



BURKE COUNTY PUBLIC SCHOOLS

BUILDING FUTURES, ACHIEVING SUCCESS

2016-2017

Homeless Policies & Procedures

LOCAL EDUCATIONAL AGENCY (LEA) POLICIES AND PROCEDURES TO IMPLEMENT THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

Identification

In collaboration with school personnel and community organizations, Burke County's homeless liaison, Dr. Daphney Ivery, will identify children and youth experiencing homelessness in the LEA, both in and out of school.

- Burke County's Liaison, Dr. Ivery will train school personnel on possible indicators of homelessness, sensitivity in identifying families and youth who are experiencing homelessness, and procedures for forwarding information indicating homelessness to the liaison.
- Burke County's Liaison, Dr. Ivery will also instruct school registrars and secretaries to inquire about possible homelessness upon the enrollment and withdrawal of every student, and to forward information indicating homelessness to the liaison.
- Community partners in identification may include: family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, the Divisions of Family and Children Services and other social service agencies, street outreach teams, faith-based organizations, truancy and attendance officers, local homeless coalitions, and legal services.
- Burke County's Liaison, Dr. Ivery will keep data on the number of children and youth experiencing homelessness in the district, where they are living, their academic achievement (including performance on statewide and district wide assessments), and the reasons for any enrollment delays and/or interruptions in their education or school transfers.

School Selection

Each child or youth experiencing homelessness has the right to:

- Remain at his or her school of origin, or
- Attend any school that housed students who live in the attendance area in which the child or youth is actually living are eligible to attend.

Maintaining a student in his or her school of origin is important for both the student and the LEA. Students who change schools have been found to have lower test scores and overall academic performance than peers who do not change schools. High mobility rates have also been shown to lower test scores for stable students. Keeping students in their schools of origin enhances their academic and social growth, while permitting our schools

to benefit from the increased test scores and achievement shown to result from student continuity.

Children and youth experiencing homelessness shall remain at their schools of origin to the extent feasible, unless that is against the parent's or youth's wishes or not in the best interest of the child. Students may remain at their schools of origin the entire time they are experiencing homelessness, and until the end of any academic year in which they become permanently housed. The same applies if a child or youth loses his or her housing between academic years.

Feasibility shall be a child-centered determination, based on the needs and interests of the particular student and the parent's or youth's wishes. Potential feasibility considerations include:

- Safety of the student.
- Continuity of instruction.
- Likely area of family's or youth's future housing.
- Time remaining in the academic year.
- Anticipated length of stay in temporary living situation.
- School placement of siblings.
- Whether the student has special needs that would render the commute harmful.

Services that are required to be provided, including transportation to and from the school of origin (see below) and services under Federal and other programs, shall not be considered in determining feasibility.

Enrollment

Consistent, uninterrupted education is vital for academic achievement. Due to the realities of homelessness and mobility, students experiencing homelessness may not have school enrollment documents readily available. Nonetheless, the school selected for enrollment must immediately enroll any child or youth experiencing homelessness. Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including:

- Proof of residency.
- Transcripts/school records (The enrolling school must contact the student's previous school to obtain school records. Initial placement of students whose records are not immediately available can be made based on the student's age and information gathered from the student, parent and previous schools or teachers.)
- Immunizations or immunization/health/medical/physical records (If necessary, the school must refer students to the liaison to assist with obtaining immunizations and/or immunization and other medical records. Health records may often be obtained from previous schools or state registries, and school-based or community-based clinics can initiate immunizations when needed.)
- Proof of guardianship.

- Birth certificate.
- Any other document requirements.
- Unpaid school fees.
- Lack of uniforms or clothing that conforms to dress codes.
- Any factor related to the student's living situation.

Unaccompanied youth must also be immediately enrolled in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling or the LEA homeless liaison.

Transportation

Without appropriate transportation, a student may not be able to continue attending his or her school of origin. To avoid such forced school transfers, at a parent's request, transportation shall be provided to and from the school of origin for a child or youth experiencing homelessness.

Transportation shall be provided for the entire time the child or youth has a right to attend that school, as defined above, including during pending disputes. The length of the commute will only be considered in determining the feasibility of placement in the school of origin based on potential harm to the student, as discussed above. Parents and unaccompanied youth must be informed of this right to transportation before they select a school for attendance.

