

**MCKINNEY-VENTO ACT FOR HOMELESS STUDENTS (SEC. 721. (42 U.S.C. 11431))**

A.D. Henderson University School and Florida Atlantic University High School shall ensure that each child or youth that experiences homelessness, including those not currently enrolled due to homelessness [s.722(g)(1)(F)(ii)], will have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths [s.721(1)]. In addition, homeless children and youths will be afforded the same free, appropriate public education as provided to other children and youths, and will not be separated from the mainstream school environment. Homeless children and youths will have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging State academic standards to which all students are held [s.721(4)] and to fully participate in the district’s academic and extracurricular activities [s.725(1) and s.722(g)(1)(F)(iii)] and not be stigmatized or segregated on the basis of their status as homeless [s.722(g)(1)(F)(i)]

**DEFINITIONS: (SEC. 725. (42 U.S.C. 11434A))**

- (1) The term “school of origin” means the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled [s.722(g)(3)(1)(i)].
- (2) The term “designated receiving school” includes the next level school, middle from elementary, high from middle, that a homeless child or youth, whose homelessness continues into the next school year, may attend when that next level school is the district designate school for those students in the homeless student’s school of origin [s.722(g)(3)(1)(ii)].
- (3) The terms “enroll” and “enrollment” include attending classes and participating fully in school activities. [s.725(1)]
- (4) The term “homeless children and youths”--
  - (A) means individuals who lack a fixed, regular, and adequate nighttime residence [s.725(1); and
  - (B) includes--
    - (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason [s.725(1)(B)(i)];
    - (ii) 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 [s.725(1)(B)(ii)];
    - (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings [s.725(1)(B)(iii)]; and
    - (iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described above [s.725(1)(B)(iv)].
- (5) The terms “local educational agency” and “State educational agency” have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965.
- (6) The term “unaccompanied homeless youth” includes a homeless child or youth not in the physical custody of a parent or guardian.
- (7) The term “eligible school” is the school of origin, the school zoned for the address where the student is temporarily residing, or another school which students residing in that attendance zone

are eligible to attend [s.722.(g)(3)(A)]

**EDUCATION OF HOMELESS CHILDREN AND YOUTHS. (SEC. 722. (42 U.S.C. 11432))**

**ENROLLMENT:**

- (A) The District shall serve each homeless child or youth according to the child's or youth's best interest-
- (i) continue the child's or youth's education in the school of origin for the duration of homelessness [s.722(g)(3)(A)(i)(I)]
    - (I) in any case in which a family becomes homeless between academic years or during an academic year [s.722(g)(3)(A)(i)(I)]; and
    - (II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
  - (ii) enroll the child or youth 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.
- (B) The District shall keep the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth [s.722(g)(3)(B)(i)];
- (C) The District will consider student-centered factors to determine a placement that is in the student's best interest, when considering placement in a school other than the child's or youth's school of origin.
- (D) The District shall remove barriers to enrollment and enroll homeless children and youths immediately, even if they cannot produce records or otherwise meet enrollments [s.722(g)(3)(C)(i)], such as:
- previous academic records [s.722(g)(3)(C)(i) and s.722(g)(3)(H)(i)];
  - immunization and other health records [s.722(g)(3)(C)(i) and s.722(g)(3)(H)(i)];
  - birth certificate [s.722(g)(3)(D) and s.722(g)(91)(H)(iii)];
  - proof of residency [s.722(g)(1)(H)(iv) and s.722(g)(1)(H)(ii)];
  - guardianship [s.722(g)(1)(H)(iv)];
  - Uniform or dress code requirements [s.722(g)(1)(H)(v)];
  - Outstanding fees, fines, or absences [s.722(g)(1)(l)]
  - other required documentation [s.722(g)(1)(H)(iii) ad s.722(g)(3)(C)(i)(l)];
- (E) The District shall enroll the homeless child or youth, even if the child missed an application or enrollment deadline during any period of homelessness [s.722(g)(3)(A)(i)(II)].

**FULL PARTICIPATION AND COMPARABLE SERVICES:**

- (A) The District/School shall ensure the following:
- a. a homeless student who becomes permanently housed during the academic year, may remain at their school of origin for the remainder of the academic year and continue to receive all McKinney-Vento Act.
  - b. children and youths experiencing homelessness, and who meet the relevant eligibility

- criteria, will have access to all available academic and extracurricular activities for which they meet relevant eligibility criteria [s.722(g)(1)(F)(iii)];
- c. unaccompanied homeless high school youth will receive counseling to prepare and improve their readiness for postsecondary education [s.722(g)(1)(K)];
  - d. each homeless child or youth to be assisted under this subtitle shall be provided services comparable to services offered to non-homeless students in their school, including the following [s.722(g)(4)]:
    - (i) Transportation services. [s.722(g)(4)(A)]
    - (ii) Educational services for which the child or youth meets the eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) , educational programs for children with disabilities, and educational programs for English learners. [s.722(g)(4)(B)]
    - (iii) Programs in career and technical education.[s.722(g)(4)(C)]
    - (iv) Programs for gifted and talented students [s.722(g)(4)(D)].
    - (v) School nutrition programs [s.722(g)(4)(E)].

