

## ADMISSION OF HOMELESS CHILDREN PROCEDURES

The education of students in homeless situations in the 2001 No Child Left Behind Act requires that all homeless children and youth have full and equal opportunity to succeed in public schools. The following summarizes key provisions of the reauthorized Elementary and Secondary Education Act's Title I statute:

### School Selection

- According to a child or youth's best interest, Local Educational Agencies (LEAs) must either continue the child/youth's education in the school of origin, or enroll the child/youth in any public school in the attendance area where the child/youth is actually living and eligible to attend. In determining best interest, LEAs must, to the extent feasible, keep children/youth in the school of origin, unless it is against the wishes of the parent/guardian. A homeless child or youth's right to attend their school of origin extends for the duration of homelessness.
- If a child or youth becomes permanently housed during the academic year, he/she is entitled to stay in the school of origin for the remainder of the academic year.
- Children and youth who become homeless in between academic years are entitled to attend their school of origin for the following academic year.
- If the LEA sends the child/youth to a school other than the school of origin or the school requested by the parent/guardian, the LEA must provide written explanation to the parent/guardian, including the right to appeal under the enrollment disputes provision cited below.
- In the case of an unaccompanied youth, the LEA homeless liaison must assist in placement/enrollment decisions, consider the youth's wishes, and provide notice to the youth of the right to appeal under the enrollment disputes provisions.
- The choice regarding placement must be made regardless of whether the child or youth resides with the homeless parent or has been temporarily placed elsewhere.

### Enrollment

- The school selected shall immediately enroll the child/youth in school, even if the child or youth lacks records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation. The enrolling school must immediately contact the last school attended to obtain relevant academic and other records.

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- If a child/youth lacks immunizations or immunization or medical records, the enrolling school must refer parent/guardian to the liaison, who shall help obtain necessary immunizations or immunization or medical records.
- The Act does not prohibit LEAs from requiring parents or guardians to submit contact information.

#### Dispute Resolution

- If a dispute arises over school selection or enrollment, the child/youth must be immediately admitted to the school in which he/she is seeking enrollment, pending resolution of the dispute. The parent or guardian must be provided with a written explanation of the school's decision on the dispute, including the right to appeal. The parent/guardian/youth must be referred to the liaison, who will carry out the state grievance procedure as expeditiously as possible after receiving notice of the dispute.
- In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

#### Transportation/Services

- LEAs are required to ensure that transportation is provided, at the request of the parent/guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin. If the homeless student continues to live in the area served by the LEA in which the school of origin is located, that LEA must provide or arrange transportation.
- If the homeless student moves to an area served by another LEA, though continuing his/her education at the school of origin, the LEA of origin and the LEA in which the student is living must agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the LEAs cannot agree upon such a method, the responsibility and costs must be shared equally.

#### Stigmatization

- Children and youth are not to be segregated on the basis of their status as homeless or stigmatized. Under no circumstances, must a child/youth be made to feel disgraced as a result of his/her current homelessness status, either by staff or students.

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- Children and youth are to be provided services comparable to those services received by other students in the school selected, including transportation services, and education programs for which students meet eligibility criteria, such as services provided under Title I or similar state or local programs; support services to children in shelters and other locations where children may live, programs for students with disabilities; programs for students with limited English proficiency; vocational or technical programs; gifted and talented programs; and school nutrition programs.
- A child who is homeless and attending any school in the LEA is eligible for services in a Targeted Assistance School Program.

### Definitions/Terms

The term “homeless child and youth” means:

1. Children and youth who lack a fixed, regular, and adequate nighttime residence, and includes children and youth 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 camp grounds due to lack of alternative adequate accommodations, are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
2. Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily as a regular sleeping accommodation for human beings;
3. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings, and
4. Migratory children who qualify as homeless because they are living in circumstances described above.

In determining “best interest,” LEAs must, to the extent feasible, keep children and youth in the school of origin, unless it is against the wishes of the parent/guardian.

“School of origin” is defined as the school the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled.

The term “unaccompanied youth” includes a youth not in the physical custody of a parent or guardian.

The terms “enroll” and “enrollment” include attending classes and participating fully in school activities.

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