Schools and the homeless liaison shall use the district transportation form to process transportation requests. Requests shall be processed and transportation arranged without delay. If the student experiencing homelessness is living and attending school in Burke County, the homeless liaison shall arrange transportation. If the student experiencing homelessness is living in Burke County but attending school in another LEA or attending school in Burke County but living in another, the LEA and Transportation Director will collaborate with Homeless Liaison and Transportation Director in the other district to arrange transportation to school of origin. It is Burke County's policy that inter-district disputes shall not result in a student experiencing homelessness missing school. If such a dispute arises, Burke County will arrange transportation and immediately implement the procedures for the dispute resolution. In addition to receiving transportation to and from the school of origin upon request, children and youth experiencing homelessness shall also be provided with other transportation services comparable to those offered to housed students.

Services

Children and youth experiencing homelessness shall be provided services comparable to services offered to other students in the school selected, including:

- Transportation
- Title I, Part A
- Special education and related services and programs for English learners.
- Vocational and technical education programs.
- Gifted and talented programs.
- School nutrition programs.
- Before-school and after-school programs.

Burke County recognizes that children and youth experiencing homelessness suffer from disabilities at a disproportionate rate, yet frequently are not evaluated or provided appropriate special education and related services. To address this problem, the District Special Education Director will be informed of the students' needs and follow the steps necessary to ensure there is no lapse in services or delay in testing students for possibility of deferring eligibility. When necessary, Burke County shall expeditiously designate a surrogate parent for unaccompanied youth suspected of having a disability. If a student has an Individualized Education Program (IEP), the enrolling school shall immediately implement it. Any necessary IEP meetings or re-evaluations shall then be conducted expeditiously. If complete records are not available, IEP teams must use good judgment in choosing the best course of action, balancing procedural requirements and the provision of services. In all cases, the goal will be to avoid any disruption in appropriate services.

When applying any Burke County policy regarding tardiness or absences, any tardiness or absence related to a child or youth's living situation shall be excused. Burke County will follow state procedures to ensure that youth experiencing homelessness and youth who are out of school are identified and accorded equal access to appropriate education and support services. School personnel shall refer children and youth experiencing homelessness to appropriate health care services, including dental and mental health services. The homeless liaison will assist the school in making such referrals, as necessary.

School personnel must also inform parents of all educational and related opportunities available to their children and provide parents with meaningful opportunities to participate in their children's education.

Disputes

If a dispute arises over any issue covered in this policy, the child or youth experiencing homelessness shall be immediately admitted to the school in which enrollment is sought, pending final resolution of the dispute. The student shall also have the rights of a student experiencing homelessness to all appropriate educational services, transportation, free meals, and Title I services while the dispute is pending.

The school where the dispute arises shall provide the parent or unaccompanied youth with a written explanation of its decision and the right to appeal and shall immediately refer the parent or youth to the homeless liaison. Burke County's Liaison, Dr. Kicklighter shall ensure the student is enrolled in the school of his or her choice and receiving other services to which he or she is entitled and shall resolve the dispute as expeditiously as possible. The parent or unaccompanied youth shall be given every opportunity to participate meaningfully in the resolution process. The homeless liaison shall keep records of all disputes in order to determine whether particular issues or schools are repeatedly creating barriers to student enrollment and academic success.

Free meals

Hunger and poor nutrition are obvious barriers to learning. To help ensure that children and youth experiencing homelessness are ready to learn, the U.S. Department of Agriculture (USDA) has determined that all children and youth experiencing

homelessness are automatically eligible for free meals on the first day of enrollment. The USDA guidance is available at http://www.naehcy.org/dl/usda_04_04_02.pdf. This would not be an issue for any Burke County students because all students are provided free breakfast and lunch.

Title I, Part A

Children and youth experiencing homelessness are automatically eligible for Title I, Part A services, regardless of the school they attend. The trauma and instability of homelessness puts students at sufficient risk of academic regression to warrant additional support.

The Burke County School District does not set aside funds for homelessness. Agencies such as United Way, CIS, Free Indeed, and Church Ministries provide these funds. Determining an appropriate amount requires coordination between the LEA Title I and homeless education programs. For information on calculating the mandatory set-aside, visit www.serve.org/nche/downloads/calculating_setasides.pdf. Reserved funds will be used to provide educationally related support services, both in school and outside of school, and to remove barriers that prevent regular attendance

Training

The Burke County homeless liaison will conduct training and sensitivity/awareness activities for school personnel, including but not limited to administrators, registrars, teachers, social workers, counselors, bus drivers, custodians, community service providers, and social service personnel. The trainings and activities will be designed to increase staff awareness of homelessness, facilitate immediate enrollment, ensure compliance with McKinney-Vento law, and increase sensitivity to the unique needs of homeless children and youth.

