

REGULATION

ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

Related Entries: EAA-RA, JAC, JH, JH-RA

Responsible Office: OFFICE OF STUDENT AND SYSTEMIC SUPPORTS, DIVISION OF STUDENT SERVICES

HOMELESS STUDENTS

A. PURPOSE

To establish procedures for the 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* as amended by the *Every Student Succeeds Act of 2015 (McKinney-Vento)* is designed to guarantee that homeless students have full and equal access to a free, appropriate public education.

C. DEFINITIONS

1. ***Homeless Student*** – a student who lacks a fixed, regular, or 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, trailer parks, or campgrounds due to the lack of alternative accommodations; living in emergency or transitional shelters, also referred to as transitional housing; or abandoned in hospitals;
 - 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 individuals;
 - 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.

2. ***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 by order of court; 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.
3. ***School of Origin*** – the school the student attended when permanently housed or the school in which the student was last enrolled, including a preschool. School of origin includes the designated receiving school at the next grade level for all feeder schools when the student completes the final grade level served by the school of origin.
4. ***Unaccompanied Youth*** – includes a homeless student not in the physical custody of a parent/guardian or caregiver.

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 school personnel to determine whether a student is homeless. If the parent(s)/guardian(s), caregiver, or unaccompanied youth has indicated a loss of permanent housing, 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 McKinney-Vento 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, or an alternative prekindergarten program when the closest prekindergarten to the temporary residence is full, and enrolled in accordance with this regulation.
- c. The McKinney-Vento Education Liaison and pupil personnel workers shall regularly communicate with representatives of community agencies and entities that provide services and supports to children who are homeless and their families.

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 the student's education 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 during the academic year; or
- b. Enrolling the student in the school in the attendance area in which the student is actually living, even if that school has been declared a closed school.

3. Best Interest Determination

- a. In determining the best interest of the homeless student, the pupil personnel worker, in consultation with the McKinney-Vento Education Liaison and school personnel, shall:
 - i. Presume that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent(s)/guardian(s), caregiver, or unaccompanied youth;
 - ii. Give priority to the request of the parent(s)/guardian(s), caregiver, or unaccompanied youth; and
 - iii. 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 in a manner and form understandable to the parent(s)/guardian(s), caregiver, or unaccompanied youth 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.
- c. Homeless students living separately from their parent(s)/guardian(s) shall be offered the same school choice options that other homeless students are offered.
 - d. In the case of unaccompanied youth, the pupil personnel worker shall:
 - i. Assist in the best interest determination;
 - ii. Give priority to the views of the unaccompanied youth; and
 - iii. Assist the unaccompanied youth in obtaining school supplies and other needed services.

4. Enrollment

- a. The pupil personnel worker, along with the parent(s)/guardian(s), caregiver, or unaccompanied youth shall complete the *McKinney-Vento Enrollment* form.
- b. The pupil personnel worker shall review with the parent(s)/guardian(s), caregiver, or unaccompanied youth the *McKinney-Vento* services and rights to which the student is entitled. This review shall include notification that unaccompanied youth have independent status for the purpose of the Free Application for Federal Student Aid.
- c. The school determined to be in the best interest of the student shall immediately enroll the student, even if the student:

- i. Is unable to produce records normally required for enrollment such as previous academic records, medical records, proof of residency, or other documentation, including a birth certificate; or
 - ii. Has missed application or enrollment deadlines during the period of homelessness.
- d. The enrolling school shall immediately contact the last school the student attended to obtain relevant academic and other records. Records may not be withheld due to outstanding financial obligations.
- e.
 - i. If the student needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent(s)/guardian(s), caregiver, or unaccompanied youth to the McKinney-Vento Education Liaison or pupil personnel worker who shall assist in obtaining the necessary immunizations or immunization and medical records.
 - ii. The school may not bar enrollment of the homeless student until the pupil personnel worker has made a diligent effort to assist in obtaining necessary immunizations or records of prior immunizations.
- f. The *McKinney-Vento Enrollment* form shall be completed annually. The McKinney-Vento Education Liaison and the pupil personnel worker shall determine if the student continues to meet the criteria for homelessness.
- g. Unaccompanied youth may provide written authorization to participate in school-sponsored events, document excused absences, and make educational decisions unless otherwise restricted by law.
- h. The pupil personnel worker shall work with the student and the student's parent(s)/guardian(s) or caregiver to minimize unexcused student absences.

