

Instruction

Administrative Procedure - Education of Homeless Children

Actor	Action
<p>Superintendent</p> <p>Preliminary Steps</p>	<p>Serve as or designate an appropriate staff person, who may also be a coordinator for other federal programs, to serve as a Liaison for Homeless Children. 42 U.S.C. §11432 (g)(1)(J)(ii).</p> <p>Under the McKinney Homeless Assistance Act (42 U.S.C. §11434a), “homeless children” means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of Section 11302(a)(1)). The term includes: 42 U.S.C. §11434a.</p> <ol style="list-style-type: none"> 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; 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 (within the meaning of Section 11302(a)(2)(C)); 3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and 4. Migratory children (Sec. 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless under this subtitle because the children are living in clauses (1) through (3) above. <p>Under State law, 105 ILCS 45/1-5, “homeless person, child, or youth” includes, but is not limited to, any of the following:</p> <ol style="list-style-type: none"> 1. An individual who lacks a fixed, regular, and adequate nighttime place of abode. 2. An individual who has a primary nighttime place of abode that is: <ol style="list-style-type: none"> a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing); b. An institution that provides a temporary residence for individuals intended to be institutionalized; or c. A public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
<p>Liaison for Homeless Children</p> <p>Duties</p>	<p>Review <u>and use</u> the information provided at www.isbe.net/homeless/default.htm <u>in order</u> www.isbe.net/homeless/default.htm to become aware of the resources and training materials provided by the Illinois State Board of Education with regard to the education of homeless children. <u>See www2.ed.gov/programs/homeless/legislation.html for the U.S. Dept. of Education’s information about federal requirements.</u></p>

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	<p>Ensure that homeless children are identified by school personnel and through coordinated activities with other entities and agencies. 42 U.S.C. §11432(g)(6)(A)(i).</p> <p>Ensure that homeless children enroll in, and have full and equal opportunity to succeed in District programs. 42 U.S.C. §11432(g)(6)(A)(ii).</p> <p>Ensure that homeless families and children receive educational services for which they are eligible and make referrals to health, mental health, dental, and other appropriate services. 42 U.S.C. §11432(g)(6)(A)(iii).</p> <p>Inform parent(s)/guardian(s) of educational and related opportunities available to their child or ward, and provide them with meaningful opportunities to participate in their child or ward’s education. 42 U.S.C. §11432(g)(6)(A)(iv).</p> <p>Disseminate public notice of the educational rights of homeless students in the location where homeless children receive services (such as schools, family shelters, and soup kitchens). 42 U.S.C. §11432(g)(6)(A)(v).</p> <p>Mediate enrollment disputes to: 42 U.S.C. §11432(g)(3)(E) and 42 U.S.C. §11432(g)(6)(A)(vi).</p> <ol style="list-style-type: none"> a. Ensure the child is immediately admitted to the school in which enrollment is sought, pending resolution of the dispute; b. Provide the homeless child’s parent/guardian with a written explanation of the school’s decision regarding school selection or enrollment, including their rights to appeal the decision; c. Complete the dispute resolution process as expeditiously as possible; and d. In the case of an unaccompanied youth, ensure that the youth is immediately enrolled in school pending resolution of the dispute. <p>Fully inform the parent/guardian of a homeless child, and any unaccompanied youth, of all transportation services and assist in accessing transportation services. -42 U.S.C. §11432(g)(6)(A)(vii).</p> <p>Assist unaccompanied youth in placement/enrollment decisions, consider the youth’s wishes in those decisions, and provide notice to the youth of the right to appeal such decisions. -42 U.S.C. §11432(g)(3)(B)(ii).</p> <p>Assist children who do not have immunizations or medical records in obtaining necessary immunizations and/or medical records. -42 U.S.C. §11432(g)(3)(C)(iii).</p> <p>Collaborate with State and local social service agencies that provide services to the homeless as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. -42 U.S.C. §11432(g)(5)(A) and (g)(6)(C).</p> <p>Conduct a hardship review whenever a child and his or her parent/guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing; a hardship review should be performed after the passage of 18 months and annually thereafter. 105 ILCS 45/1-25(a-5).</p> <p>Refer the child or his or her parent/guardian to the ombudsperson appointed by the Regional Superintendent whenever a school denies a</p>