Coordination

Homeless students and their families often need housing assistance, social services, and health care. Linking families with community resources can have a positive impact on the education of children.

Title I, Part A, requires targeted assistance programs to coordinate with Federal, state, and local service programs, including programs for housing, nutrition, violence prevention, Head Start, adult education, vocational and technical education, and job training. [20 UCS 63159(c)(1)(H)]

Preschool

Preschool education is a very important element of later academic success. Children experiencing homelessness have experienced many difficulties accessing preschool opportunities. To facilitate preschool enrollment and attendance, the provisions of this policy will apply to preschools. Burke County should ensure that children experiencing homelessness receive priority enrollment in preschool programs operated by Burke County, including exempting children experiencing homelessness from waiting lists.

Children experiencing homelessness with disabilities will be referred for preschool services under the Individuals with Disabilities Education Act (IDEA). Children experiencing homelessness under age three will be referred for at-risk services under Title VI, Part C of IDEA and screened to determine if referrals for additional Title VI, Part C of IDEA services are appropriate. The LEA homeless liaison will collaborate with Head Start

and other preschool programs to ensure that children experiencing homelessness have access to those programs.

References

- The McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 – 11436
- Title I, Part A of the Elementary and Secondary Education Act, 20 U.S.C. §§6311 – 6315
- The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 *et seq*
- April 6, 2002 Policy of the Child Nutrition District of the U.S. Department of Agriculture
- June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services



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GUIDELINES FOR THE DISPUTE RESOLUTION PROCESS

Board Policy GAE(2) describes the complaint and grievances procedures for certified personnel. Parents/school communication is described in student handbooks and on the website. Parents are expected to address complaints or grievances beginning at the school level with the teacher first and then the administration. Central office personnel should be contacted next should parents feel the issues have not been resolved. If still unsatisfied, the superintendent should be contacted. Parents have the right to speak to the Board of Education through public participation at a Board of Education meeting. Conference forms/notes/minutes are kept on file as documentation of the issues. Complaint procedures are described and a form for documenting complaints is located in the administrative handbook. The complaint procedures describe grounds for complaints, federal programs for which complaints can be filed, filing and investigation of a complaint, as well as rights to appeal. The GADOE address to which complaints should be filed is included in the procedure.

A. Grounds for a Complaint

Any individual, organization, or agency (“complainant”) may file a complaint with the Burke County Board of Education if that individual, organization, or agency believes and alleges that a violation of a Federal statute or regulation that applies to a program under the No Child Left Behind Act has occurred. The complaint must allege a violation that occurred not more than one (1) year prior to the date that the complaint is received, unless a longer period is reasonable because the violation is considered systemic or ongoing.

B. Filing a Complaint

A formal complaint must be filed in writing to the Burke County School superintendent or his/her designee.

The complaint must include the following:

1. A statement that the LEA has violated a requirement of a Federal statute or regulation that applies to an applicable program;
2. The date on which the violation occurred;
3. The facts on which the statement is based and the specific requirement allegedly violated (include citation to the Federal statute or regulation);
4. A list of the names and telephone numbers of individuals who can provide additional information;
5. Copies of all applicable documents supporting the complainant’s position; and

6. The address of the complainant.

C. Investigation of Complaint

Within ten (10) days of receipt of the complaint, the Superintendent or his/her designee will issue a Letter of Acknowledgement to the complainant that contains the following information:

1. The date the Department received the complaint;
2. How the complainant may provide additional information;
3. A statement of the ways in which the Department may investigate or address the complaint; and
4. Any other pertinent information.

If additional information or an investigation is necessary, the Superintendent will have sixty (60) days from receipt of the information or completion of the investigation to issue a Letter of Findings. If the Letter of Findings indicates that a violation has been found, corrective action will be required and timelines for completion will be included. Either the 30-day or the 60-day timelines outlined above may be extended, if exceptional circumstances exist. The Letter of Findings will be sent directly to the complainant.

