Students

Homeless Students

Employees of the Bristol Board of Education shall make reasonable efforts to identify homeless children and youths within the district, encourage their enrollment in school and eliminate existing barriers to their education, which may exist in district policies or practices, in compliance with all applicable federal and state laws.

Further, it is the policy of the Bristol Board of Education that no child or youth shall be discriminated against or stigmatized in this school district due to ~~because of~~ homelessness. Homeless students as defined by federal and state statutes, residing within the district or residing in temporary shelters in the district are entitled to free school privileges.

Homeless students shall not be separated from the mainstream school environment on the basis of their homelessness. Such students shall have access to education and other services they need to meet the same challenging State academic standards to which all students are held.

Homeless students within the district not placed in a shelter remain the district's responsibility to provide continued educational services. Such services for the child may be:

1. Continued in the school ("school of origin") that the student attended when permanently housed or the school of last enrollment; or

2. Provided in the school that is attended by other students living in the same attendance area where the homeless child lives.

To the extent feasible, a homeless child will be kept in the school of origin, unless it is against the wishes of the parent/guardian. If placement in the school of origin is not feasible, the homeless student must be placed in the school that is attended by other students living in the same attendance area in which the homeless child lives.

The District will provide a written explanation, including the right to appeal whenever the District sends a homeless student to a school other than the school of origin, a school requested by the parent/guardian or unaccompanied youth.
Homeless children shall be provided educational services that are comparable to those provided to other students enrolled in the district, including but not limited to, Title I, transportation services, compensatory educational programs, gifted and talented, special education, ESL, health services and food and nutrition programs and preschools operated by the District, if they meet the established criteria for these services.

The Superintendent of Schools or designee shall refer identified homeless children under the age of eighteen who may reside within the school district, on a case-by-case basis, when there is reasonable suspicion of neglect or abuse, ~~unless such children are emancipated minors,~~ to the Connecticut Department of Children and Families. (DCF). (Homelessness by itself does not automatically mean that abuse or neglect exists.)

Students

Homeless Students

The district administration shall attempt to remove existing barriers to school attendance by homeless emancipated minors and youth eighteen years of age:

1. The selected school for the homeless child shall enroll the child, even in the absence of records normally required for enrollment. The last school enrolled shall be contacted to obtain records.

2. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent. If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

3. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, may be waived at the discretion of the Superintendent.

4. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student's school of origin or the school attendance area in compliance with federal and state regulations. If the school of origin is in a different school district from where the homeless child or youth is currently living, both school districts shall agree on a method for sharing the responsibility and costs or share the costs equally.

5. Official school records policies and regulations shall be waived at the discretion of the Superintendent, in compliance with federal statutes.

6. The district shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of Board of Education policy on immunizations.

7. The Board will provide any homeless student, who is not in the physical custody of a parent/guardian, full access to his/her educational records, including medical records, in the Board's possession.

~~7.~~ 8. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

Students

Homeless Students

9. The District will treat information about a homeless child or youth's living situation as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA). Such information shall not be deemed to be directory information.

Any homeless child or youth denied school accommodations shall continue in attendance or be immediately enrolled in the school selected by the child in the school district. The homeless child or youth or the parent/guardian of such homeless individual shall be provided with a written explanation of the reasons for the denial of accommodations in a manner and form understandable to such homeless child or youth or parent/guardian. Information shall also be provided regarding the right to appeal the decision to deny accommodations. The homeless child or youth shall be entitled to continue in attendance in the school district during all available appeals.

In addition, if a homeless child or youth is denied school accommodations, such homeless child or youth shall be entitled to a hearing conducted pursuant to C.G.S. 10-186.

The District's educational liaison for homeless children is Cecilia Garay. The liaison must assist homeless children and youth, as described within the administrative regulations, in the placement/enrollment decisions, considering the youth's wishes, and provide notice of appeal under the Act's enrollment disputes provisions. The liaison shall also participate in State-provided professional development programs for local liaisons.

