

Superintendent Procedure 3115SP

Students Experiencing Homelessness - Enrollment Rights and Services



Approved by: s/Dr. Brent C. Jones Date: 3/16/22

Dr. Brent C. Jones, Superintendent

Per Policy 3115, it is the policy of the Seattle School Board that, to the extent practical and as required by law, the District shall work with students experiencing homelessness and their families to provide stability in school attendance and other services.

The Superintendent shall designate a district staff person to serve as McKinney-Vento Liaison.

1. The McKinney-Vento Homeless Liaison

A. The District Homeless Liaison will ensure that:

- i. Children and youths experiencing homelessness are identified by school personnel and through coordination of activities with other entities and agencies;
- ii. Children and youths experiencing homelessness enroll in and have full and equal opportunity to succeed in school;
- iii. Families, children and youths experiencing homelessness receive educational services for which they are eligible, including Head Start, Jump Start, and preschool programs administered by Seattle Public Schools as well as receive referrals to health care services, dental services, mental health services, and other appropriate services;
- iv. Students and youths experiencing homelessness are identified and provided proper access to free school meals;
- v. The parents or guardians of children and youths experiencing homelessness are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
- vi. Public notice of the educational rights of children and youths experiencing homelessness are disseminated where children and families receive services such as schools, family shelters, and soup kitchens;
- vii. Enrollment disputes are mediated in accordance with Section 2.C, Placement and Enrollment;
- viii. The parents or guardians of a child or youths experiencing homelessness, and any unaccompanied youth is fully informed of all transportation services, including transportation to and from the school of origin and is assisted in accessing transportation to the school selected;
- ix. Any required transportation to their school of origin or the school where they are to be enrolled is immediately provided;

- x. Unaccompanied youths are enrolled in school, have opportunities to meet the same challenging state academic standards as the state establishes for other children and youth, are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (HEA) (20 U.S.C. 1087vv) for federal student aid purposes, and their right to receive verification of this status from the Homeless Liaison;
 - xi. Barriers that prevent students experiencing homelessness from receiving credit for full or partial coursework satisfactorily completed while attending a prior school are identified and removed;
 - xii. Students experiencing homelessness are affirmed to have met the U.S. Department of Housing and Urban Development (HUD) definition of homelessness to qualify them for HUD homeless assistance programs and refer homeless families and students to housing and other services;
 - xiii. Parents, guardians and unaccompanied youth are assisted in obtaining immunizations, health screenings, guardianship records and other documents normally required for enrollment; and
 - xiv. Unaccompanied youths are connected with needed supports such as housing assistance, health care and other services.
 - xv. Building Points of Contact receive annual McKinney-Vento training;
- B. In addition to the duties and responsibilities listed above, the Homeless Liaison will work to improve systems to identify students experiencing homelessness and coordinate with the district’s nutrition program to ensure that each student experiencing homelessness has proper access to free school meals, and that applicable accountability and reporting requirements are satisfied.
- C. The district will inform school personnel, service providers and community advocates working with families experiencing homelessness of the duties of the district Homeless Liaison.

2. Homeless Children and Youths

A. Definitions

- i. **Children and youth experiencing homelessness** Individuals who lack a fixed, regular, and adequate nighttime residence. This 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, parks or campgrounds; or children or youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a sleeping accommodation by human beings; or children or youth living in cars, abandoned buildings, substandard housing or similar situations; or migratory children living in circumstances like those described above. “Substandard housing” may be determined by considering factors such as whether the setting in which the child or youth is living lacks a working kitchen or toilet, or presents unreasonable dangers to adults, children, or persons with disabilities. Cities, counties and states have varying housing codes that further define housing deemed substandard by law.

