

PROCEDURES FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

The McKinney-Vento Homeless Education Assistance Improvements Act of 2001 (as used herein "McKinney-Vento" or "the Act") is a federal statute concerning the education of homeless children and youth. The Act is designed to provide a stable educational environment by minimizing the effect of mobility on academic achievement. It guarantees equal access to the same free, appropriate public education, including preschool education, as provided to other children and youth. It also prohibits segregating homeless children and youth and requires that homeless children and youth have access to other services such children and youths need to ensure that they have an opportunity to meet the same challenging State student achievement standards to which all children are held. In accordance with McKinney-Vento, these procedures govern the identification, school registration, enrollment, coordination of services, transfer, and withdrawal of homeless children and youth.

I. Definition

A. Homeless: McKinney-Vento provides that a student is homeless if:

1. S/he lacks a fixed, regular, and adequate nighttime residence;
2. S/he is a child or youth who is:
 - a. sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 - b. living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations;
 - c. living in emergency or transitional shelters;
 - d. abandoned in hospitals; or
 - e. awaiting foster care placement;
 - (1) Children awaiting foster care placement means a child placed out of their home pursuant to a shelter care order or a voluntary placement agreement documented by the Department of Social Services; or a child committed to the care and custody of the Department of Social Services who is placed into a temporary, short-term placement of not longer than ninety school days, such as an emergency or shelter facility; diagnostic center; psychiatric respite facility; foster home or other temporary, short-term placement.
3. S/he has 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, within the meaning of the McKinney-Vento 103(a)(2)(c);
4. S/he is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
5. S/he is a migratory child (a child who is, or whose parent is, a migratory agricultural worker including a migratory dairy worker, or migratory fisher, and who in the preceding thirty-six months, in order to obtain, or accompany such parent in obtaining temporary or seasonal employment in agricultural, or fishing work has moved from one school district to another) who qualifies as homeless because s/he is living in circumstances described in 1 through 4 above.

- B. Enrollment: attending classes and participating fully in school activities.
- C. School of origin: the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.
- D. Parent: biological parent, adoptive parent, guardian, or individual acting as a parent in the absence of a parent or guardian.
- E. Unaccompanied youth: youth not in the physical custody of a parent or guardian.
- F. Date identified: the day on which the parent or unaccompanied youth orally states or puts in writing to a BCPS employee that they are homeless or are determined by the pupil personnel worker (PPW) or school-based homeless liaison to be homeless which ever is earlier.

II. Identification of Homeless Children and Youth

- A. All school personnel and PPWs must be aware and sensitive to the signs of homelessness and work to actively identify homeless children and youth in a respectful and appropriate manner.
- B. As part of the ongoing efforts to identify homeless children and youth, school personnel will rely on information given in the School Registration Form (P.S. 530 School Registration Form). This form is provided to new students or their parents who seek to enroll at a school. (The School Registration Form is designed through its “application information” section to identify whether the applicant lives in “temporary housing or lacks housing.”) Applicants who identify that they are in these housing situations are to be immediately referred by school personnel to the school’s PPW.
- C. In the event the pupil personnel worker is not available, school personnel should immediately contact the pupil personnel worker’s back-up, if not available, the school-based homeless liaison. The pupil personnel worker or school-based homeless liaison shall immediately confirm whether a student is homeless and proceed with immediate registration, enrollment, and coordination of services. The PPW or school-based homeless liaison with the parent/guardian or unaccompanied youth will complete the Homeless Student Services Form (HSE-1). The pupil personnel worker or school-based homeless liaison shall provide the parent/guardian or unaccompanied youth with the brochure Homeless Children and Youth in Baltimore County Public Schools and explain the contents of the brochure.

III. School Registration of Homeless Children or Youths Who are New Entrants

Homeless students shall be immediately enrolled at the direction of the pupil personnel worker or school-based homeless liaison even if the student is unable to produce records normally required for enrollment, such as previous academic records, immunization and medical records, proof of residency, or other similar documentation.