~~The District's educational liaison for homeless children is the Director of Teaching & Learning.~~

Students residing in a temporary shelter are entitled to free school privileges from the district in which the shelter is located or from the school district where they would otherwise reside if not for the placement in the temporary shelter. The district in which the temporary shelter is located shall notify the district where the student would otherwise be attending. The district so notified may choose to either:

1. Continue to provide educational services, including transportation between the temporary shelter and the school in the home district; or

2. Pay tuition to the district in which the temporary shelter is located.

The Superintendent shall develop regulations, to ensure compliance with applicable statutes in the implementation of this policy.

(cf. 5143 - Student Health Assessments and Immunizations)
(cf. 5146 - Child Abuse and Neglect)

Students

Homeless Students

Legal Reference: Connecticut General Statutes

4-176e to 4-180a Agency hearings.
4-181a contested cases. Reconsideration. Modifications.
10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission. Transfers. (as amended by PA 19-179)

10-253(e) School privileges for children in certain placements, non resident children and children in temporary shelters. (as amended by PA 17-194)

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surrounding without court order. ~~17a-102 Report of danger of abuse.~~

17a-103 Reports by others.

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse and neglect.

46b-120 Definitions.

PA 17-194 An Act Concerning Access to Student Records for Certain Unaccompanied Youths

PA 19-179 An Act Concerning Homeless Students' Access to Education

McKinney-Vento Homeless Assistance Act, (PL 107-110-Sec 1032) 42 U.S.C. §11431-11435, as amended by the ESSA, P.L. 114-95.
Federal Register: McKinney-Vento Education for Homeless Children and Youths Program, Vol. 81, No. 52, 3/17/2016.
Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g.)
Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. Implementing FERPA enacted as part of 438 of General Educ. Provisions Act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96, and Final Rule 34 CFR Part 99, December 9, 2008, December 2, 2011.

Policy Adopted: March 5, 2003
Policy Revised: August 19, 2015
Policy Revised: May 2, 2018

BRISTOL PUBLIC SCHOOLS
Bristol, Connecticut

Students

Homeless Students

In order to appropriately implement the policy pertaining to homeless children, youth and students placed in shelters, in compliance with all applicable federal and state statutes, the following regulations are established.

Definitions:

Homeless children and youth's ~~students~~ are federally defined as "individuals who lack a fixed, regular, and adequate nighttime residence." This definition includes the following types of students who are:

a. sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;

b. living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;

c. living in emergency or transitional shelters;

d. abandoned in hospitals;

~~e. awaiting foster care placement;~~

~~f.~~ e. 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;

~~g.~~ f. living in cars, parks, public spaces, abandoned buildings, bus or train stations, or similar settings;

~~h.~~ g. migratory children living in the above described circumstances.

Connecticut's residency definitions contained in C.G.S. ~~10-235(d)~~ 10-253(d) defines non-residency as children residing with relatives or non-relatives, when it is the intention of such relatives or non-relatives and of the children or their parents or guardians that such residence is to be (1) permanent, (2) provided without pay and (3) not for the sole purpose of obtaining school accommodations. In addition, C.G.S. 10-253(e) indicates that children in temporary shelters are entitled to free school privileges from either the school district in which the shelter is located or from the school district in which the child would otherwise reside, if not for the need for temporary shelter. The district has an obligation to identify homeless and migratory children.

"Enroll" and "enrollment" are federally defined to include attending classes and participating fully in school activities.

Students

Homeless Students

"Unaccompanied youth" includes a homeless child or youth not in the physical custody of a parent or guardian. (42 USC §11434a)

District Obligations Regarding Placement of Homeless Students:

a. District policy must remove barriers to the identification, enrollment and retention of homeless children and youth, including such barriers as outstanding fees, fines or absences.