- ii. **Unaccompanied Youth:** Youth not in the physical custody of a parent or guardian and includes youth living on their own in any of the homeless situations described in the McKinney-Vento Homeless Education Act.
- iii. **School of origin:** The school or preschool that a child or youth attended when permanently housed, or the school in which the child or youth was last enrolled. When a child or youth completes the final grade level served by the school of origin, the school of origin includes the designated receiving school at the next grade level for all feeder schools.
- iv. **Best interest determination:** The district must make school placement decisions for students and youths experiencing homelessness on the basis of their best interest, as determined by student-centered factors including impact of mobility on achievement, education, health and safety. Priority should be given to the request of the child or the parent/guardian or unaccompanied youth. Placement of siblings should also be considered.
- v. **Excess cost of transportation:** The difference between what the district normally spends to transport a student to school and the cost of transporting a student experiencing homelessness to school. For example, there is no excess cost of transportation if the district provides transportation to a student experiencing homelessness by a regular bus route. However, if the district provides special transportation to a student experiencing homelessness that is not part of a regular bus route and not covered by the state transportation funding formula (e.g., summer school transportation, extracurricular activities, etc.), the entire cost would be considered excess costs of transportation. The additional cost of the district's re-routing of buses to transport a student experiencing homelessness may be considered excess cost of transportation. The district may use McKinney-Vento subgrant funds and Title I, Part A funds to defray excess cost of transportation for students experiencing homelessness.

B. Identification and Support Services

The District will:

- i. Use a housing questionnaire in its enrollment process. The questionnaire will be distributed universally so as to avoid stigmatizing children and youths experiencing homelessness and their families;
- ii. Ensure that referral forms used to identify and support students experiencing homelessness are accessible and easy to use;
- iii. Include its Homeless Liaison's contact information on its website;
- iv. Provide materials for students experiencing homelessness and parents, if necessary and to the extent feasible, in their native language;
- v. As practicable, provide annual guidance for school staff on the definition of homelessness, signs of homelessness, the impact of homelessness on students and steps to take when a student who may potentially be experiencing homelessness is identified, including how to connect the student with appropriate housing and support service providers;
- vi. Develop interagency partnerships to serve families and youths experiencing homelessness;

- vii. Work with the state homelessness coordinator to facilitate services to families and youths made homeless by natural disasters or other catastrophic events; and
- viii. Establish a building point of contact at each elementary school, K-8 school, middle school, and high school appointed by the principal of the designated school responsible for identifying students and unaccompanied youth experiencing homelessness and connecting them to the district's Homeless Liaison.

C. Placement and Enrollment

The district will:

- i. When deciding placement, presume that allowing the student experiencing homelessness to remain in their school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian or unaccompanied youth.
- ii. If the parent/guardian contests the District's decision, make a best interest determination based on factors such as the impact of mobility on the student's educational achievement, health, and safety. If the best interest determination is requested by an unaccompanied youth, the process will give priority to the views of the youth.
- iii. After conducting a best interest determination, provide to the parent/guardian of the student in a timely manner and in a language they can understand, a written explanation of the final decision and the right to appeal the decision (see Dispute Resolution Procedure, below).
- iv. Pending resolution of disputes that arise over eligibility, school selection or enrollment, immediately enroll a student experiencing homelessness in the school in which the parent, guardian or unaccompanied youth seeks enrollment.
- v. Avoid delay or denial of enrollment of student experiencing homelessness, even if they have missed application or enrollment deadlines during any period of homelessness or are unable to produce records required for enrollment (e.g., previous academic records, immunization records, health records, proof of residency, proof of guardianship, birth certificates).
- vi. Avoid requirements for student contact information to be in a form or manner that creates a barrier for students experiencing homelessness.
- vii. Provide transportation for students experiencing homelessness to their school or preschool of origin. Once the student has obtained permanent housing, the District will continue to provide such transportation until the end of the academic year. If the student experiencing homelessness remains in their school of origin but begins living in an area served by the District, the District of origin and the District in which the student experiencing homelessness is living must agree upon a method to apportion the responsibility and costs for the student's transportation to and from their school of origin. If the districts cannot reach an agreement, the responsibility and costs for transportation will be shared equally.
- viii. Continue to provide transportation to their school of origin pending the outcome of enrollment or transportation disputes.

- ix. Immediately contact the school last attended by the student experiencing homelessness to obtain relevant academic and other records.

