

# REGULATION

## ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

**Related Entries:** JAC

**Responsible Office:** DIVISION OF STUDENT SUPPORT SERVICES

### HOMELESS STUDENTS

#### A. PURPOSE

To establish procedures for identification and school enrollment of homeless students and unaccompanied youth in Anne Arundel County Public Schools (AACPS).

#### B. BACKGROUND

The *McKinney-Vento Homeless Education Assistance Improvements Act* of 2001 and subsequent amendments (*McKinney-Vento*) is designed to guarantee that homeless students have full and equal access to a free and appropriate public education.

#### C. DEFINITIONS

1. ***Parent, Guardian, or Caregiver*** – the natural or adoptive parent or public agency having legal or lawful physical custody of the homeless student; a person or public agency to whom guardianship of a child or youth has been given; a caregiver who has completed the *Unaccompanied Homeless Youth Caregiver Assignment* form, or a homeless student if the student is 18 years old or older and no parent/guardian or caregiver is available.
2. ***Homeless Student*** – a student who lacks a fixed, regular, and adequate nighttime residence whether or not the temporary housing is located in Anne Arundel County, including:
  - a. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; living in motels, hotels, transitional housing, trailer parks, or campgrounds due to the lack of alternative accommodations; living in emergency or transitional shelters; abandoned in hospitals; are runaways, living in shelters or other inadequate accommodations; or awaiting foster care placement;
  - b. Students 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;

- c. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
  - d. Migratory students as defined under federal law who qualify as homeless because they are living in the circumstances set forth above.
3. ***Unaccompanied Youth*** – includes homeless students not in the physical custody of a parent/guardian or caregiver.
  4. ***School of Origin*** – the school the student attended when permanently housed or the school in which the student was last enrolled.

## **D. PROCEDURES**

### **1. Identification of Homeless Students**

- a. School personnel shall rely on the response given on the student record cards regarding loss of permanent housing or information that otherwise comes to the attention of the school administration to determine whether a student is homeless. If the parent(s)/guardian(s), caregiver, or unaccompanied youth has responded in the affirmative, school personnel shall immediately contact the pupil personnel worker. The pupil personnel worker shall contact the parent(s)/guardian(s), caregiver, or unaccompanied youth to confirm the homeless status of the student and complete the *McKinney-Vento* enrollment process.
- b. The homeless education liaison, pupil personnel worker, and school personnel shall work collaboratively with *Child Find* to identify all children who are not of school age and may be in need of educational services and other supports, including children who qualify for *Child Find* and prekindergarten programs. Once identified, these children shall be referred to the *Child Find* and prekindergarten programs in the temporary residence attendance area and enrolled in accordance with this regulation.

### **2. School Placement**

School placement shall be made in the best interest of the student. The best interest of the student could be served by:

- a. Continuing enrollment in the school of origin for the duration of the homelessness or for the remainder of the academic year if the student obtains permanent housing;
- b. Enrolling the student in the attendance area in which the student is actually living, even if that school has been declared a closed school; or

- c. Allowing a student who is matriculating from one level of school to another, such as elementary school to middle school or middle school to high school, and who remains homeless between academic years to continue in the feeder system of the school of origin unless the parent(s)/guardian(s), caregiver, or unaccompanied youth wishes to attend the school serving the temporary residence attendance area.

### 3. Best Interest Determination

- a. In determining the best interest of the homeless student, the principal or the principal's designee shall:
  - i. To the extent feasible, keep the student in the school of origin except when doing so is contrary to the wishes of the student's parent(s)/guardian(s), caregiver, or unaccompanied youth; and
  - ii. If the student is recommended for a school other than the school requested by the parent(s)/guardian(s), caregiver, or unaccompanied youth, provide a written explanation using the *Notification of Denial of Enrollment Request* form, to the parent(s)/guardian(s), caregiver, or unaccompanied youth, which shall include the *Notification of Appeal* form which explains appeal rights.
- b. In selecting the school that is in the best interest of the student, the parent(s)/guardian(s), caregiver, or unaccompanied youth and school personnel shall determine, in accordance with the law, which school will best serve the interest of the student upon consideration of the following factors:
  - i. The student's age;
  - ii. The school which the student's siblings attend;
  - iii. The student's experiences at the school of origin;
  - iv. The student's academic needs;
  - v. The student's emotional needs;
  - vi. Any special needs of the family;
  - vii. Continuity of instruction;
  - viii. Length of stay in the current living situation;
  - ix. The likely location of the family's future permanent housing;

- x. Time remaining in the school year;
- xi. Distance of commute, the impact it may have on the student's education, and other student-centered transportation-related factors; and
- xii. The safety of the student.