~~a.~~ b. The District must continue the student's education in the "school of origin" which is the school the child attended when permanently housed or the school of last enrollment. School of origin may include pre-school administered by the District and, when a homeless child or youth completes the final grade level served by the school of origin; school of origin also includes the designated receiving school at the next grade level for all feeder schools. The District must presume that keeping a homeless child or youth in the school of origin is in such individual's best interest unless doing so is contrary to the request of the individuals' parent/guardian or unaccompanied youth. OR

~~b.~~ c. The District must enroll the homeless student in any public school that non-homeless students who live in the area where the child is actually living are eligible to attend. The school selected based on a homelessness child or youth's best interest shall immediately enroll such child even if he/she missed application or enrollment deadlines during any period of homelessness.

~~c.~~ d.The District is required, "to the extent feasible" to keep the homeless child in the school of origin unless it is against the wishes of the parent/guardian. If the District determines that it is not in the child's or youth's best interest to attend the school of origin, the District will provide a written explanation of its determining reasons, in a manner and form that is understandable.

~~d.~~ e The homeless child's right to attend the school or origin extends for the duration of homelessness. When the child or youth completes the final grade served by the school of origin; it also includes the designated receiving school at the next level for all feeder schools.

~~e.~~ f If a child becomes permanently housed during the academic year, he/she is entitled to stay in the school of origin until the end of the school year.

Students

Homeless Students

District Obligations Regarding Placement of Homeless Students (continued)

~~f.~~ g A child who becomes homeless in between academic years is entitled to attend his/her school of origin for the following academic year.

~~g.~~ h The District must provide written explanation, including the right to appeal, whenever the school District sends the homeless child to a school other than the school of origin or a school requested by the parent/guardian.

~~h.~~ i. With an "unaccompanied youth," the District's homeless liaison must assist in the placement/enrollment decisions, considering the youth's wishes, and provide notice of appeal under the Act's enrollment disputes provision.

j. The District's liaison must participate in professional development and technical assistance provided by the State Office of the Homeless Coordinator.

k. The definition of "school of origin" includes preschools operated by a local school district.

l. Information about a homeless student's living situation shall be treated as a student education record, subject to FERPA protections and shall not be deemed to be directory information.

Appeal Procedures: (Enrollment Disputes)

a. C.G.S. 10-186 currently defines the process for resolving issues involving homeless students. The state is required to establish an appeal process.

b. In a dispute over eligibility the child or youth shall immediately be enrolled in the school in which enrollment is sought, pending final resolution of the dispute and all available appeals.

~~b. Federal law requires school districts to allow homeless students to "stay put." "The child shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute."~~

c. The District's homeless liaison shall carry out the dispute resolution process expeditiously and, in the case of an unaccompanied youth, ensure that the youth is immediately enrolled in school pending the final resolution of the dispute and all available appeals.

Students

Homeless Students

~~**Notice of Determination and Appeal**~~

~~The Superintendent or designee shall provide written notice to the parent/guardian or unaccompanied youth of the District's determination and of the right to appeal, and provide a copy to the liaison. If the Superintendent or designee 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 Superintendent or designee shall also provide written explanation regarding that decision to the parent/guardian and provide a copy to the liaison.~~

~~**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.~~

~~The parent/guardian (or student, if applicable) may appeal an enrollment determination made by this district to the district's homeless student liaison within 4 days after receiving the written determination and notice of right-to-appeal.~~

~~The liaison shall issue a written decision on the dispute within 4 days of the receipt of the appeal and hand deliver a written decision and notice of right-to-appeal to the Board Of Education to the parent/guardian (or student, if applicable).~~

~~Within 4 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 Board of Education.~~

~~The Board shall issue a written decision on the dispute within 4 days of the receipt of the appeal and hand deliver the written decision and notice of right-to-appeal.~~

~~The parent, guardian or the student with legal standing (including Unaccompanied Youth) may take appeal therefrom to the State Board of Education within twenty days of the mailing of the decision by the local or regional board of education. If the appeal is not made within twenty days, then the decision becomes final; and Parent, guardian or the student with legal standing aggrieved by the decision of the State Board of Education may take appeal therefrom to the Superior Court as provided in C.G.S. Section 10-187 and may file with the State Board of Education within fifteen days after the personal delivery or mailing of the final decision, a petition for reconsideration of the final decision.~~

Students

Homeless Students

School Selection (continued)

Educational Services to be Provided to Homeless Students:

1. Educational services are to be comparable to those received by other students in the school.

2. Such students may be entitled to such services through Head Start programs, as Title I, state/local remedial programs, special education, limited English proficiency, vocational education, gifted/talented and school nutrition programs.