3. Dispute Resolution Procedure

The district shall ensure that the child/youth attends the school in which they sought enrollment while the dispute process is being carried out.

A. Notification of Appeal Process

If the district seeks to place a child experiencing homelessness in a school other than the school of origin or the school requested by the parent/guardian, the District shall inform the parent/guardian or the unaccompanied youth of the right to appeal. The District shall provide the parent/guardian or unaccompanied youth with written notice including:

- i. An explanation of the child's placement and contact information for the district and the OSPI homeless liaison, including their roles;
- ii. Notification of the parent's/guardian's right to appeal(s);
- iii. Notification of the right to enroll in the school of choice pending resolution of the dispute;
- iv. A description of the dispute resolution process including a petition form that may be returned to the school to initiate the process and timelines; and
- v. A summary of the federal legislation governing placement of students experiencing homelessness (McKinney-Vento Act).

B. Appeal to the school district Homeless Liaison – Level I

If the parent/guardian or unaccompanied youth disagrees with the district's placement decision, they may appeal by filing a written request for dispute resolution with the school, the district's Homeless Liaison or a designee. If submitted to the school, it will be immediately forwarded to the Homeless Liaison. The request for dispute resolution must be submitted within fifteen (15) business days of receiving notification of the district's placement.

The Homeless Liaison must log the complaint including a brief description of the situation and reason for the dispute and the date and time the complaint was filed. The Homeless Liaison shall also complete the following steps:

- i. Forward a copy of the complaint to the Homeless Liaison's supervisor and the Superintendent.
- ii. Provide the parent/guardian or unaccompanied youth with a written decision and notification of the parent's/guardian's right to appeal, within five business days of receiving the complaint.
- iii. Verify the parent's/guardian's receipt of the Level I decision.

- iv. Should the parent/guardian or unaccompanied youth appeal the Level I decision, within ten business days of receipt, provide the parent/guardian or unaccompanied youth an appeals package containing:
 - a) The complaint filed with the District liaison at Level I;
 - b) The decision rendered at Level I; and
 - c) Additional information provided by the parent/guardian, unaccompanied youth and/or Homeless Liaison.

C. Appeal to the School Superintendent – Level II

The parent/guardian or unaccompanied youth may appeal the Homeless Liaison's decision to the Superintendent or the Superintendent's designee using the appeals package provided at Level I. The Superintendent or designee will:

- i. Arrange for a personal conference to be held with the parent/guardian or unaccompanied youth within five (5) business days of receiving the Level I appeals package.
- ii. Provide the parent/guardian or unaccompanied youth with a written decision within five business (5) days of the conference, citing supporting evidence and giving notification of their right to appeal to the Office of the Superintendent of Public Instruction (OSPI).
- iii. Verify receipt of the Level II decision.
- iv. Forward to the Homeless Liaison a copy of the superintendent's decision.
- v. Should the parent or unaccompanied youth appeal to the OSPI, be prepared to receive from the Homeless Liaison within ten business days receipt of the Level II decision.

D. Appeal to the Office of the Superintendent of Public Instruction – Level III

- i. The Superintendent shall forward a copy of the Level II decision and all written documentation to the OSPI Homeless Liaison within five (5) days of rendering a decision. The district will submit the entire dispute package to the OSPI in one complete package by U.S. mail.
- ii. The OSPI's homeless education coordinator or designee, along with the appropriate agency director, and/or agency assistant superintendent shall make a final decision within fifteen (15) business days of receiving the appeal.
- iii. The OSPI's decision will be forwarded to the district's Homeless Liaison. The Liaison will distribute the decision to the parent or unaccompanied youth and the local superintendent.
- iv. The OSPI's decision will be the final resolution for placement of a child or youth experiencing homelessness in the district.
- v. The district will retain the record of all disputes, at each level, related to the placement of children experiencing homelessness.

4. Inter-district Disputes

If districts are unable to resolve a dispute regarding the placement of a student experiencing homelessness, either district may submit a written request to OSPI seeking resolution. OSPI will resolve the dispute within 10 business days of notification of the dispute and inform all interested parties of the decision.

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Cross Reference: Policy No. 3115