

## Homeless Students

~~Transportation for homeless students who enroll in the district shall be furnished by the district if such transportation is necessary in compliance with federal law.~~

It is the Board's intent to remove barriers to the identification, enrollment and retention of homeless children and youth students in school in accordance with state and federal law. The district shall take reasonable steps to ensure that homeless students are not segregated or stigmatized and that decisions are made in the best interests of the student.

Terms used in this policy and its accompanying regulation, such as "homeless children and youth," "unaccompanied youth," "school of origin," "enrollment," and "attendance area school" shall be as defined by the McKinney-Vento Homeless Assistance Act and its implementing regulations. For purposes of this policy and its accompanying regulation, "homeless students" shall refer to "homeless children and youth."

Each homeless student shall have access to and shall be provided education services for which the student is eligible comparable to services provided to other students in the school ~~regardless of residency~~, including ~~transportation services, education services~~, career and technical education programs, gifted education programs, and school nutrition programs. Transportation services for homeless students shall be provided in accordance with applicable law.

Homeless students shall be provided access to education and other services that they need to ensure that they have an opportunity to meet the same student performance standards to which all students are held. All educational decisions shall be made in the best interests of the student.

The district shall coordinate with other districts and with local social services agencies and other agencies or programs providing services to homeless students as needed.

~~The superintendent shall designate a~~At least one staff member shall be designated in the district to serve as the local homeless student liaison and shall fulfill the duties required of the position as set forth in state and federal law. The district shall provide training and other technical assistance to the local liaison(s) and other appropriate district staff regarding the district's obligations to homeless students.

Duties of the local liaison and procedures for identification, enrollment, transportation and dispute resolution for homeless students shall be made in accordance with the accompanying regulation and applicable law.

~~Determination of eligibility is made by the district's homeless liaison consistent with state and federal law.~~

### **Enrollment disputes**

~~If an enrollment dispute arises between the student's custodial parent/guardian (or the student not in custody of a parent/guardian) and the district, the student shall be immediately enrolled in the school selected by the parent/guardian or student until the~~

dispute is resolved.

~~The parent/guardian (or student, if applicable) may appeal an enrollment determination made by this district to the district's homeless student liaison within seven (7) days after receiving the written determination and notice of right to appeal.~~

~~The liaison shall issue a written decision on the dispute within seven (7) days of the receipt of the appeal and make reasonable effort to deliver a written decision and notice of right to appeal to the superintendent to the parent/guardian (or student, if applicable).~~

~~Within ten (10) days of delivery of the liaison's decision and right to appeal notice, the parent/guardian (or student, if applicable) may appeal the decision to the superintendent.~~

~~The superintendent shall issue a written decision on the dispute within ten (10) days of the receipt of the appeal and make reasonable effort to deliver the written decision and notice of right to appeal to the State Coordinator for the Education of Homeless Children and Youths to the parents/guardian (or student, if applicable). The decision of the State Coordinator shall be final.~~

Adopted: February 28, 1996  
Revised: September 28, 2005  
Revised: June 24, 2015

LEGAL REFS.: 20 U.S.C. 1232g (Family Educational Rights and Privacy Act)  
20 U.S.C. 6313(c)(3) (reservation of Title I funding for homeless children and youths)  
42 U.S.C. §11431 and §11432 (McKinney-Vento Homeless Education Assistance Act – Education for Homeless Children and Youth)  
C.R.S. 22-1-102.5 (definition of homeless child)  
C.R.S. 22-32-109 (1)(dd) (duty to adopt/revise policies to remove barriers to access and success in schools for homeless children)  
C.R.S. 22-33-103.5 (attendance of homeless children)  
C.R.S. 26-5.7-101 *et seq.* (Homeless Youth Act)

## Homeless Students

### Local liaison

The local liaison(s) shall work to identify homeless children and youth and facilitate each homeless student's access to and success in school.

The primary functions of the local liaison shall be to mediate disputes concerning school enrollment, assist in making transportation arrangements, assist in requesting the student's records, provide information and give referrals on services and opportunities, and assist any unaccompanied youth with enrollment, credit accrual and college readiness decisions.

