that all homeless children and youth, including preschool-aged children, are provided with equal access to free, appropriate educational programs, Section 721(1), PL 107-110, Section 1003.21(1)(f), Florida Statutes, and have an opportunity to meet the same challenging State of Florida academic standards, (Section 722(g)(1)(A)), are not segregated on the basis of their status as homeless and that safeguards are established to protect homeless students from discrimination on the basis of their homelessness. (Section 721(1)-(4), Section 722(g)(1)(J)(i). STATUTORY AUTHORITY 1001.42, 1001.43, and 1003.01(12) F.S.; 1003.21 F.S

The McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 – 11435.

Title I, Part A of the Elementary and Secondary Education Act, 20 U.S.C. §§6311 – 6315.

The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 *et seq.*

April 6, 2002 Policy of the Child Nutrition Division of the U.S. Department of Agriculture.

June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.

**(1) Definitions:**

(a) The McKinney-Vento Act, (Section 725(2)), defines homeless students as individuals who lack a fixed, regular, and adequate nighttime residence and includes:

1. Students who are living in motels, hotels, FEMA trailers, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
2. Students who are living in emergency or transitional shelters; are abandoned in hospitals; are waiting foster care placement.
3. Students who have a primary nighttime residence that is not designated for, or ordinarily used as a regular sleeping accommodation for human beings. (McKinney-Vento Section 103(a)(2)(C)).
4. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
5. Migratory students qualify as homeless if they are living in any of the circumstances described above (1-4).

(b) "Unaccompanied youth": a student who is not in the physical custody of a parent or guardian (Section 725(6)).

(c) "School of origin": the school that the student attended when permanently housed or the school where the child or youth was last enrolled (Section 722(g)(3)(G)).

(d) "Enroll and enrollment": attending school and participating fully in school activities (Section 725(1))

(e) “Immediate”: without delay.

(f) “Parent”: parent means either or both parents of a student, any guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of the parent (FS 1000.21(5)).

(g) “Liaison”: the staff person designated by Florida Atlantic University Schools as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Act (Section 722(g)(1)(J)(ii)). The District homeless education liaison shall make a final determination of homeless status on a case-by case basis.

**(2) School Selection (Section 722(g)(3)(A)-(B))**

(a) The District shall, according to the student's best interest, and by parent, guardian, or unaccompanied youth request, continue the homeless student's education in the school of origin for the duration of homelessness, or enroll the student in a neighboring District school in the attendance zone in which the homeless student is actually living on the same basis as other district students.

(b) In determining the best interest of the student, the District shall:

1. To the extent feasible, keep a homeless student in the school of origin, unless doing so is contrary to the wishes of the student's parent or the unaccompanied youth. The choice regarding placement shall be made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.
2. Provide a written explanation, including a statement regarding the right to appeal, if the District sends a homeless student to a school other than the school of origin or a school requested by the parent or guardian.
3. In the case of an unaccompanied youth, ensure that the District homeless education liaison helps in placement or enrollment decisions, considers the views of the student and provides notice of the right to appeal placement and enrollment decisions.
4. Not mandate that a homeless student go through the formal reassignment process. The requirements of the Student Assignment Plan for students moving their physical residence from one attendance zone to another, to transfer to a school in the new zone of residence, shall not apply to homeless students.
5. Code out-of-boundary homeless students in Gateway student data system, documenting the Student Assignment process.

**(3) Enrollment (Section 722(g)(3)(C)-(D))**

The District will immediately enroll homeless students, new to the district, in schools, even if they do not have the documents usually required for enrollment, such as school records (includes Individual Education Plan, IEP), medical records or proof of residency. (Section 722(g)(3)(C)-(D))

(a) The District will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A homeless student will be assigned to the District school in the attendance zone in which the student is actually living or to the student's school of origin as requested by the parent or unaccompanied youth and in accordance with the student's best interest. (Section 722(g)(1)(J)(i))

(b) Homeless students have a right to either remain in their school of origin or to attend school where they are temporarily residing. (Section 722(g)(3)(A))

