

PELHAM SCHOOL DISTRICT POLICY

JFABD – EDUCATION OF HOMELESS CHILDREN AND UNACCOMPANIED YOUTH

Category: Priority

Related Policies: EEA, JFA, JFAA, & JFABE

It is the Board's intent to remove barriers to the identification, enrollment, and retention in schools of homeless children and youth. All staff shall take reasonable steps to ensure that homeless students and children are not segregated or stigmatized and that educational decisions are made in the best interests of those students.

Homeless students will be provided District services for which they are eligible, including preschool programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, extracurricular activities, gifted and talented programs, and school nutrition programs.

Homeless Students

Under the federal McKinney-Vento Homeless Assistance Act (“McKinney-Vento”), and guidance provided by the New Hampshire Department of Education (“NHDOE”), the term “homeless children and youths” means “individuals who lack a fixed, regular and adequate nighttime residence.” Under both section 752(2) of McKinney-Vento and the NHDOE guidance, the term includes children and youth who are:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Are abandoned in hospitals;
5. Having a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
7. Are migratory children living in conditions described in previous examples.

Additionally, as used in this policy, the terms “unaccompanied youth,” “school of origin,” “enrollment,” and “attendance area school” shall have the same meanings as set forth in the McKinney-Vento Homeless Assistance Act (“McKinney-Vento”) and guidance provided by the New Hampshire Department of Education (“NHDOE”). For purposes of this policy and its accompanying regulation, “homeless students” shall refer to and include “homeless children and youth” and “unaccompanied youth.”

Enrollment and School Stability

Enrollment of a homeless student shall be immediate even if the homeless student lacks records routinely required prior to enrollment or has missed application or enrollment deadlines (academic, immunization, etc.). The District shall make arrangements to obtain any necessary records and to have the student receive any necessary 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.

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Enrollment determinations shall be based upon the best interests of the homeless student, with the presumption that keeping the homeless student in the school of origin is in the homeless student's best interests, except when doing so is contrary to the request of the parent/guardian, or if applicable, unaccompanied youth.

If a homeless student becomes permanently housed during the school year, the student shall no longer be considered homeless and may only continue enrollment under this policy in the District for the remainder of that school year.

Homeless Liaison

The Superintendent shall designate an appropriate staff person to be the District's liaison for homeless students and their families. The homeless liaison shall coordinate with local social service agencies that provide services to homeless children and youth and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies. The District's liaison will also review and make recommendations regarding District policies that may act as barriers to the enrollment of homeless students.

Among other responsibilities, the District Homeless Liaison shall:

1. assist in requesting the student's records;
2. mediate and assist with disputes concerning school enrollment and homelessness determinations;
3. assist in making transportation arrangements;
4. ensure that homeless students receive the educational services for which they are eligible or entitled;
5. coordinate with other districts, entities, institutions and agencies to help ensure that homeless children and youth are identified by school personnel;
6. ensure that unaccompanied youth and/or parents of homeless students are informed of the educational and related opportunities available to homeless students;
7. ensure that parents/guardians of such students are provided with opportunities to participate in the education of their children (excepting instances when court or other protective orders indicate otherwise);
8. ensure that unaccompanied youth and/or parents of homeless students are informed of all transportation services including transportation to the school of origin;
9. ensure that notice is publicly disseminated of the educational rights of homeless children and youths;
10. coordinate with other Districts and with local social service agencies and other agencies or programs providing services to homeless students as needed;
11. assist any unaccompanied youth with enrollment, credit accrual, and career and college readiness decisions;
12. work with the Superintendent or designee to monitor regulations and guidance related to this policy that may be issued by applicable state and federal agencies (e.g., Department of Children Youth and Families, NHDOE, and the U.S. Department of Education).

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Transportation

Under McKinney-Vento, homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the homeless student is located outside of District boundaries but a determination has been made that the student shall remain in the school of origin within the District, or, if a homeless student is located within this District, but a determination had been made that the student shall remain in the school of origin outside of the District, then the two Districts shall agree on a method to apportion cost and responsibility for the student’s transportation or share the cost and responsibility equally.

Dispute Resolution

For any decision in the enrollment process of a homeless student, including any determination whether a living situation meets the definition of homeless, if the decision is in conflict with the wishes of the homeless student’s parent/guardian, or, if applicable, the unaccompanied youth, the District shall provide a written explanation, in a manner and form understandable to the student’s parent, guardian, or unaccompanied youth. District personnel receiving enrollment requests or information pertaining to homeless students should immediately refer those requests to the District Homeless Liaison and Superintendent’s office.

District Policy History:

Adopted: November 22, 2006

Revised: March 16, 2022

Legal References:

20 U.S.C. 1232g (Family Educational Rights and Privacy Act – “FERPA”)

20 U.S.C. 1701-1758 (Equal Educational Opportunities Act of 1974 – “EEOA”)

20 U.S.C. 6313(c)(3) (reservation of Title I funding for homeless children and youths)

42 U.S.C. §11431 and §11432 (McKinney-Vento Homeless Assistance Act – Education for Homeless Children and Youth)

Plyler v. Doe, 457 U.S. 202 (1982)

RSA 193:12, Legal Residence Required

NH Code of Administrative Rules, Section Ed 306.04(a)(19), Homeless Students