3. Homelessness alone is not to be considered a sufficient reason to separate students from the mainstream school environment.

4. Homeless students may be segregated for short periods of time only for health and safety emergencies or to provide temporary, special or supplemental services.

School Selection

A. Standards for School Selection:

1. The District shall make a determination as to the best interests of a homeless child or youth to make a determination as to the appropriate school of placement.

2. The District is required to keep a homeless child or youth in his/her school or origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year, to the extent feasible, unless it is against the wishes of the parent or guardian. Otherwise, the homeless child or youth shall be enrolled in a public school that non-homeless students who live in the area where the child or youth is actually living are eligible to attend.

3. The District must presume that keeping the homeless child or youth in the school of origin is in the child's or youth's best interest unless doing so is contrary to the request of the child's or youth's best interest unless doing so is contrary to the request of the child's or youth's parent or guardian, or in the case of an unaccompanied youth, the youth. In considering the child's or youth's best interest, the District must consider student-centered factors related to the child's or youth's best interest, giving priority to the request of the parent or guardian or unaccompanied youth.

Students

Homeless Students

School Selection (continued)

B. Procedures for Review of School Selection Recommendation:

1. The Principal or his/her designee of the school in which enrollment is sought shall review an enrollment request in accordance with the standards discussed above, and shall make an initial recommendation. If the Principal or his/her designee's recommendation is to select a placement other than the school desired by the parent(s) or guardian(s) of the homeless child or youth of the unaccompanied youth, then the Principal of his/her designee shall refer the matter to the Superintendent or his/her designee for review of the recommendation and the reasons therefor, and shall notify the District's Homeless Liaison of same.

2. The Superintendent or his/her designee shall review the matter and consult with the District Homeless Liaison concerning same. If the Superintendent or his/her designee agrees with the recommendation of the Principal or his/her designee, and a dispute remains between the District and the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth about a school selection and/or enrollment decision; the Superintendent or his/her designee shall provide the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with a written explanation of the District's decision regarding this matter and the right to appeal such decision to the Board of Education.

C. Dispute Resolution Process:

1. The District's Homeless Liaison shall be responsible for promoting objective and expeditious dispute resolutions, and adherence to these administrative regulations.
2. If the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth disputes the school placement decision or enrollment, the District must immediately enroll the homeless child or youth in the school in which enrollment is sought, pending resolution of the dispute. The homeless child or youth shall also have the right to all appropriate educational services, including transportation to and from the school in which enrollment is sought, while the dispute is pending.

Students

Homeless Students

School Selection (continued)

3. If necessary, the District Homeless Liaison shall assist parent(s) or guardian(s) of a homeless child or youth or an accompanied youth with completion of the necessary appeal paperwork required to file for an appeal to the Board of Education, and provide the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with a copy of Section 10-186(b).
4. Within ten (10) days of receipt of an appeal to the Board of Education by a parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth, the District shall hold a hearing before the Board of Education concerning such appeal, and such hearing shall be conducted in accordance with Section 10-186(b).

Transportation Obligations of the School District for Homeless Students:

1. Services must be comparable to those provided other students in the selected school.

2. Homeless students must be provided transportation to and from the school of origin or the school attendance area, if requested by the parent/guardian, if the school is within the school district. Transportation shall be provided for the entire time the child or youth is homeless.

3. If the school of origin is in a different school district from where the child is currently living, both school districts are to agree on a method for sharing the responsibility and costs, or share the costs equally.

4. When a student obtains permanent housing, transportation to and from the school of origin or the school attendance area, must be provided until the end of the academic year, if it is in the student's best interest to remain in that school.

