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HOMELESS STUDENTS

The School District of Janesville will ensure that homeless children and youth are provided with equal access to its educational programs by providing equal opportunities to meet the same challenging State of Wisconsin and District academic standards and by prohibiting discrimination against or segregation from other students based solely on homeless status.

The School District of Janesville will comply with the current federal and state laws regarding homeless student status, including the federal McKinney-Vento Homeless Assistance Act Title X, Part C of No Child Left Behind. Under this Act, school districts are required to designate an appropriate staff person as the “homeless liaison” for homeless children and youth. The homeless liaison or designee is responsible for the identification of students who meet the most current legal definition for homelessness and for ensuring that their rights under the law are protected.

REF: McKinney-Vento Homeless Assistance Act Title X
Part C of No Child Left Behind Act

CROSS REF: Board Policy 5020, Equal Educational Opportunities
Administrative Regulation 5020.1, Discrimination Complaint Procedures

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The School District of Janesville will comply with the McKinney-Vento Homeless Assistance Act by:

1. Designating a liaison for homeless children and youth who will ensure through personal action or through a designee (typically a school social worker) that:
 - a. Homeless children and youth are identified by school personnel and through coordination with other entities and agencies.
 - b. Homeless children and youths enroll and have a full and equal opportunity to succeed in schools in the District. Homeless children and youth are not required to provide the typical required paperwork in order to enroll. (Section 724(g) of the McKinney-Vento Homeless Assistance Act.)
 - c. Homeless families, children and youths receive educational services for which they are eligible, and referrals to other appropriate services.
 - d. The parent or guardian of a homeless child or any unaccompanied youth is provided with meaningful opportunities to participate in the education of the child or youth or their own education.
 - e. Public notice of the educational rights of homeless children and youth is disseminated where such children and youth receive services, such as schools and family shelters.
 - g. The parent or guardian of a homeless child or any unaccompanied youth is fully informed of transportation services that may be available to them under the law and is provided with assistance in accessing such transportation services. (Section 722 (g) (3) (A) (vii)).
 - h. In cases of homelessness resulting from alleged domestic violence, the parent will be informed that school directory data can remain private (Wis. Stat. §118.125 (2)(j)(2)) if the parent indicates so in writing and that both parents have the legal right to access to their

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child(ren)'s school records (Wis. Stat. §118.125 (2)(a)) unless a court order or restraining order has been issued.

2. “Unaccompanied youth” are defined as students who are not in the physical custody of a parent or guardian, including students who are runaways, “throw-aways” or those students who are denied housing by their parents, and other youth without a legal or participating caregiver, who are living in situations that are not fixed, regular or adequate. Guidelines for unaccompanied youth follow:
 - a. Caregivers for unaccompanied youth may sign the “Parents Authorization for Agent to Act in Interests of Child” notarized form along with a parent. The caregiver may then act as a parent for educational purposes, including excusing school absences, signing district paperwork, and communicating with district personnel. (Administrative Reg. 6731 field trips).
 - b. Unaccompanied youth who are special education students or who are being evaluated for special education services or services under Section 504 must be provided with a surrogate parent, if after diligent attempts to involve their legal parent or guardian cannot or will not participate. The surrogate parent can be a non-agency caregiver identified by the student or one assigned by the district in accordance with the legal selection criteria 34 CFR 300.519 (d).
 - c. Unaccompanied youth who are minors and are without an adult caregiver may excuse their own school absences in accordance with district attendance policies. Unaccompanied youth may sign school paperwork normally signed by a parent or guardian.
 - d. Unaccompanied youth under the age of 18 are subject to mandatory child abuse and neglect reporting laws and must be reported to Child Protective Services. (Wis. Stat. §118.125).

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- e. Students who are without a high school diploma or GED and are between the ages of 18 and 21 years may be considered unaccompanied youth if they are living in a situation that is not fixed, regular or adequate and may be entitled to services under the McKinney-Vento Homeless Assistance Act. (Board Policy 5240 & Wisconsin Constitution).
3. Immediate enrollment of homeless children and youth is a requirement of McKinney-Vento. Enrollment is defined as “attending classes and participating fully in school activities.” McKinney-Vento also requires a written explanation to parents/guardians or unaccompanied youth if a student is sent to a school other than the school of origin or the school requested by the parent/guardian, along with notification of the right to appeal this decision. Homeless students have the right to attend either the “school of origin” (which is defined as the last school attended or the school attended when the student was permanently housed) or the local attendance area school.

If a dispute arises over school selection or enrollment, the homeless child/youth should be immediately enrolled in the school in which enrollment is sought pending resolution of the dispute. Parents/guardians or unaccompanied youth may initiate the following dispute resolution process at the District’s central enrollment office or by contacting the District’s homeless liaison. The following steps should guide the dispute resolution process:

- a. District personnel receiving the enrollment dispute should inform the District Homeless Education Liaison (liaison) of the dispute on the day of the challenge. The liaison will complete the “Determining Feasibility of School Placement Form” within five (5) school days. The liaison should complete the form with input from the parent/guardian or unaccompanied youth and other involved parties. If another district is involved in the dispute, the homeless liaison in that district should be consulted. All consulted individuals will be listed on the form.

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- b. The parent/guardian or unaccompanied youth will be informed of the liaison's decision and will be provided with a copy of the "Determining Feasibility of School Placement Form" which includes the right to appeal to the State Department of Public Instruction and the contact information for the Education for Homeless Children and Youth State Coordinator. This form also includes the right to seek legal counsel and the contact information for Legal Aid. If the parent/guardian or unaccompanied youth would like to appeal the District's decision to the Department of Public Instruction but indicates barriers to filing the required written complaint, the homeless liaison or designee will assist by removing those barriers.

REF: McKinney-Vento Homeless Assistance Act Title X, Part C of No Child Left Behind
Individuals with Disabilities Education Act. Part B, 20 U.S.C. 1401, 1411-1419 and 34
CFR Part 104
Title II of the Americans with Disabilities Act, 42 U.S.C. 12131 et. Seq. and 28 CFR part
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State of Wisconsin Constitution
State Statute 118.125
State Statute 118.13

CROSS REF: Board Policy 5020, Equal Educational Opportunities
Administrative Regulation 5020.1, Discrimination Complaint Procedures
Board Policy 5240, Students of Legal Age
Board Policy 6731, Field Trips
Administrative Regulation 6731, Field Trips