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*

- i. If the lack of transportation prevents a student experiencing homelessness from attending and participating fully in school, transportation shall be provided to the student. Transportation to the school determined to be in the student's best interest shall be provided as long as the student remains

homeless or until the end of the current school year, if the student becomes permanently housed during the school year. Transportation services, which may be provided via school vehicle, alternative school vehicle, or approved taxicab, including service to the school of origin and an alternative prekindergarten, shall be provided unless the student resides within the school walking distance established by AACPS in Regulation EAA-RA – Eligible Riders.

- ii. 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, career and technical education, programs for English language learners, preschool services, and before and after school programs.

6. *Records*

- a. 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.
- b. Information about a homeless student’s living situation shall be treated as a student education record and may not be deemed to be directory information.

7. *McKinney-Vento Education Liaison*

The McKinney-Vento Education Liaison’s responsibilities shall include:

- a. Ensuring that homeless students are identified by school personnel, are enrolled in school, and have a full and equal opportunity to meet academic achievement standards to which all AACPS students are held;
 - b. Ensuring that homeless students and families have access to and receive educational services for which they are eligible, including *Head Start*, early intervention services, and preschool programs;
 - c. Informing the parent(s)/guardian(s), caregiver, or unaccompanied youth of educational and related opportunities available to them or their child and providing them with meaningful opportunities to participate in their or their child's education;
 - d. Disseminating public notice of educational rights of homeless students in the schools, community agencies, family shelters, soup kitchens, and organizations where students receive services in a manner and form understandable to the parent(s)/guardian(s), caregiver, or unaccompanied youth;
 - e. Informing the parent(s)/guardian(s), caregiver, or unaccompanied youth of their right to appeal and mediate disputes;
 - f. Informing a parent(s)/guardian(s), caregiver, or unaccompanied youth of all transportation services, including transportation to and from the school of origin, and assisting in accessing transportation to the school that is selected;
 - g. Providing training to pupil personnel workers, school-based staff, and other community organizations to promptly identify and enroll students who are homeless;
 - h. Providing training and assistance to pupil personnel workers and school-based staff to promote the delivery of appropriate educational and related services; and
 - i. Participating in professional development and technical assistances required by the State Homeless Education Coordinator.
8. **Appeal Procedures**

Any dispute that arises regarding homeless status, enrollment, school selection, and services may be appealed to the McKinney-Vento Education Liaison. The student shall remain enrolled as requested by the parent(s)/guardian(s), caregiver, or unaccompanied youth in the school in which enrollment is sought pending resolution of the dispute. AACPS shall 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 McKinney-Vento Education Liaison or the McKinney-Vento Education Liaison's designee shall resolve the complaint 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, in a manner and form understandable to the parent(s)/guardian(s), caregiver, or unaccompanied youth.
- c. If the parent(s)/guardian(s), caregiver, or unaccompanied youth is dissatisfied with the resolution, or if the McKinney-Vento Education Liaison or McKinney-Vento Education Liaison's designee 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 (Board), in accordance with State law.
- f. The Board shall decide on the appeal on an expedited basis within 45 calendar days of receipt of the appeal.
- g. If the parent(s)/guardian(s), caregiver, or unaccompanied youth disagrees with the decision of the Board, the parent(s)/guardian(s), caregiver, or unaccompanied youth may appeal the decision to the Maryland State Board of Education, in writing, within 30 calendar days, in accordance with State law.

Regulation History: Revised 10/04/21; 09/17/25

Note Previous Regulation History: Issued 04/07/10

Legal References: The McKinney-Vento Homeless Assistance Act of 1987; McKinney-Vento Homeless Assistance Act as amended by the Every Student Succeeds Act of 2015; 20 U.S.C. §6399; Sections 2-205, 4-205, and 7-301 of the Education Article; COMAR 13A.05.09 Programs for Homeless Children