#### 4. **Enrollment**

- a. The homeless education liaison, along with the parent(s)/guardian(s), caregiver, or unaccompanied youth shall complete requisite forms.
- b. The school must immediately enroll the student, even if the student is unable to produce records normally required for enrollment, such as school records, a birth certificate, immunization records, proof of residency, and guardianship records.
- c. The enrolling school shall immediately contact the last school attended to obtain relevant academic and other records. Records may not be withheld due to outstanding financial obligations.
- d. In a situation in which no parent(s)/guardian(s) or caregiver can be contacted for students age 16 or younger and AACPS is unable to make a determination in the best interest of the student and has been unable to obtain written notification from the parent(s)/guardian(s) or caregiver, the pupil personnel workers shall refer the case to the Anne Arundel County Department of Social Services to seek designation as a child in need of assistance.
- e. If the student needs to obtain immunizations or medical records, the enrolling school shall immediately refer the parent(s)/guardian(s), caregiver, or unaccompanied youth to the homeless education liaison who shall facilitate obtaining the necessary immunizations or immunization and medical records.

#### 5. **Comparable Services**

Each homeless student shall be provided services comparable to the services offered to other students in the school where the student attends, including:

- a. ***Transportation***

Transportation services, which may be provided via bus or approved taxicab, including service to the school of origin, shall be provided unless the student resides within the school walking distance established by AACPS in Regulation JAA – Redistricting and Attendance Areas. If a parent(s)/guardian(s), caregiver, or unaccompanied youth is asked to self-transport or use public transportation, the parent(s)/guardian(s), caregiver, or

unaccompanied youth may receive mileage reimbursement at the current Internal Revenue Service standard mileage travel reimbursement rate or reimbursement of public transportation fares.

b. ***Food and Nutrition***

A homeless student is eligible for Food and Nutrition Services for the entire school year even if the student becomes permanently housed during the school year.

c. ***Educational Services***

An eligible student shall receive educational services including education programs offered at Title I schools, educational programs for students with disabilities, educational programs for gifted and talented students, vocational and technical programs, and programs for students with limited English proficiency.

6. **Records**

Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificate, guardianship records, and evaluations for special services or programs shall be maintained in accordance with Policy JH and Regulation JH-RA - Student Records.

7. **Homeless Education Liaison**

The homeless education liaison's responsibilities shall include:

- a. Ensuring that homeless students are identified by school personnel and enrolled immediately;
- b. Ensuring that homeless students have full and equal opportunity to meet academic achievement standards to which all AACPS students are held;
- c. Ensuring that homeless students and families receive educational services for which they are eligible, including *Head Start* and preschool programs;
- d. Informing the parent(s)/guardian(s), caregiver, or unaccompanied youth of educational and related opportunities available to them and providing them with meaningful opportunities to participate in their or their child's education;
- e. Disseminating public notice of educational rights of homeless students where these students receive services such as schools, family shelters, and food pantries;

- f. Informing the parent(s)/guardian(s), caregiver, or unaccompanied youth of their right to appeal and mediate disputes; and
  - g. Informing a parent(s)/guardian(s), caregiver, or unaccompanied youth of transportation services, including transportation to and from the school of origin, and assisting in accessing transportation.
- 8. Appeal Procedures**

Any dispute that arises regarding homeless status, enrollment, school selection, and services may be appealed to the homeless education liaison. The student must remain enrolled as requested by the parent(s)/guardian(s), caregiver, or unaccompanied youth in the school of origin or the geographical area school pending resolution of the dispute. AACPS must provide transportation if the student resides outside the school's walking distance until the dispute is resolved.

- a. Upon receipt of a written complaint from the parent(s)/guardian(s), caregiver, or unaccompanied youth, the principal or the homeless education liaison shall resolve the issue within 5 school days.
- b. The parent(s)/guardian(s), caregiver, or unaccompanied youth shall be provided with a written explanation of the school's decision of the dispute, including the right to appeal.
- c. If the parent(s)/guardian(s), caregiver, or unaccompanied youth is dissatisfied with the resolution, or if the principal or the homeless education liaison does not issue a decision within 5 school days, the parent(s)/guardian(s), caregiver, or unaccompanied youth may file a written complaint with the Superintendent within 5 school days from the date of the decision.
- d. The Superintendent or the Superintendent's designee shall issue a decision within 10 school days.
- e. If the Superintendent or the Superintendent's designee does not issue a decision within 10 school days, or if the parent(s)/guardian(s), caregiver, or unaccompanied youth disagrees with the decision, the parent(s)/guardian(s), caregiver, or unaccompanied youth may appeal, in writing, within 30 calendar days from the date of the decision to the Board of Education of Anne Arundel County, in accordance with State law.

*Regulation History:* Revised 10/04/21

*Note Previous Regulation History:* Developed by Superintendent 02/03/10  
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*Legal Reference:* The McKinney-Vento Homeless Assistance Act of 1987; McKinney-Vento Homeless Education Assistance Improvements Act of 2001; Sections 2-205, 4-205, and 7-301 of the Education Article