

HOMELESS STUDENTS

1.0 General Definitions. It is the District's intent to remove barriers to the enrollment and retention of homeless students in school in accordance with state and federal law. The District shall take reasonable steps to ensure that homeless students are not segregated or stigmatized and that decisions are made in the best interests of the student.

1.1 The term "homeless children" is defined in federal law as individuals who lack a fixed, regular and adequate nighttime residence; including:

1.1.1 children and youths 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; are abandoned in hospitals; or are awaiting foster care placement;

1.1.2 children and youths who 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;

1.1.3 children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

1.1.4 migratory children who are living in circumstances described above.

2.0 Homeless Student Liaison. The District has appointed a homeless student liaison. The liaison shall be responsible for these primary functions:

2.1 To identify homeless children and facilitate each homeless child's access to and success in school;

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2.2 To mediate disputes concerning school enrollment;

2.3 To assist in making transportation arrangements;

2.4 To assist in requesting the student's records, provide information, and give referrals on services and opportunities; and

2.5 To assist any homeless child who is not in the custody of a parent or guardian with enrollment decisions.

2.6 In addition, the liaison shall report the number of homeless students enrolled in the District to the Colorado Department of Education by October 1 of each year.

2.7 In carrying out these functions, the liaison may designate, hire, or contract with another person or entity to provide services.

2.8 School-based personnel will work cooperatively with the liaison and/or agents, including participation in meetings and training sessions, as appropriate, to facilitate on-going, pro-active and accurate identification of homeless students/families.

3.0 Enrollment. A homeless student is deemed to reside, and may enroll and attend school in:

a. The District where the child is presently located; or

b. The District in which the student attended school previous to becoming homeless.

c. Students defined in state and federal law as homeless children shall be admitted without payment of tuition.

3.1 Enrollment shall be immediate even if the student lacks records routinely required prior to enrollment. The school shall make arrangements to obtain any necessary records and to have the student receive any necessary

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immunizations. When feasible the District shall seek immunization through no- or low-cost health care providers. If an expense is incurred, the District shall seek reimbursement through Medicaid if possible.

3.2 If a homeless student becomes permanently housed outside the District during the school year, the student shall no longer be considered homeless and may only continue enrollment in the District for the remainder of the school year. The student shall no longer receive supplemental transportation services if such had been provided during the period of homelessness.

4.0 Notice of Determination and Appeal. When necessary to document the District's determination of a student's status as a homeless pupil and/or determination of school of assignment, the liaison shall deliver to the parent/guardian a written notice of the District's determination and of the right to appeal. If the liaison determines that the homeless student shall attend a school other than the student's previous school or a school other than the one requested by the student's parent or guardian, the liaison shall also provide written explanation regarding that decision to the parent/guardian.

5.0 Enrollment Disputes. If an enrollment dispute arises between the student's custodial parent/guardian (or the student not in custody of a parent/guardian) and the District, the student shall be immediately enrolled in the school selected by the parent/guardian or student until the dispute is resolved.

5.1 The parent/guardian (or student, if applicable) may appeal an enrollment determination made by the District to the District's homeless liaison within 14 days after receiving the written determination and notice of right-to-appeal.

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5.2 The liaison shall issue a written decision on the dispute within 14 days of the receipt of the appeal and hand deliver a written decision and notice of right-to-appeal to the Superintendent to the parent/guardian (or student, if applicable).

5.3 Within 14 days of delivery of the liaison's decision and right-to-appeal notice, the parent/guardian (or student, if applicable) may appeal the decision to the Superintendent.

5.4 The Superintendent shall issue a written decision on the dispute within 14 days of the receipt of the appeal.

5.5 A final decision by the District shall be delivered to the State Coordinator for the Education of Homeless Children and Youths and to the parents/guardian (or student, if applicable). The decision of the State Coordinator shall be final.

6.0 Transportation. Subsequent to a determination that the student shall attend a school in this District, a request for transportation may be made by the student or by the student's custodial parent/guardian.

6.1 If the student is located in the District, the District shall provide or arrange for the student's transportation to and from school in accordance with District transportation policies. All transportation services shall be comparable to those provided for other students in the District.

6.2 If the student is located outside of the District but a determination has been made that the student shall attend school in the District and transportation is requested, both this District and the District where the student is located must either agree on a method to apportion cost and responsibility for the student's transportation or share the cost and responsibility equally.

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6.3 If a student becomes permanently housed during the school year, the District, at its discretion, may discontinue any transportation arrangements or transportation assistance that may have been provided prior to the student's becoming permanently housed.

7.0 Superintendent policies/procedures which would conflict with the District's legal obligations to homeless students are hereby waived.

LEGAL REFERENCES:
42 U.S.C. 11421 *et seq*
C.R.S. 22-1-102.5
C.R.S. 22-32-109(1)(dd)
C.R.S. 22-33-103.5
C.R.S. 26-5.7-101 *et seq.*

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