IV. School Choice

- A. McKinney-Vento entitles homeless students to continue their education:
1. At their school or origin (defined above) for the duration of his/her homelessness; or
 2. At the school in the attendance area serving their temporary residency.
- B. The pupil personnel worker or school-based homeless liaison will consult with the parent/guardian or unaccompanied youth, to determine the school enrollment that is in the best interest of the student (HSE-2 School Choice Form is used for this determination). The pupil personnel worker or school-based homeless liaison shall, to the extent feasible, keep a homeless child or youth in the school of origin, except when doing so is contrary to the wishes of the unaccompanied youth or youth's parent/guardian.
- C. Homeless children and youth who are matriculating from one level of school to another (elementary to middle or middle to high school) and who remain homeless between academic years shall continue in the feeder system of schools of origin unless the parent/guardian or unaccompanied youth wishes to attend the attendance area school serving their temporary residence. Transportation will be provided to the child or youth if the child or youth resides outside of the school's walking area.
- D. In selecting the school that is in the best interest of the homeless student, the parent/guardian or unaccompanied youth and PPW or school-based homeless liaison should consider the following factors:
1. The student's age;
 2. The school which the student's siblings attend;
 3. The student's experiences at the school of origin;
 4. The student's academic needs;
 5. The student's emotional needs;
 6. Any other special needs of the family;
 7. Continuity of instruction;
 8. Length of stay in the current living situation;
 9. The likely location of the family's future permanent housing;
 10. Time remaining in the school year;

11. Distance of the commute, and the impact it may have on the student's education, and other student-centered transportation related factors; and

12. The safety of the child.

- E. The pupil personnel worker or school-based homeless liaison must complete the School Choice Form (HSE-2) with the parent/guardian or unaccompanied youth and provide the parent/guardian or unaccompanied youth with a copy of Appeal Form (HSE-3). The PPW or the school-based homeless liaison will verbally explain the right to appeal and the student's right to enrollment and services during the appeal (refer to section XII, Dispute Resolution). The School Choice Form (HSE-2) must have the reason for the decision. The parent/guardian or unaccompanied youth's choice of school must be recorded on the Homeless Student Service Form (HSE-1) and the Homeless School Choice Form (HSE-2).
- F. After completing HSE-2, the PPW must notify the principal immediately using Approval Letter (HSE-4) of the approval for enrollment. Immediate enrollment means that the student will be attending school and fully participating in school activities.

V. Students enrolled in Baltimore County Public Schools who become homeless during the school year or between academic years

- A. If a student enrolled in Baltimore County Public Schools becomes homeless during the school year or between academic years, that student has the right to remain at his/her school of origin for the duration of his/her homelessness. If a homeless student becomes permanently housed during the academic year, that student has the right to remain at the school of origin for the remainder of the school year.
- B. The pupil personnel worker or the school-based liaison for the school the student is attending must complete the Homeless Student Services Form (HSE-1), the School Choice Form (HSE-2), provide the Appeal Form (HSE-3), and after determining the child's/youth's homelessness, must direct the principal in writing using form HSE-4 of the school of origin or of the attendance area school where the student is residing to continue the enrollment of the student or immediately enroll the student.
- C. Withdrawal of homeless students is to be made after consultation by the principal with the pupil personnel worker, unless the parent/guardian or unaccompanied youth makes a specific request to withdraw.
- D. An Exit Interview shall be completed with each student leaving a BCPS school. The Exit Interview Form shall be completed (P.S. 105).

VI. Coordination of Services and Comparable Services

Each homeless student shall be provided services comparable to the services offered to other students in the school that the homeless student attends. Pupil personnel workers will

provide case management services to homeless students to ensure coordination of services. PPWs will track the coordination of services through the Homeless Services Activities Tracking Form (HSE-7). Such services include:

A. Transportation:

1. Transportation will be provided for students identified as homeless if they reside outside the school walking area, except when doing so is contrary to the wishes of the unaccompanied youth or youth's parent/guardian. Pupil personnel workers and school-based homeless liaisons will immediately contact the school principal or designee for local transportation to the school or submit a Transportation Request Form (HSE-5) to the Transportation Assistant if the transportation is outside the local school zone.
2. If needed, temporary transportation arrangements will be made by the Office of Transportation. Transportation will notify the PPW of all transportation arrangements so that the PPW may inform the parent/guardian or unaccompanied youth.
3. Transportation arrangements (either temporary or permanent) should be made available within four (4) school days from the date identified as homeless. PPW will follow-up during this time to assist in expediting this transportation process and request assistance from the Homeless Education Liaison as needed.
4. Transportation for after-school activities to homeless children and youth should be comparable to the transportation that is provided to all students at that same school.
5. If the homeless student's living arrangements in Baltimore County are terminated and the student, through continuing his or her education in the school of origin, begins living in an area served by another local education agency, Baltimore County Public Schools and the local education agency in which the homeless student is living shall agree upon a method to apportion the responsibilities and costs for providing the student with transportation to and from the school of origin. If the local education agencies are unable to agree upon a method to apportion responsibilities and transportation costs, the responsibility and costs for transportation shall be shared equally, in accordance with section 722(g)(1)(j)(iii) of the McKinney-Vento Act.
6. If a homeless student from another local education agency begins living in an area served by the Baltimore County Public Schools, but remains at his/her school of origin in another local education agency, transportation arrangements will also be made in accordance with McKinney-Vento 722(g)(1)(j)(iii).

B. Food and Nutrition:

The pupil personnel worker will immediately complete and forward to the Office of Food and Nutrition Services a completed eligibility form (HSE-6) for benefits from

the child nutrition program. All homeless students are eligible for Food and Nutrition Services. Food and nutrition benefits are provided for the entire school year, even if the student becomes permanently housed during the school year. Schools will not have parents/guardians or unaccompanied youth complete additional forms for food and nutrition services.

C. Educational Services:

The pupil personnel worker or school-based homeless liaison shall review the Homeless Student Services Form (HSE-1) to understand whether and to what extent the student meets the relevant eligibility criteria for services provided under: Title I, educational programs for students with disabilities, and educational programs for students with limited English proficiency. The pupil personnel worker along with school personnel are to facilitate the provision of all educational services that the student is eligible to receive.

D. Vocational and technical programs.

E. Programs for gifted and talented programs.

F. Referral to resources that can assist the family or unaccompanied youth.

G. Fees will be waived for required school uniform, field trips, books and materials, physical education, lab, class supplies, school records and high school graduation cap and gown fees. Principals may request reimbursement for waiver of fees by sending an invoice along with receipts to the Homeless Education Liaison. Fees needed for extracurricular activities may be waived if this will promote student success.

H. Principals are to ensure that homeless students have the opportunity to participate in all state academic proficiency examinations.

VII. Homeless Education Liaison Responsibilities:

The Homeless Education Liaison is responsible for those duties assigned to the position under McKinney-Vento including ensuring that homeless children and youth are identified by school personnel and through coordination activities with other agencies and community groups; homeless children and youth are immediately enrolled; receive the educational services to which they are entitled; parents and guardians are informed of educational and related opportunities; public notice of McKinney-Vento rights are disseminated; enrollment disputes are mediated expeditiously; and parents and unaccompanied youth are fully informed of their transportation rights, including during any appeal process.

A. Homeless Education Liaison's Role and Responsibilities:

1. Train school-based personnel and student support services personnel, in the identification, enrollment, and service of homeless children and youth, and related homeless education issues and the procedures established in PS 512.
2. Offer training at least once a year to Baltimore County agencies that have regular contact with homeless families, including but not limited to, shelter staff personnel, social service agencies, and other community agencies.
3. Regularly disseminate information explaining the rights of homeless students under McKinney-Vento and containing contact information for BCPS homeless education personnel.
4. Coordinate and convene meetings of the BCPS Homeless Education Steering Committee whose membership may consist of the each pupil personnel worker assigned as a homeless shelter liaison, an operational manager from each of the following offices; Transportation, Early Childhood, Special Education, Title I, Office of Food and Nutrition Services, and Alternative Education.
5. Along with the Coordinator of Pupil Services, review the case management of homeless students provided by pupil personnel workers to determine that such students are promptly identified, immediately enrolled, and receive educational services in accordance with McKinney-Vento.
6. Participate or assist with mediating with disputes that arise over enrollment, school selection, and services in accordance with Section XII entitled Dispute Resolution Process.
7. Coordinate and manage the provision of tutoring through shelter homework clubs and other special support to homeless children and youth to enable them to meet the high content and performance standards expected of all children.
8. Represent Baltimore County Public Schools on the Baltimore County Homeless Roundtable to develop coordination with county agencies.
9. Represent Baltimore County Public Schools on the Baltimore County Coalition for the Homeless to increase communication with and involvement with community groups and organizations.
10. Develop partnerships with the business community to support educational opportunities for homeless children, youth, and their families.
11. Collaborate with the Maryland State Department of Education (MSDE) Homeless Education Coordinator to be apprised on guidance issued and revise Baltimore County Public Schools' procedures for the enrollment and education of homeless students as needed. Provide homeless student data to MSDE.