### **COORDINATION PLAN:**

- (A) The District receives assistance under this subtitle shall coordinate--
  - (i) the provision of services under this subtitle with local social services agencies and other agencies or entities providing services to homeless children and youths and their families
  - (ii) transportation, transfer of school records, and other inter-district activities, with other local educational agencies.
- (B) The District/School shall—
  - (i) ensure that homeless children and youths are promptly identified;
  - (ii) ensure that all homeless children and youths have access to, and are in reasonable proximity to, available education and related support services; and
  - (iii) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.
- (C) HOMELESS CHILDREN AND YOUTHS WITH DISABILITIES. — For children and youths who are to be assisted both under this subtitle, and under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) or section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the district shall coordinate the provision of services under this subtitle with the provision of programs for children with disabilities served by the district and other involved local educational agencies.

### **STUDENT RECORDS**

- (A) The district/school will ensure that records will be:
  - a. maintain for each homeless child or youth, including;
    - (i) immunization or other required health records.
    - (ii) academic records;
    - (iii) guardianship records; and

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- (iv) evaluations of special services [s.722(g)(3)(D)]
- b. made available, in a timely fashion, when a child or youth enters a new school [s.722(g)(3)(D)(i)]
- c. held confidential in a manner consistent with section 444 of the General Education Provision Act (20 U.S.C 123g) [s.722(g)(3)(D)(ii)]; and
- d. treated as a student education record, and shall not be deemed to be directory information, under section 444 of the General Education Provisions Act (20 U.S.C 1232g) [s.722(g)(3)(G)]

## TRANSPORTATION

The District shall ensure that, at the request of the parent, (or, in the case of an unaccompanied youth, at the request of the Homeless Education Liaison), transportation will be provided for a homeless student to the school of origin as follows:

- (a) Transportation to and from a child's or youth's school of origin will be provided or arranged, at the request of the parent of guardian, or in the case of an unaccompanied child or youth, the districts designated liaison for homeless children and youth [s. 722(g)(1)(J)(iii)].
- (b) When the child's or youth's living arrangements are in an area served by another school district (district of residence), this school district (district of service) will coordinate with the district of residence to agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of origin [s.722(g)(1)(J)(iii)(II)]

## DISPUTES: ELIGIBILITY, SCHOOL SELECTIONS, ENROLLMENT

- (A) When considering placement in a school other than the child's or youth's school of origin, the District will consider student-centered factors to determine a placement that is in the student's best interest.
- (B) When the district determines that a placement other than the school of origin is in the best interest, the district will provide the parent, guardian or unaccompanied homeless youth with [s.722(g)(3)(B)(iii)]:
  - (i) a written explanation [s.722(g)(3)(B)(iii)];
  - (ii) in a manner and form understandable to the parent, guardian or unaccompanied youth [s.722(g)(3)(B)(iii)];
  - (iii) information on the right to appeal the placement determination [s.722(g)(3)(B)(iii)]
- (C) If a dispute arises over eligibility, or school selection or enrollment in a school--
  - (i) the child or youth shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals [s.722(g)(3)(E)(1)];
  - (ii) the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school or district including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions [s.722(g)(3)(e)(ii)];
  - (iii) the parent, guardian, or unaccompanied youth shall be referred to the district's

- designated homeless liaison, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute [s.722(g)(3)(E)(iii)]; and
- (iv) in the case of an unaccompanied youth, the liaison shall ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of such dispute.

## THE DISTRICT/SCHOOL LIAISON

- (A) DUTIES- The liaison for homeless children and youths, designated shall ensure that--
- (i) homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies;
  - (ii) homeless children and youths are enrolled in, and have a full and equal opportunity to succeed in, schools of that local educational agency;
  - (iii) homeless families and homeless children and youths have access to and receive educational services for which such families, children, and youths are eligible, including early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.);
  - (iv) homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
  - (v) the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
  - (vi) public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;
  - (vii) enrollment disputes are mediated in accordance with paragraph (3)(E);
  - (viii) the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, as described in paragraph (1)(J)(iii), and is assisted in accessing transportation to the school that is selected under paragraph (3)(A).
  - (ix) school personnel providing services under this subtitle receive professional development and other support; and
  - (x) unaccompanied youths—
    - (I) are enrolled in school;
    - (II) have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including through implementation of the procedures under paragraph (1)(F)(ii); and
    - (III) are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv) and that the youths may obtain assistance from the homeless liaison to receive verification of such status for purposes of the Free

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Application for Federal Student Aid described in section 483 of such Act (20 U.S.C. 1090).

- (B) The District/School shall inform school personnel, service providers, advocates working with homeless families, parents and guardians of homeless children and youths, and homeless children and youths of the duties of the local educational agency liaisons, and publish an annually updated list of the liaisons on the State educational agency's website.
- (C) The District/School liaisons for homeless children and youths shall, as a part of their duties, coordinate and collaborate with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of paragraphs (1) and (3) of subsection (f).

*Approved by the FAUS School Advisory Body on 4-25-18*