

Related Entries: (Not identified at this time)

Homeless Students

The School Board of Lee County shall ensure that homeless children and youth are provided with equal access to the same free, appropriate educational programs, including a public preschool education as provided to other children and youth, and other services needed to ensure an equal opportunity to meet the same challenging State of Florida academic standards to which all students are held and to fully participate in the District's academic and extracurricular activities. Additionally, the District shall ensure homeless children and youth are not segregated on the basis of their status as homeless and are protected from discrimination on the basis of their homelessness.

(1) The District will:

- (a) Designate an appropriate staff person able to carry out the duties in the McKinney- Vento Act, as the district's liaison for homeless children and youth
- (b) Remove barriers to:
 - 1. Identifying homeless children and youth
 - 2. Enrolling and retaining of homeless children and youth in school
 - 3. Provide access to homeless children to public preschool programs administered by the District
 - 4. Provide appropriate credit for full or partial coursework satisfactorily completed by homeless children and youth while attending a prior school
 - 5. Provide access for homeless children and youth to academic and extracurricular activities
 - 6. Immediately enroll homeless children and youth to a qualified school
- (c) Coordinate District programs and collaborate with other school districts, community service providers, and organizations, including:
 - 1. Local social services and other community agencies to provide support to homeless students and their families,
 - 2. Other school districts regarding homeless student-related transportation, transfer of school records, and other inter-district activities as needed,

3. Housing authorities,
4. Exceptional Student Education (ESE), and
5. Coordinate with school personnel responsible for counseling to prepare and improve readiness for postsecondary education for unaccompanied homeless high school youth.

(2) Definitions

The District homeless education liaison shall make a final determination of homeless status on a case-by-case basis.

- (a) The McKinney-Vento Homeless Assistance Act defines “homeless children and youths” as individuals who lack a fixed, regular, and adequate nighttime residence and includes children and youth who:
 1. Are sharing the housing of other persons due to loss of housing, economic hardship or similar reason (sometimes referred to as “double-up”).
 2. Are living in motels, hotels, FEMA trailers, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
 3. Are living in emergency or transitional shelters; or abandoned in hospitals.
 4. Have a primary nighttime residence that is a public or private place not designated for, or ordinarily used as a regular sleeping accommodation for human beings.
 5. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
 6. Migratory students who qualify as homeless because they are living in circumstances described above (1-5).
- (b) The term “unaccompanied youth” means a child or youth who is not in the physical custody of a parent or guardian.
- (c) The term “school of origin” means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool.
- (d) Enroll and enrollment include attending classes and participating fully in activities.
- (e) Eligible School: the school of origin, the school zoned for the address where the student is temporarily residing, or another school which students residing in

that attendance zone are eligible to attend.

(3) Enrollment

The District has an obligation to remove barriers to the enrollment and retention of homeless students. Enroll and enrollment include attending classes and participating fully in school activities. The District will immediately enroll a homeless student, new to the district, in school, even if they do not have the documents usually required for enrollment, such as school records (including Individualized Education Plan-IEP), medical records or proof of residency.

(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 guardian and in accordance with the student's best interest.

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

(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.

(d) The District shall immediately enroll the new student in the school assigned even if the child or youth missed an application or enrollment deadline during any period of homeless and/or is unable to produce records normally required or enrollment; such as:

1. Previous Academic Records
2. Immunizations or other health records
3. Birth Certificate
4. Proof of Residence
5. Guardianship
6. Uniform or Dress code requirements
7. Outstanding fees, fines, or absences
8. Other required documentation

(e) Students must be provided appropriate credit for full or partial coursework satisfactorily completed by homeless children and youth while attending a prior

school.

- (f) The District shall immediately contact the school last attended to obtain relevant academic and 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 the District's responsibility to make sure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extra-curricular activities for which they meet relevant eligibility criteria, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs (if available).

(4) School Stability

Maintaining a stable school environment is crucial to a homeless student's success in school. An "eligible school" is the school of origin, the school zoned for the address where the student is temporarily residing, or another school that students residing in that attendance zone are eligible to attend.

- (a) The District shall, according to the student's best interest, and by a parent, guardian, or unaccompanied youth request, to continue the homeless student's education in the school of origin for the duration of homelessness or enroll the student in a District school in the attendance zone in which the homeless student is actually living on the same basis as other district students. To ensure stability, the District must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors.

- (b) The District shall, 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 and continued to receive all McKinney-Vento Act benefits; or 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.