(c) Homeless students who choose to remain in their school of origin have the right to remain there until the end of the school year in which they get permanent housing. (Section 722(g)(3)(A)(i)(II))

(d) If a homeless student arrives without records, the receiving school shall immediately contact the school last attended to obtain relevant academic and other records. (Section 722(g)(3)(C)(ii))

(e) The District shall immediately enroll the new student in the school assigned even if the student is unable to produce records normally required for enrollment, such as academic records, medical records, or other documentation. (Section 722(g)(3)(C)(i))

(f) The District/school shall assist the parent or guardian in obtaining necessary immunizations or other records if the student needs to obtain these records. The school should refer to the homeless liaison if additional assistance is needed. (Section 722(g)(3)(C)(iii))

**(4) Residency (Section 722(g)(3))**

Florida Atlantic University Schools does not have a residency requirement.

(a) The student shall be considered eligible for enrollment whether living with a parent, guardian, or person in loco parentis.

(b) Homeless students who do not live with their parents or guardians may enroll themselves in school. (Section 722(g)(3)(C))

(c) Students enrolled in FAUS are not subject to district boundaries.

**(5) Guardianship (Section 722(g))**

(a) For purposes of school placement, any parent, guardian or person in loco parentis who has legal or physical custody of a homeless child or youth shall enroll that child or youth directly in a

District school via the Homeless Education Program, Student Assignment office or school that registers students on-site, if selected.

(b) The District Guardian Responsibilities form must be completed within a reasonable period of time for those homeless students who are not accompanied by a parent or guardian, once a child or unaccompanied youth is enrolled in and attending a school.

**(6) Disputes (Section 722(g)(3)(E))**

If a dispute arises over school selection, enrollment, or any issue covered in this policy:

(a) The student shall be immediately admitted to the school of origin or assigned zone school as requested by the parent or unaccompanied youth, pending resolution of the dispute;

(b) The parent of the student or unaccompanied youth shall be provided with a written explanation of the District's decision regarding school selection, including the rights of the parent, guardian or student to appeal the decision through the District's enrollment dispute procedure and the Florida Department of Education's appeal process;

(c) The student and/or parent shall be referred to the District Homeless Education Liaison, who shall ensure the resolution process is carried out as expeditiously as possible after receiving notice of the dispute; and

(d) In the case of an unaccompanied student, the District Homeless Education Liaison shall ensure that the student is immediately enrolled in school pending the resolution of the dispute.

**(7) Transportation (Section 722(g)(1)(J)(iii))**

The District shall ensure that, at the request of the parent, (or, in the case of an unaccompanied youth, at the request of the District Homeless Education Liaison), transportation will be provided for a homeless student to the school of origin as follows:

(a) If the homeless student continues to attend a Florida Atlantic University school transportation will be provided. If the homeless student moves to an area served by another district, though continuing his or her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to and from the school of origin. (Section 722(g)(1)(J)(iii)(I)-(II))

(b) If the districts cannot agree upon such a method, the responsibility and costs must be shared equally. (Section 722(g)(1)(J)(iii)(II))

**(8) Comparable Services (Section 722(g))**

Homeless students shall be provided services and educational programs comparable to those offered to other students in the school selected, including the following:

(a) Transportation services (Section 722(g)(1)(J)(iii); Section 722(g)(4)(A))

(b) Educational Services for which the student meets the eligibility criteria, including special education and related services and programs for English language learners (Section 722(g)(4)(B))

(c) Vocational and technical education programs (Section 722(g)(4)(C))

(d) Enrichment programs (Section 722(g)(4)(D))

(e) School nutrition programs (Section 722(g)(1)(E), Section 722(g)(4)(E))

(f) Title I (Section 722(g)(4)(B))

(g) Before- and After-School programs (Section 722(g)(1)(F)(iii))

**(9) Homeless Education Liaisons (Section 722(g)(6)(B))**

The Superintendent shall ensure that a District Homeless Education Liaison is appointed and ensure that his/her duties are communicated to district and school personnel and appropriate community agencies and service providers/ organizations.