### Enrollment and school stability

Enrollment shall be immediate even if the homeless student lacks records routinely required prior to enrollment or has missed application or enrollment deadlines. The district shall make arrangements to obtain any necessary records and to have the student receive any necessary immunizations. When feasible, the district shall seek immunization through no- or low-cost health care providers. If an expense is incurred, the district shall seek reimbursement through Medicaid if possible.

If a homeless student becomes permanently housed outside the district during the school year, the student shall no longer be considered homeless and may only continue enrollment in the district for the remainder of the school year.

### Tuition

A student defined in state and federal law as a homeless child or youth shall be admitted without payment of tuition.

### Enrollment determinations

In making enrollment determinations, the local liaison shall consider relevant factors, including but not limited to:

- the best interests of the homeless student;
- to the extent feasible, keeping the homeless student in the school of origin;
- the wishes of the student and of the student's parent or guardian;
- which school can best meet the student's educational and other needs; and
- the student's transportation needs related to the school options.

### Dispute resolution

When a dispute arises over eligibility, school selection or enrollment, the district shall provide a written explanation of the district's decision and of the right to appeal, in a

manner and form understandable to the student's parent, guardian or unaccompanied youth. The homeless student shall be immediately enrolled in the school in which the parent/guardian or unaccompanied youth seeks to enroll, pending resolution of the dispute.

The local liaison shall attempt to resolve the dispute as expeditiously as possible. If the local liaison is unable to resolve it, the district shall follow the Colorado Department of Education's McKinney-Vento homeless education dispute resolution procedure.

### **Transportation**

Subsequent to a determination that the student shall attend a school in the district, a request for transportation may be made by the unaccompanied youth, or by the student's parent/guardian.

If the student is located in the district and attending the attendance area school, the district shall provide or arrange for the student's transportation to and from school in accordance with district transportation policies.

If the student is located outside of district boundaries but a determination has been made that the student shall remain in the school of origin within the district, the district and the district where the student is located shall agree on a method to apportion cost and responsibility for the student's transportation or share the cost and responsibility equally.

Adopted:

St. Vrain Valley School District RE-1J, Longmont, Colorado

## Students in Foster Care

It is the Board's intent to promote educational stability for students in foster care in accordance with state and federal law. Terms used in this policy and its accompanying regulation, such as "foster care," "school of origin," "child's best interest" and "child welfare agency" shall be as defined by applicable federal law.

The district shall coordinate with other districts and with local child welfare agencies and other agencies or programs providing services to students in foster care as needed.

At least one staff member shall be designated to serve as the child welfare education liaison and fulfill the duties set forth in state and federal law.

Duties of the child welfare liaison and procedures for enrollment and transportation for students in foster care shall be made in accordance with the accompanying regulation and applicable law.

### Adopted:

LEGAL REFS.: 20 U.S.C. 1232g (Family Educational Rights and Privacy Act)  
20 U.S.C. 6311 (g)(1)(E) and 6312(c)(5) (provisions in Every Student Succeeds Act (ESSA) regarding obligations to students in foster care)  
42 U.S.C. 671 (a)(10) and 675(1)(G) (child welfare agency requirements related to supporting normalcy for children in foster care and ensuring educational stability of children in foster care)  
34 C.F.R. 200.30 (f)(1)(iii) (ESSA's definition of "foster care")  
C.R.S. 22-32-138 (enrollment of students in out-of-home placements)  
C.R.S. 22-33-103 through 22-33-110 (school attendance law)

CROSS REFS.: JF, Admission and Denial of Admission  
JH, Student Absences and Excuses  
JJJ, Extracurricular Activity Eligibility  
JLCB, Immunization of Students  
JQ, Student Fees, Fines and Charges

St. Vrain Valley School District RE-1J, Longmont, Colorado

## Students in Foster Care

### Child welfare education liaison

At least one district staff member shall be designated to serve as the child welfare education liaison. By August 15 of each year, the district shall report the name and contact information of the district's child welfare education liaison to the Colorado Department of Education.

The child welfare education liaison shall be responsible for working with child placement agencies, county departments of human services, and the state department of human services to facilitate the prompt and appropriate placement, transfer, and enrollment of students in foster care. The specific duties of the child welfare education liaison shall include, but are not limited to:

- working with social workers from county departments of human services, juvenile probation officers, and foster care parents to ensure the immediate school enrollment and prompt transfer of students' education information and records when students are required to change school enrollment due to changes in placement;
- ensuring that the education information and records of a student in foster care are delivered to the student's new school within five school days after receiving a request for the transfer of the student's education information and records from a county department of human services;
- participating and collaborating on best interest determinations with the local county department of human services; and
- providing training to district staff on the Title I provisions and educational needs of students in foster care.

