

EDUCATION OF HOMELESS CHILDREN

The McKinney-Vento Homeless Assistance Act guarantees rights and services to remove educational barriers for homeless children and youth.

A homeless child is an individual age 21 and under eligible for public education services under state and federal law who lacks a fixed, regular, and adequate nighttime residence. The term includes children and youth who are:

- Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
- Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
- Living in emergency or transitional shelters;
- Abandoned in hospitals;
- 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;
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children who qualify as homeless because they are living in circumstances described above.

The Board will appoint a liaison for homeless children.

Every homeless child is entitled to equal access to the same free, appropriate public education as provided to other students. The District will strive to ensure the enrollment and attendance of homeless children not currently attending school. The District will enroll a child who is homeless regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment.

Homeless children will have access to services comparable those offered to other students, including but not limited to:

1. Transportation services;
2. Educational services for which a student meets eligibility criteria (e.g., Title I);
3. Educational programs for students with disabilities and limited English proficiency;
4. Programs in vocational and technical education;
5. Programs for gifted and talented students; and
6. School nutrition program.

The District will review and revise as necessary those policies, rules or procedures that may be barriers to enrollment of homeless children. In reviewing and revising such procedures, the District will consider issues of transportation, immunization, residence, birth certificates, school records, and other documentation.

Dispute Resolution Process

The District has developed a dispute resolution process for when parents, guardians, or an unaccompanied child and the District disagree on the eligibility, enrollment, or educational placement of the homeless child. When a dispute arises, the child shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. Should a dispute occur regarding eligibility, enrollment, or school selection of a homeless child, the dispute process will be as follows:

- District/ M-V Liaison takes an action pertaining to the eligibility, enrollment, or school placement.
- Parent, guardian, or unaccompanied youth should file a dispute within 10 district business days, (suggested), of written notice of the eligibility, enrollment, or school placement decision by the district.
- The district may have two levels of hearings: one through the superintendent and one to the school board. Because the district's liaison for the homeless students has the role of assisting

and supporting the parent, guardian, or unaccompanied youth during the dispute process, he or she should not be named as the superintendent's designee for this process.

- Disseminating procedures to the district school board.
- Notifying the SD DOE within 5 district business days of receipt of written disputes concerning McKinney-Vento complaints is considered a necessary information sharing mechanism.
- The district must conduct timely investigation and processing of disputes within 10 district business days, with an additional 5 district business days if exceptional conditions exist.
- Disseminating written dispute findings and resolutions to all parties to the dispute and the district school board. Privacy is a priority.
- Appealing to the SD DOE within 15 district business days is a right of the parent, guardian, or unaccompanied youth.

The District will provide a written explanation of the decision to the parent or, in the case of an unaccompanied child, to the unaccompanied child. The written explanation must include a description of the parent's or unaccompanied child's right to appeal the decision.

The designated District Homeless Liaison is responsible for carrying out the dispute resolution process in an expeditious manner.

Policy

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