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

1. Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth.
2. Consider placement in a school other than the child's or youth's school of origin, the district will consider student-centered factors to determine a placement that is in the student's best interest.
3. When the district determines that a placement other than the school of origin is in the best interest, the district will provide the parent, guardian, or unaccompanied homeless youth with:
 1. A written explanation in a manner and form understandable to the parent, guardian, or unaccompanied youth
 2. Information on the right to appeal the placement determination
4. In the case of an unaccompanied student, 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.
5. The school of origin means the school that the student attended when permanently housed, or the school in which the student was last enrolled. The choice regarding placement shall be made regardless of whether the student lives with the homeless parents or guardian or has been temporarily placed elsewhere.

(5) Residency

A homeless student is considered a resident if the child or youth is personally somewhere within the district with the purpose to live here temporarily, but not necessarily remaining permanently.

- (a) The student shall be considered a resident when living with a parent, guardian, or person in loco parentis not solely for school purposes or for participation in extracurricular activities.

(6) Student Records

The district 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.

The District **assures that all records for homeless students will be:**

- (a) 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.
- (b) Pursuant to the McKinney- Vento Act, information regarding a homeless student's living situation is not considered directory information, is held confidential, and must be provided the same protections as other non-directory personally identifiable information (PII) contained in student education records under FERPA.
- (c) The District shall incorporate practices to protect student privacy in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA).
- (d) Maintained for each homeless child or youth, including:
1. Immunizations or other required health records
 2. Academic Records
 3. Guardianship Records
 4. Evaluations for special services
 5. Birth Certificate
- (7) Transportation
- The District shall ensure at the request of the parent, or in the case of an unaccompanied youth, the District Homeless Education Liaison, transportation will be provided for a homeless student to and from the school or origin as follows:
- (a) If the homeless student continues to live in the School District of Lee County, in which the school of origin is located, transportation will be provided or arranged.
- (b) 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 the school of origin.
- (c) If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.
- (8) Full Participation and Comparable Services

The District shall ensure:

- (a) A homeless student who becomes permanently housed during the academic year, may remain at their school of origin for the remainder of the academic year and continue to receive all McKinney-Vento Act benefits
- (b) Children and youths experiencing homelessness, and who meet the relevant eligibility criteria, will have access to all available academic and extracurricular activities for which they meet relevant eligibility criteria
- (c) Unaccompanied homeless high school youth will receive counseling to prepare and improve their readiness for postsecondary education
- (d) Each school provides services to homeless children and youths that are comparable to services offered to non-homeless students in their school, including the following:
 - 1. Transportation Services
 - 2. Educational services for which the child or youth meets the eligibility criteria: Title I, ESE, and educational programs for English Learners
 - 3. Career and technical education
 - 4. Programs for gifted and talented students
 - 5. School nutrition programs
 - 6. Preschool programs administered by the Local Education Agency (LEA)

(9) Disputes: Eligibility, School Selection, Enrollment

(a) During a dispute:

- 1. The child or youth will either remain enrolled in the student's school of origin or shall be immediately enrolled in the eligible school in which enrollment is sought, either the school zoned for the address where the student is residing or another school which students residing in that attendance zone are eligible to attend, pending final resolution of the dispute including all available appeals;
- 2. The parent or guardian of the child or youth or, in the case of an unaccompanied youth, the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school or district, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions;

3. The parent, guardian, or unaccompanied youth shall be referred to the district's designated homeless liaison to carry out the dispute resolution process as expeditiously as possible;
4. 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 the resolution of such dispute.

(10) 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 the District. 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, the District 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.

The District must also provide transportation services to the school of origin for a homeless child attending preschool. It is the District's responsibility to provide the child with transportation to the school of origin even if the homeless preschooler who is enrolled in a public preschool in the District moves to another district that does not provide widely available or universal preschool.

(11) Public Notice

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, the District shall post public notice of educational rights of children and youth experiencing homelessness in each school. In addition, the District shall post public notice of the McKinney-Vento rights in places that homeless populations frequent, such as shelters, soup kitchens, and libraries in a manner and form understandable to the parents and guardians and unaccompanied youths.

No Board policy, 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.

STATUTORY AUTHORITY:

1001.42, 1001.43, 1003.01, 1003.21, 1003.22 and 1003.25 (12), 1003.21 F.S, 42; USC Sections 1143a, 11431, 11432

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