12. Report regularly to the Coordinator of Pupil Personnel Services concerning the status of identification, placement, instructional programs, and other activities related to homeless children and youth and their families in Baltimore County.
13. Assist homeless families, children, and youth with referrals to health care services, dental services, mental health services, and other appropriate services.
14. Provide homeless parents/guardians and unaccompanied youth with information about Baltimore County Public Schools' enrollment dispute process as detailed in PS 512.
15. Maintain contact and communication with the directors of all Baltimore County shelters that serve children and youth.

VIII. Custody/Guardianship Requirements

- A. A homeless student who seeks registration unaccompanied by a parent or guardian should be immediately referred to the pupil personnel worker or school-based homeless liaison. The pupil personnel worker or school-based homeless liaison in making the best interest determination will refer to sections I through IV above. The pupil personnel worker or school-based homeless liaison will determine the domicile of the parent or guardian and provide information to the school so that the parent may participate in the registration process if possible. In the case of an unaccompanied youth (as defined in the McKinney-Vento section 725 (6)), the pupil personnel worker or school-based homeless liaison must assist in placement/enrollment decisions, consider the youth's wishes and provide notice to the youth of the right to appeal under the Dispute Resolution provisions. Written documentation should be maintained of all written and verbal communications, home visits, and efforts to contact the parent, guardian or unaccompanied youth.
- B. In situations in which no parent or guardian can be contacted; the pupil personnel worker should refer the homeless student to the Protective Services Division, Baltimore County Department of Social Services, to report the homeless student as a child in need of assistance. The referral of the homeless child to the Protective Services Division should consist of a telephone contact and a summary letter. This process is similar to that followed by pupil personnel workers in reporting some neglect cases. In cases in which no parent or legal guardian can be contacted and the homeless student is subsequently identified as a student in need of special education, the guidelines for implementing the parent surrogate procedure relating to special education services should be followed.

IX. Health Records and Birth Certificate Requirements

- A. In situations in which a homeless student registers at a school, as approved by the pupil personnel worker or school-based homeless liaison, without having available a record of immunization, the principal or the principal's designee should immediately contact

the student's former school by telephone to request the student's records and to discuss immunization information and initial placement. If information is not available at the former school to satisfy immunization requirements, the school nurse should contact the student's health care provider. If immunization records are not available, the school nurse will work with the Baltimore County Department of Health to arrange for an appointment for proper immunization or reconstruction of lost records. The student will be allowed to attend classes as the immunization regulations are being completed. A note stating that the child is homeless will be attached to the student's 896 card by the school nurse to satisfy State audit requirements.

- B. If a birth certificate is not available, the student should be immediately registered and enrolled with subsequent appropriate steps should be taken to obtain verification of birth.

X. Educational Records, Transfer, and Withdrawal

- A. Educational information needed for proper placement should initially be obtained through a telephone contact with the student's former school by the school counselor. If educational records or educational information are not available, the student should be immediately registered and enrolled; an educational record should be developed in accordance with the Maryland Student Records System Guidelines. In these cases, an instructional diagnostic test may be administered to assist in the determination of the student's skill needs and appropriate placement. Instructional diagnostic test are to be provided in an expedited manner.
- B. If a homeless child seeks to register without having available the SRS-7 Transfer Form, the receiving school should immediately register and enroll the child and telephone the former school for transfer information and to request that the child's educational record be forwarded. The sending school should provide requested information during the telephone contact and then forward the homeless student's educational record as promptly as possible.
- C. Parent/guardian or unaccompanied youth are to be provided the brochure Homeless Children and Youth in Baltimore County Public schools prior to withdrawal of the student.
- D. Withdrawal of homeless students is to be made after consultation by the principal with the pupil personnel worker, unless the parent/guardian or unaccompanied youth makes a specific request to withdraw.
- E. An Exit Interview shall be completed with each student leaving a BCPS school. The Exit Interview Form shall be completed (P.S. 105).

