

PROCEDURE TITLE: <b>Implementation of Education for Homeless Children-McKinney-Vento</b>		
ADOPTION/EFFECTIVE DATE: <b>5/12/2005</b>	MOST RECENTLY AMENDED: <b>12/03/2018</b>	MOST RECENTLY REAFFIRMED: <b>5/17/2017</b>
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: <b>School Management</b>		

### I. Definitions

- A. McKinney-Vento Act means the McKinney-Vento Homeless Education Assistance Improvement Act of 2001, 42 U.S. Code, Section 11431 *et seq.*
- B. School of origin means the school that the student attended or was last enrolled before becoming homeless.
- C. Homeless student means individuals who lack a fixed, regular and adequate night time residence and who are otherwise eligible to receive educational services from Harford County Public Schools. This term includes:
  1. Students who are sharing the housing of other persons due to a loss of housing, economic hardship or a similar reason;
  2. Students who are living in motels, hotels, trailer parks or camping grounds due to a lack of alternative adequate accommodations;
  3. Students who are living in emergency or transitional shelters;
  4. Students who are abandoned in hospitals;
  5. Students who have a primary night time residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for a human being.
  6. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, buses, bus or train stations or similar settings.
  7. Migratory students (as defined by Section 1309 of the Elementary and Secondary Education Act of 1965 as amended) who qualify as homeless for the purposes of this section because the children are living in circumstances described above.

### II. Procedures for Enrollment

- A. Harford County Public Schools (HCPS) shall not deny, delay or transfer enrollment solely because a student is homeless or because a homeless student is unable to produce school, medical or residency records.
- B. With respect to a homeless student who is enrolling or about to enroll, HCPS shall:
  - 1. Immediately enroll the student in the school of origin or the school in the attendance area where the homeless student is actually living or eligible to attend, in accordance with the best interest of the student. A parent, guardian or a public agency having legal or lawful custody may enroll homeless students. A pupil services worker shall assist a homeless student who is not in the physical custody of a parent or guardian and who is 18 years or older in this process.
  - 2. Cause a pupil services worker to help make a determination that the homeless student is in the care of an individual other than the parent or guardian, if he or she is not living with a parent or guardian.
  - 3. Make a reasonable effort to verify that the student is homeless.
  - 4. Contact the school last attended by the homeless student to obtain relevant academic and other records.
  - 5. Refer the family to pupil services for assistance in understanding their rights, programs, services for homeless students, transportation services and notice of dispute resolutions and appeals.
  - 6. Coordinate with other community service organizations in assisting the homeless student and his/her family.
  - 7. Cause a pupil services worker to assist with immunizations; assist the parent in obtaining necessary immunizations in a timely manner; or refer the student to the school nurse.
  - 8. Promptly provide appropriate disability accommodations and special education services for a homeless student who is eligible to receive such accommodations and/or services.
  - 9. Refer the homeless student to the pupil services team for monitoring of school adjustment needs.

III. School Placement and Enrollment

- A. HCPS shall enroll the student in a school determined to be in the student's best interest.
- B. The student shall remain in the school determined to be in the student's best interest for as long as the student remains homeless or, if the student becomes housed, until the end of the academic year.
- C. The decision regarding placement shall be made regardless of whether the homeless student lives with the homeless parent or has been temporarily placed elsewhere.
- D. If HCPS sends the student to a school other than the school of origin or the school requested by the parent/guardian, the school must provide written explanation of the decision that includes notice of the parent's or guardian's right to appeal the decision.

IV. Determination of School Placement That Is In the Student's Best Interest

- A. In determining the best interest of the homeless student for the purposes of Section III above, HCPS shall:
  - 1. To the extent feasible, keep a homeless student in the school of origin unless contrary to the wishes of the student's parent or guardian.
  - 2. Consider the following factors.
    - a. The student's age;
    - b. The school which the student's siblings attend;
    - c. The student's experience in the school of origin;
    - d. The student's academic needs;
    - e. The student's emotional needs;
    - f. Any other special needs of the family;
    - g. Continuity of instruction;
    - h. Length of stay in the shelter;
    - i. The likely location of the family's future permanent housing;
    - j. Time remaining in the school year;
    - k. Distance of commute and the impact it may have on the student's education and other students and/or transportation related factors; and
    - l. Safety of the child.