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	homeless child enrollment or transportation, and provide the child or his or her parent/guardian with a written statement of the basis for the denial. 105 ILCS 45/1-25(a).
<p>Parent(s)/guardian(s)</p> <p>Assignment</p>	<p>Choose the child’s attendance center between the following options (105 ILCS 45/1-10 controls because it exceeds the rights granted to parent(s)/guardian(s) in federal law7.1):</p> <ul style="list-style-type: none"> a. Continuing the child’s education in the school of origin for as long as the child remains homeless or, if the child becomes permanently housed, until the end of the academic year during which the housing is acquired; or b. Enrolling the child in any school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend. <p>The term “school of origin” means the school that the student attended when permanently housed or the school in which the student was last enrolled. 42 U.S.C. §11432(g)(3)(G) and 105 ILCS 45/1-5.</p>
<p>Building Principal Where Homeless Student Will be Enrolled</p> <p>Enrollment</p>	<p>Shall immediately enroll the homeless child, even if the child is unable to produce records normally required for enrollment, e.g., previous academic records, medical records, proof of residency, or other documentation. 42 U.S.C. §11432(g)(3)(C)(i) and 105 ILCS 45/1-20.</p> <p>Shall immediately contact the school last attended by the child to obtain relevant academic and other records. 42 U.S.C. §11432(g)(3)(C)(ii) and 105 ILCS 45/1-20.</p> <p>If the child needs to obtain immunizations, or immunization or medical records, shall immediately refer the child’s parent/guardian to the Liaison for Homeless Children. 42 U.S.C. §11432(g)(3)(C)(iii) and 105 ILCS 45/1-20.</p> <p>Maintain records for the homeless student that are ordinarily kept for students according to District policy and procedure on student school records. 42 U.S.C. §11432(g)(3)(D).</p> <p>Ensure each homeless student is provided services comparable to services offered to other students including the following: 42 U.S.C. §11432(g)(4).</p> <ul style="list-style-type: none"> a. Transportation services; b. Educational services for which the student meets the eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs; c. Educational programs for children with disabilities and educational programs for students with limited English proficiency; d. Programs in vocational and technical education as well as programs for gifted and talented students; <u>and</u> e. School nutrition programs; and f.e. Assistance with school supplies, uniforms and waivers of school fees.

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	Shall require a parent/guardian of a homeless student, if available, to submit contact information. 42 U.S.C. §11432(g)(3)(H) and 105 ILCS 45/1-20.
Transportation Director and Building Principal Where Homeless Student Will be Enrolled Transportation	Ensure transportation is provided to a homeless student, at the request of the parent/guardian (or in the case of an unaccompanied youth, the Liaison), to and from the school of origin. 42 U.S.C. §11432(g)(1)(J)(iii); State law, found at 105 ILCS 45/1-15, is superseded by federal law. The term “school of origin” means the school that the student attended when permanently housed or the school in which the student was last enrolled. 42 U.S.C. §11432(g)(3)(G). Transportation shall be arranged as follows: 42 U.S.C. §11432(g)(1)(J)(iii). <ol style="list-style-type: none"> 1. If the homeless student continues to live in the area served by the school district in which the school of origin is located, the student’s transportation to and from the school of origin shall be provided or arranged by the district in which the school of origin is located. 2. If the homeless student’s living arrangements in the area served by the district of origin terminate and the student, though continuing his or her education in the school of origin, begins living in an area served by another school district, the district of origin and the district in which the homeless student is living shall agree upon a method to apportion the responsibility and costs for providing the student with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.
Superintendent or Designee Dispute	If a dispute arises, shall inform the homeless child’s parent(s)/guardian(s) of the availability of an investigator, sources for low-cost or free legal assistance, and other advocacy services in the community. Each Regional Superintendent appoints an ombudsperson to provide resource information and resolve disputes at schools within his or her jurisdiction relating to the rights of homeless children under this Act. 105 ILCS 45/1-25. -The Homeless Family Placement Act governs shelter placement. 310 ILCS 85/1 <u>et seq.</u>

Reviewed: May 2, 2006

February 21, 2012