XI. Tracking System for Homeless Students and Evaluation of Homeless Education Program

- A. The Maryland State Department of Education requires that each school system track and report the number of homeless students. The pupil personnel worker will complete and forward to the Office of Pupil Personnel Services the State Department of Education "Tracking Form for Homeless Children and Youth." The Office of Pupil Personnel Services will be responsible for submitting required reports to the Maryland State Department of Education.
- B. The Homeless Education Liaison will ensure that the homeless education program is evaluated annually to determine the effectiveness of implementation and compliance with McKinney-Vento in the Baltimore County Public Schools. The Homeless Education Steering Committee will review the evaluation for their areas of responsibility and address any non-compliant situations with PS 512 or McKinney-Vento immediately.

XII. Dispute Resolution Process (Appeal Process)

In accordance with McKinney-Vento, the dispute resolution process regarding disputes that arise over enrollment, school selection, and services shall be resolved in an expedited manner. The homeless student must remain as determined by parents' or unaccompanied youth's wishes (in the school of origin or the geographical area school) pending resolution of the dispute. Transportation must be provided during the dispute resolution if outside the school walking area to the school. The enrollment of homeless children and youth in the Baltimore County Public Schools is to be coordinated and expedited by each school's Pupil Personnel Worker.

If the pupil personnel worker or school-based homeless liaison is unable to arrange for placement and/or provision of services, school selection, and enrollment, which are requested by the parent/guardian or unaccompanied youth, the pupil personnel worker or school-based liaison must immediately provide written explanation of the decision using the School Choice Form (HSE-2), including written instructions of the right to appeal. The parent/guardian or unaccompanied youth is to be provided the Appeal Form (HSE-3).

- A. The parent/guardian or unaccompanied youth may appeal in writing to Principal's Designee/Homeless Education Liaison by completing the Appeal Form (HSE-3) within fifteen (15) calendar days of the written decision of the pupil personnel worker.
- B. If the Principal's Designee/Homeless Education Liaison is unable to resolve the complaint from the parent/guardian, or unaccompanied youth within five (5) school days, the Principal's Designee/Homeless Education Liaison must issue a written decision to the parent, guardian or unaccompanied youth within five (5) school days explaining the reason enrollment, school selection, or services cannot be provided.

- C. If the Principal's Designee/Homeless Education Liaison does not issue a decision within five (5) school days or if the parent/guardian or unaccompanied youth disagrees with the decision of the Principal's Designee/Homeless Education Liaison, the parent/guardian or unaccompanied youth may appeal in writing to the Coordinator of Pupil Personnel Services within ten (10) calendar days of the decision of the Principal's Designee/Homeless Education Liaison. The Coordinator of Pupil Personnel Services shall issue a written decision within five (5) school days.
- D. If the Coordinator of Pupil Personnel Services does not issue a decision within five (5) school days or if the parent/guardian or unaccompanied youth disagrees with the decision of the Coordinator of Pupil Personnel Services, the parent/guardian or unaccompanied youth may file a written appeal to the Superintendent of schools within fifteen (15) calendar days of the date of the Coordinator of Pupil Personnel Services decision. The Superintendent's Designee shall issue a decision within five (5) school days.
- E. If the Superintendent's Designee does not issue a decision within five (5) school days, or if the parent/guardian or unaccompanied youth disagrees with the decision, the parent/guardian or unaccompanied youth may appeal, in writing, within thirty (30) calendar days, to the Baltimore County Board of Education, pursuant to Education Article, section 4-205(c), Annotated Code of Maryland, Code of Maryland Regulations (COMAR) 13A.05.09.07(A)(5). The Board of Education shall decide the appeal on an expedited basis within forty-five (45) calendar days of receipt of the appeal as set forth in COMAR 13 (A).05.09.07(A)(6).
- F. If the parent/guardian or unaccompanied youth disagrees with the decision of the Baltimore County Board of Education, the parent, guardian or unaccompanied youth may appeal the decision to the State board, in writing, within thirty (30) calendar days, pursuant to COMAR 13A 01.01.03.

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