V. Student Transportation

- A. Homeless students will be provided with transportation services comparable to the transportation services provided to non-homeless students. Parents will

be notified of the availability of transportation services that are necessary for the homeless student to attend the school in which the student is enrolled. The school will work with Student Services, the Transportation Department and the parent or guardian to determine transportation needs.

- B. If the student requires transportation to attend the school that is determined to be in the student's best interest, transportation shall be provided:
  - 1. As long as the student attends the school of origin and remains homeless;  
or
  - 2. Until the end of the current school year if the child becomes permanently housed during the school year.
- C. If the homeless student resides in Harford County and attends a school of origin in another jurisdiction in Maryland, HCPS and the other school system involved shall agree upon a method to apportion the responsibility and costs for providing the student with transportation to and from the school of origin.

### VI. Dispute Resolution

The following procedure shall be implemented to address disputes regarding services to homeless students:

- A. School personnel informed of a parent or guardian's disagreement with the enrollment or access to services provided to homeless student shall refer the parent to the Office of Student Services for assistance with dispute resolution.
- B. Upon receipt of a written complaint from the parent/guardian of a homeless student, the Director of Student Services shall resolve the complaint in writing within five (5) school days. Notice of appeal rights will also be included with respect to a written resolution of such complaint.
- C. If the parent is dissatisfied with the resolution or if the Director of Student Services does not issue a resolution within five (5) school days, the parent of the homeless student may file a written complaint with the Superintendent.
- D. The Superintendent shall issue a decision within ten (10) school days which shall include notice of the parent's right to appeal the decision.
- E. If the Superintendent does not issue a decision within ten (10) school days or if the parent of the homeless student is dissatisfied with the decision, the parent may appeal in writing to the Harford County Board of Education within thirty (30) days pursuant to Education Article Section 4-205(c) Annotated Code of Maryland.

- F. The Harford County Board of Education shall decide the appeal in writing on an expedited basis within forty-five (45) days of receipt of the appeal. Notice of appeal rights will be included.
  - G. If the parent of the homeless student is dissatisfied with the decision of the Board, the parent may appeal the decision to the State Board in writing within thirty (30) days pursuant to COMAR 13A.01.01.03.
  - H. During the dispute resolution process, including any appeals, the student may remain enrolled at the school of origin. Transportation shall be provided to the student during the dispute resolution process.
- VII. Identification, Review and Reporting
- A. Data will be collected and reported to the Maryland State Department of Education, local schools and other agencies as required by the Maryland State Department of Education and the McKinney-Vento Act.
- VIII. Designation of Liaison
- A. The Superintendent hereby designates the Supervisor of Psychological Services to ensure the identification of homeless students, the implementation of policy and procedures pertaining to homeless students, coordination of student services, data collection, coordination with local agencies, staff training and communication to all relevant parties regarding homeless students.

**Approved By:**



Sean W. Bulson, Ed.D.  
Superintendent of Schools

# PROCEDURE

Procedure Action Dates					
ACTION	DATE	ACTION	DATE	ACTION	DATE
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Reaffirmed	5/17/2017				
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Responsibility for Procedure Maintenance & References	
LAST EDITOR/DRAFTER NAME: <b>Unknown</b>	JOB POSITION OF LAST EDITOR/DRAFTER: <b>Unknown</b>
PERSON RESPONSIBLE: <b>Patrick P. Spicer, Esquire</b>	JOB POSITION OF PERSON RESPONSIBLE: <b>General Counsel</b>
DESIGNEE NAME: <b>Stephen Richards</b>	DESIGNEE POSITION: <b>Supervisor of Psychological and Pupil Personnel Services</b>
PROCEDURE NUMBER PRIOR TO NOVEMBER 1, 2005: Page 1564	

## LEGAL REFERENCES<sup>1</sup>

References are set forth in the Procedure.

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<sup>1</sup> All references are to specific federal or Maryland statutes or regulations. References are provided for convenience and informational purposes only and are not to be considered as exhaustive or as precluding Harford County Public Schools from relying upon any other statutes or regulations in support of a policy.