

HOMELESS POLICY

EDUCATIONAL RIGHTS OF CHILDREN AND YOUTH WHO ARE EXPERIENCING HOMELESSNESS

The Newton Public Schools complies with the federal and state laws and regulations in the education of children who are experiencing homelessness. The intent of this policy is to provide each child and unaccompanied youth equal access to the same public education, including public preschool, as provided to housed students.

Definitions

The Massachusetts Department of Education adopted Section 725(2) of the McKinney-Vento Homeless Assistance Act regarding the definition of homeless children and youth.

- Individuals who lack a fixed, regular, and adequate nighttime residence or have a primary nighttime residence in a supervised, publicly or privately, operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.
- An unaccompanied youth is defined as a youth not in the physical custody of a parent or guardian.
- Children and unaccompanied youth who are sharing the housing of other persons due to loss of housing (doubled up), economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

- Children and unaccompanied youth 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;
- Children and unaccompanied youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
- Migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless because they are living in circumstances described above; and

Liaison

The Superintendent of Newton Public Schools designates a McKinney-Vento liaison for the district. The duties of this position are included but not limited to:

- Ensure that children and youth in homeless situations are identified
- Ensure that homeless students enroll in and have full and equal opportunity to succeed in school
- Link with educational services, including preschool and health services
- Inform parents, guardians, or unaccompanied youth of educational and parent involvement opportunities
- Post public notice of educational rights
- Resolve disputes
- Inform parents, guardians, or youth of transportation services, including to the school of origin
- Ensures that the schools keep records for homeless students and that those records are available in a timely fashion for when student enters a new school or school district. These records will include immunization or medical records, academic records, birth certificates, guardianship records and evaluations for special services or programs.

Enrollment

The Newton Public Schools enrolls students who are homeless immediately without the usually required documents such as medical records, school records and proof of residency. The rights of families to enrollment under the McKinney-Vento Act:

- Homeless students have a right to either remain in their school of origin or to attend school where they are temporarily residing;

- Students who choose to remain in their school of origin have the right to remain there until the end of the school year in which they get permanent housing;
- Student who choose to enroll in school where they are temporarily residing must be enrolled immediately, even if they do not bring the records usually required for enrollment with them; and
- If a homeless student arrives without records, the Liaison must assist the family and contact the previously attended school system to obtain the required records.

School Selection and Transportation

The Newton Public Schools adheres to the federal McKinney-Vento Act requirement regarding school selection and transportation services. The Newton Public Schools, while keeping students who are experiencing homelessness best interest in mind, must:

- Either continue the student's education in the school of origin until the end of the year in which the student obtains permanent housing;
- Or enroll the student in a 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.

The Newton Public School ensures that transportation is provided, at the request of the parent or guardian. In the case of an unaccompanied youth, the liaison may make the request for transportation to and from the school of origin. Transportation for homeless students will be comparable to those of housed students. Also:

- If the homeless student continues to live in the area served by the district in which the school of origin is located, that district must provide or arrange transportation;
- If the homeless student moves to an area served by another district, though continuing his or her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin; and
- If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.

The Newton Public Schools ensures that the parent or guardian of a homeless student, and any unaccompanied youth, is fully informed, in the language of the home, of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school selected.

Homeless students' access to Child Nutrition Programs

The Newton Public Schools ensures that all students who fall under the McKinney-Vento Act will receive free lunch and breakfast if available. The McKinney-Vento Liaison will ensure that free lunch, and breakfast if available, is provided immediately upon enrollment to the Newton Public Schools.

Access to comparable services

The Newton Public Schools ensures that students experiencing homelessness are provided with services and educational programs comparable to those received by other students and for which they meet eligibility criteria. These programs include Title I, special education services, technical and vocation education and ELL services. Students who are experiencing homelessness are never segregated in separate schools or programs and are given equal access to all opportunities within the Newton Public Schools.

Access to Preschool

Homeless preschool students have the same opportunities to enroll, attend and succeed in preschool programs as do housed students. Transportation is provided on a basis comparable to what is provided for housed preschool students.

Dispute Resolution

The Newton Public Schools will utilize the procedures for Dispute Resolution as defined in the McKinney-Vento Homeless Education Act Section 722(g): 42 U.S.C.11432 (g). If there is an enrollment dispute, the student shall immediately enroll in school where enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the district's decision and their appeal rights in writing and the district's liaison will carry out dispute resolution as provided by state rule.

Legal Reference: NCLB, Title X, Part C