

Education of Homeless Children and Youth Procedure

This administrative procedure implements Board policy JLG - Education of Homeless Children and Youth.

Homeless Education Liaison

The Superintendent will designate a Homeless Education Liaison. The Homeless Education Liaison is responsible for implementing RSU 40 services for homeless students and for unaccompanied homeless students. All questions regarding enrollment, programming and services for homeless students will be referred to the Homeless Education Liaison. The Homeless Education Liaison is expected to consult with the Superintendent and other appropriate school staff in making determinations of homelessness, as well enrollment and programming decisions for students.

Definitions

1. **Homeless student.** A homeless student means a student eligible to attend pre-school, elementary or secondary school who:
 - a. Lacks a fixed, regular and adequate night-time residence; and
 - b. Includes:
 - 1) Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
 - 2) Students who have a primary night-time residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings;
 - 3) Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - 4) Migratory students who are living in circumstances described in (1) through (3).

2. **Unaccompanied homeless student:** An unaccompanied homeless student is a homeless student, as defined above, who is not in the physical custody of a parent or guardian.

Determination of Homelessness

1. If a student seeks to enroll in RSU 40 as a homeless student, the Homeless Education Liaison will be informed as soon as possible by the building administrator or designee.
2. The Homeless Education Liaison will take the following steps:
 - a. Meet with the student's parent or guardian, or in the case of an unaccompanied homeless student (a student not in the physical custody of a parent or guardian), with the student.
 - b. Determine whether the student is a "homeless student" or "unaccompanied homeless student" as defined by law/regulations, in consultation with appropriate administrators. In making this determination, the Homeless Education Liaison will gather relevant information, including, but not limited to, information about the student's and parent/guardian's current and past living situations, the reasons for the student's current living situation, the availability of other living arrangements for the student, and records required for enrollment.
 - c. If the student is determined to be homeless, the parent/guardian (or student if an unaccompanied homeless student) will be informed of the enrollment options available to the student, referral and other services available within the school unit and community.
3. If it is determined that the student is not homeless, the parent/guardian (or student if an unaccompanied homeless student) will be provided with a written explanation of the school's decision, including information regarding the right to appeal the decision (see Section D).

Student Enrollment

1. RSU 40 will provide a notice regarding the rights of homeless students with all enrollment packets.
2. RSU 40 will facilitate the student's enrollment in school, according to the student's best interest (see below). Enrollment options may include:

- a. Continuing the student's enrollment in the student's "school of origin" for the duration of homelessness in any case in which a family becomes homeless between academic years or during an academic year and for the remainder of the academic year, if the student becomes permanently housed during an academic year, or
 - b. Attending the public school in the attendance area where the student is now actually living.
3. The student is to be enrolled in a school according to the student's "best interests," which will include student-centered factors such as the impact of mobility on achievement, education, health and safety of the student, giving priority to the request of the student's parent/guardian or the unaccompanied homeless student. The Homeless Education Liaison will initially presume that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the parent/guardian, or (in the case of an unaccompanied homeless student) the student's own wishes. When applicable, the Homeless Education Liaison will consider information about the student's disability in the determination of "best interests." The Homeless Education Liaison will also consider the views of the school unit of current residence.
 4. If it is determined that it is not in the student's best interest to attend the school of origin or the school requested by the parent/guardian (or the unaccompanied homeless student), the Homeless Education Liaison will provide the parent/guardian (or unaccompanied homeless student) with a written explanation, including information regarding the right to appeal the decision (see Section I).
 5. A student determined to be homeless will be immediately enrolled in school, if found to be in the student's best interests, even if the student is unable to produce records normally required for enrollment (such as academic records and immunization records). The Homeless Education Liaison will assist families to obtain needed records and ensure that students are able to participate in school activities even if a parent/guardian has not signed forms which are generally required.
 6. In the event a dispute arises over enrollment in a school, the student will be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute.

Education, Transportation and Meals

Homeless students will be provided services comparable to those offered to other students in the same school.

1. Educational services for which the student is eligible, including but not limited to pre-school programs operated by the school unit, special education, gifted and talented programs, vocational programs, college readiness, school choice options, before and after school programs, other school-based services and Title I services (even if they are not enrolled in a Title I school).
2. Transportation services. If requested by the parent/guardian (or in the case of an unaccompanied homeless student, the liaison), homeless students must be provided with daily transportation to or from the school of origin. If the student continues to live in the area served by the school unit in which the school of origin is located, that school unit must provide or arrange for the student's transportation to or from the school of origin. If the student continues to attend the school of origin and the student begins living in an area served by another school unit, the school unit of origin and the school unit of residence must agree upon a method to apportion the responsibility and costs for providing transportation to and from the school of origin. If the school units cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.
3. Homeless students are immediately eligible for the school's free lunch and breakfast program.

Coordination with Other School Units and Agencies

The Homeless Education Liaison will be responsible for coordinating with local social service and other agencies and other school units as necessary to ensure that homeless children and youth have access to education and related support services. The Homeless Education Liaison will provide referrals to homeless families/children for health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services as necessary.

Recordkeeping and Student Privacy

The Homeless Education Liaison will ensure proper recordkeeping of information required under federal and state laws and regulations. Information regarding a student's living situation is subject to federal and state privacy laws, such as the Federal Education Records and Privacy Act (FERPA). Information concerning a homeless student's living situation will not be considered directory information.

Public Notice

The Homeless Education Liaison is responsible for distributing notices of the educational rights of homeless students in locations frequented by parents/guardians of homeless students and unaccompanied homeless students.

Dispute Resolution

The Homeless Education Liaison is responsible for assisting parents/guardians (or unaccompanied homeless students) at all stages of the dispute resolution process.

1. RSU 40 Appeal Procedure

- a. If a parent/guardian (or unaccompanied homeless student) is dissatisfied with the determination by the Homeless Education Liaison that a student is not homeless or with the determination of “best interest,” they may appeal the decision in writing to the Superintendent within five (5) school days.
- b. The Superintendent will review the written appeal and pertinent records, and conduct further investigation if deemed appropriate. The Superintendent will notify the parent/guardian (or unaccompanied homeless student) of their decision in writing within ten (10) school days, if practicable under the circumstances.
- c. If the parent/guardian (or unaccompanied homeless student) is dissatisfied with the Superintendent’s decision, they may request the Homeless Education Liaison to forward an appeal to the Department of Education for final resolution. This request must be made within five (5) school days of the parent/guardian’s (or unaccompanied homeless student’s) receipt of the Superintendent’s decision.

2. Maine Department of Education Dispute Resolution Process

- a. The Homeless Education Liaison will assist the parent/guardian (or unaccompanied homeless student) in assembling an appeal packet for submission to the State Homeless Education Coordinator at the Maine Department of Education and assure that it is sent and received by the State Coordinator by email or mail. Appeals to the Maine Department of Education will be handled as specified in Maine Department of Education Rule Chapter 14, including an initial review by the State Homeless Education Coordinator and a final review, if requested, by the Commissioner of Education.
- b. Disputes among school units. In situations where there is a disagreement between RSU 40 and another school unit over a determination of eligibility or best interest, RSU 40 may request informal assistance from the State Homeless Education Coordinator. Should the disagreement persist, RSU 40 or the other school unit may initiate the dispute resolution process specified in Maine Department of Education Rule Chapter 14. In such a case, the Homeless Education Liaison will assist the parent/guardian (or unaccompanied homeless student) in assembling any

documents they wish to submit, if requested.

Cross References: JLG – Education of Homeless Children and Youth
JRA – Student Records and Information

Adopted: December 3, 2020