D. Right of Appeal

If the complaint cannot be resolved at the local level, the complainant has the right to request review of the decision by the Georgia Department of Education. The appeal must be accompanied by a copy of the Superintendent's decision and include a complete statement of the reasons supporting the appeal.

The complaint must be addressed to:

Georgia Department of Education
Office of Legal Services
205 Jesse Hill Jr. Drive SE
2052 Twin Tower East
Atlanta, GA 30334
Tel. (404) 656-4689
FAX (404) 657-8376

GENERAL GUIDELINES FOR THE DISPUTE RESOLUTION PROCESS

Georgia Department of Education

(Updated August 3, 2003)

McKinney-Vento Education for Homeless Children and Youth Act

(42 US §11432(g)(1)(C))

Dispute Resolution Guidelines and Procedures

1. All Disputes will be resolved at the LEA level rather than the school level.
2. The dispute resolution process should be as informal and accessible as possible, allowing for impartial and complete review.
3. Parents, guardians and unaccompanied youth should be able to initiate the resolution process directly at the school in which enrollment is sought in accordance with PL 107-110, §722(g)(3)(A-B), as well as at the (LEA) homeless liaison's office. Parents, guardians and unaccompanied youth should be provided written notification of the dispute and of their right to appeal the decision of the LEA.
4. Parents, guardians and unaccompanied youth should be informed that they can provide written or oral documentation to support their position, and that they can seek the assistance of advocates or attorneys.
5. Written notice should be complete, as brief as possible, simply stated and provided in a language the parent, guardian, or unaccompanied youth can understand.
6. Students are to be enrolled immediately in the school of origin or in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend and are to be provided with all services for which they are eligible while the dispute is being resolved.

PROCEDURES:

- If a dispute arises over school selection or enrollment, the child or youth must be immediately enrolled in the school in which he or she is seeking enrollment, pending resolution of the dispute (PL 107-110, Section 722(g)(3)(E)). Enrollment is defined as "attending classes and participating fully in school activities." It is critical that students not be kept out of school.
- The school must refer the student, parent, or guardian to the LEA's homeless liaison to carry out the dispute resolution process as expeditiously as possible. The homeless liaison must ensure that the dispute resolution process is also followed for unaccompanied youth.
- The LEA must provide the parent, guardian, or unaccompanied youth with a written explanation of the school's decision regarding school selection or enrollment, and the parent or guardian's right to appeal that decision

[PL 107-110, §722(g)(3)(E)(ii)]. The written explanation shall be complete, as brief as possible, simply stated, and provided in a language that the parent, guardian, or unaccompanied youth can understand.

- Each local school board must have a local rule for concerned parties to resolve any disputes in regards to providing public education to a homeless child. The local rule must provide for not less than two levels of appeal at the district level. If the dispute remains unresolved at the district level or is appealed, then the parent may request a review of the dispute by the Deputy Superintendent of Education Support and Improvement (“Deputy Superintendent”) at the Georgia Department of Education (GaDOE). The Deputy Superintendent will review all materials and address the issues in the dispute within 10 days from the receipt of a written request for resolution. If the issue is not resolved after the Deputy Superintendent submits his or her written review, the Deputy Superintendent may assign members of GaDOE to make an on-site visit to further clarify or resolve the issue. All disputes must be resolved within 60 days of initial presentment to the GaDOE, unless a written extension is granted.
- If the dispute remains unresolved or is appealed after the Deputy Superintendent has issued his or her decision, the State Board of Education (SBOE) will review, hear, and rule on grievances from parents, students or local boards of education. The student, parent, guardian or local board must submit the request in writing within 30 days of the decision of the Deputy Superintendent to the Office of Legal Services at the GaDOE at the following address:

Georgia Department of Education
Office of Legal Services
205 Jesse Hill Jr. Drive SE
2052 Twin Tower East
Atlanta, GA 30334
Tel. (404) 656-4689
FAX (404) 657-8376

The request for review must set forth the district level decision, the decision of the Deputy Superintendent, and a concise statement of the reasons why the decision is being appealed. The SBOE, through the Office of Legal Services, will give each party a minimum of 10 days notice of the hearing by certified mail or personal delivery. Each party may appear at the hearing in person or by counsel, present evidence, cross-examine witnesses, and present in writing or orally summary statements of position. The SBOE may request further information from the parties and GaDOE staff. The hearing may be held by the SBOE or by a hearing officer appointed by it. The SBOE will notify the parties of its decision within 20 days of the hearing.