5. Transportation to the school of origin or the school attendance area, shall also be provided during pending disputes.

Enrollment Requests from Homeless Parents:

1. The selected school is required to immediately enroll the child, even in the absence of records normally required for enrollment. Parents/guardians may be required to submit contact information.

2. The last school attended must be contacted to obtain records.

3. If the child lacks immunizations or immunization/medical records, the enrolling school MUST refer the parent/guardian to the liaison in order to get help obtaining immunizations and records.

Students

Homeless Students

Privacy

1. Schools must treat information about a homeless child's or youth's living situation as a student education record subject to all protections of the Family Educational Rights and Privacy Act (FERPA).

2. Such information shall not be deemed to be directory information.

District Liaison for Homeless Students:

The District's liaison for homeless students is ~~the Director of Teaching & Learning.~~ Cecilia Garay

The duties of the local liaison are:

a. Ensure homeless children and youth are identified by school personnel and through coordination with other agencies and entities.

b. Ensure homeless children enroll in and have a full and equal opportunity to succeed in the school district's schools. including ensuring that such homeless children and youth have opportunities to meet the same challenging state academic standards as other children and youth.

c. Ensure that homeless families and children receive educational services for which they are eligible, including Head Start, ~~Even Start,~~ special education and, preschool programs, administered by the district ~~and referrals to health care services, dental services, mental health services, and other appropriate services.~~

d. Parents/guardians are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children.

e. Ensure that public notice of the educational rights of homeless children is disseminated where such children receive services. (For example, family shelters, soup kitchens, and schools) and youth is disseminated where such children receive services in locations frequented by parents/guardians of such children and unaccompanied youth, including schools, shelters, public libraries, and soup kitchens in a manner and form understandable to parents/guardians of homeless children and youths and unaccompanied youth.

f. Ensure that enrollment disputes are mediated in accordance with the McKinney Vento Act, including carrying out the initial dispute resolution process and ensuring that homeless students are immediately enrolled pending resolution of any enrollment dispute.

Students

Homeless Students

District Liaison for Homeless Students (continued)

g. Parent/guardian is fully informed of all transportation services, including to the school of origin or the school attendance area, and is assisted in accessing those services.

h. Ensure that homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services.

~~h.~~ i. ~~Must~~ assist unaccompanied youth in placement/enrollment decisions, including considering the youth's wishes in those decisions, and providing notice to the youth of the right to appeal such decisions.

~~i.~~ j. ~~Must~~ assist children who do not have immunizations, or immunization or medical records, to obtain necessary immunizations, or immunization or medical records.

~~j.~~ k. ~~Must~~ collaborate and coordinate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless children.

l. Indicate that a child or youth or his/her immediate family is eligible to participate in a local district program and authorized to affirm such individual/family for the HUD homeless assistance program. (This qualification can be done provided the District liaison has received the mandatory training.)

m. Provide the State Coordinator the reliable, valid, and comprehensive data needed to fulfill the federally required data collection.

n. Collaborate with and participate in professional development and technical assistance activities, as offered by the State Coordinator for the Education of Homeless Children and Youth.

o. Ensure that school personnel providing services to homeless children and youth receive professional development and other support and that unaccompanied youths:

   i. are enrolled in school;

   ii. have opportunities to meet the same challenging State academic standards the State has established for other children and youth; and

   iii. are informed of their status as independent youths under Section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087VV) and that such youth may obtain assistance from the District to receive verification of such status for purposes of the Free Application for Federal Student Aid.

p. Coordinate special education services for homeless children and youth identified as eligible within the local District.

Students

Homeless Students

District Liaison for Homeless Students (continued)

q. Ensure that high school age homeless youth receive assistance from counselors to advise such youths on preparation and readiness for college.

r. Provide any homeless student, who is not in the physical custody of a parent/guardian (an "unaccompanied youth") full access to his/her educational records, including medical records, in the district's possession.

Regulation Adopted: March 5, 2003

Regulation Revised: August 19, 2015

Regulation Revised: May 2, 2018

BRISTOL PUBLIC SCHOOLS

Bristol, Connecticut