In addition to the liaison's duties pertaining to students in foster care, the district's child welfare education liaison is designated to receive notice of a student who is transitioning to public school from a state-licensed day treatment facility, facility school or hospital providing inpatient acute care or psychiatric services and who has been determined by that facility, facility school, hospital, or a court to be a risk to himself or herself or the community within the 12 months prior to the proposed transfer to a public school. Under certain circumstances, the child welfare education liaison may receive an invitation to participate in the development of a transition plan for such student.

### Enrollment determinations

In making enrollment determinations, the child welfare education liaison shall assist appropriate county department of human services representatives in making "best interest of the child" education decisions, particularly the determination of whether or not it is in the best interest of the student in foster care to remain in his/her school of origin or to enroll in a new school.

### **Transfer of education records**

If a student in foster care transfers to another school or district, the sending district shall transfer the student's education information and records to the receiving school within five school days after receiving a transfer request from the county department of human services that has legal custody of the student.

The sending district may release the student's education information and records to an employee of the county department of human services for the sole purpose of transferring the education information and records to the student's new school. Such release shall be in accordance with applicable state and federal law, including the Family Educational Rights and Privacy Act.

If the request for a records transfer involves a student who is receiving special education services pursuant to an individualized education plan, the sending district shall notify its special education director of the records request.

The sending district shall not delay the transfer of education information and records of a student in foster care for any reason, including but not limited to the existence of any unpaid fines or fees.

### **Enrollment in a new school**

If it is determined that it is not in the student's best interest to remain in his/her school of origin and unless otherwise permitted by state law to deny enrollment, the district or new school shall immediately enroll a student in foster care in the new school, regardless of whether:

- the district or school has received the student's education records or certificate of immunization;
- the student can comply with any requirements pertaining to the use of school uniforms or other clothing restrictions; or
- the student can comply with any other pre-enrollment restrictions or requirements imposed by the district or new school.

If the district or new school enrolls a student in foster care without receiving the student's certificate of immunization, the district or school shall notify the student's legal guardian that, unless the district or school receives the student's certificate of immunization or a written authorization for administration of immunizations within fourteen (14) days after the student enrolls, the student in foster care shall be suspended until such time as the district or school receives the certificate of immunization or authorization.

### **Transfer of credits**

When a student in foster care transfers from one school to another school, the sending school shall certify to the receiving school or district the coursework that the student fully

or partially completed while enrolled. The receiving school or district shall accept the student's certified coursework as if it had been completed at the receiving school.

The receiving school or district shall apply all of the student's certified coursework toward completion of the student's requirements for the grade level in which the student is enrolled at the receiving school or for graduation from the receiving school if the student is enrolled in 12<sup>th</sup> grade. The receiving school or district may award elective credit for any portion of the student's certified coursework that is not aligned with the curriculum of the receiving school or district.

### **Transportation**

Applicable federal law requires the district to develop procedures to ensure that students in foster care who need transportation to their respective schools of origin promptly receive that transportation, and to ensure that such transportation is arranged and provided in a cost-effective manner. Accordingly, when the district is notified that a student in foster care needs, or may need, transportation to a district school, the child welfare education liaison will take steps to establish an individualized plan that addresses transportation to maintain the student in his/her school of origin will be arranged, provided and funded for the duration of time that the student is in foster care and attending his/her school of origin.

In establishing such a plan, the child welfare education liaison and other district staff shall follow any existing transportation procedures that the district, acting in collaboration with one or more relevant departments of human services, has adopted or otherwise expressly agreed to implement for the cost-effective transportation of the student in foster care. If there are additional costs in providing transportation to the school of origin, the district will provide such transportation if:

- the local county department of human services agrees to reimburse the district for the cost of such transportation;
- the district agrees to pay for the cost; or
- the district and local county department of human services agree to share the cost.

Adopted:

St. Vrain Valley School District RE-1J, Longmont, Colorado