

**Gadsden City Board of Education
Policy and Procedures to Implement the
McKinney-Vento Act**

SCHOOL BOARD POLICY, IIDD, ADOPTED JULY 10, 1990

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Gadsden City School System Policy and Procedures to Implement the McKinney-Vento Act

Introduction

The McKinney-Vento Act requires all state and local educational agencies to develop, review, and revise their policies to remove barriers to the enrollment and retention in school of children and youth experiencing homelessness. This sample Local Educational Agency (LEA) policy is designed to help school districts comply with this mandate. The policy was adapted from the existing policies of LEAs around the country, the requirements of the reauthorized McKinney-Vento Act and Elementary and Secondary Education Act (ESEA), and U.S. Department of Education regulations and guidance. It is broad and specific and can be abbreviated or otherwise adapted to accommodate the needs of any LEA.

The entire LEA community can be involved in developing a new policy. Often, one person taking the lead is enough to get a new policy enacted. Strategic allies in getting LEA policies revised may include:

- Superintendent and assistant superintendents
- School board members
- Title I and other federal program directors
- School staff, including school counselors, social workers, and teachers
- The mayor
- City council members
- County government officials
- Other city and county agencies, such as departments of housing, social services, children and families, transitional assistance, welfare and/or Medicaid
- Parents and students
- Homeless coalitions
- Domestic violence coalitions and agencies
- Legal aid attorneys
- Community advocates
- HUD Continua of Care (CoCs)
- Family and youth shelter and service providers
- Faith-based organizations
- Higher education, including schools of education, law, public policy, social work, nursing,

- sociology, and psychology
- State legislators
- The state educational agency
- The state board of education

Ways to involve these allies in the process initially may include:

- Using the requirements and rationale of the McKinney-Vento Act as support for needing new Policies
- Sharing positive results from districts that have already revised their policies
- Taking them on tours of shelters and/or schools, as appropriate
- Making direct personal contact and explaining how the policies affect real children, schools, and the LEA as a whole

Gadsden City School System Homeless Policy

Homelessness exists in our community. A combination of high housing costs and poverty causes many families to lose their housing. Many young people leave their homes due to abuse, neglect, and family conflict. Children and youth who have lost their housing live in a variety of places, including motels, shelters, shared residences, transitional housing programs, cars, campgrounds, and others. Their lack of permanent housing can lead to potentially serious physical, emotional, and mental consequences. This school district will ensure that all children and youth receive a free appropriate public education and are given meaningful opportunities to succeed in our schools. This district will also follow the requirements of the McKinney-Vento Homeless Assistance Act.

Under federal law, children and youth experiencing homelessness must have access to appropriate public education, including preschool, and be given a full opportunity to meet state and local academic achievement standards. They must be included in state- and division- wide assessments and accountability systems. Our schools will ensure that children and youth experiencing homelessness are free from discrimination, segregation and harassment.

It is the policy of our district to view children as individuals. Therefore, this policy will not refer to children as homeless; it will instead use the term children and youth in transition. Under federal law, children and youth in transition must have access to appropriate public education, including preschool, and be given a full opportunity to meet state and local academic achievement standards. They must be included in state- and district-wide assessments and accountability systems. Our schools will ensure that children and youth in transition are free from discrimination, segregation, and harassment.

Information regarding this policy will be distributed to all students upon enrollment and once during the school year, provided to students who seek to withdraw from school, and posted in every school in the

district, as well as other places where children, youth, and families in transition receive services, including family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments, health departments, and other social service agencies.

Definitions

Children and youth in transition means children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence, including:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
- Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.
- Migratory children and youth who are living in a situation described above.

A child or youth will be considered to be in transition for as long as he or she is in a living situation described above.

Unaccompanied youth means a youth not in the physical custody of a parent or guardian, who is in transition as defined above. The more general term youth also includes unaccompanied youth.

Enroll and enrollment mean attending school and participating fully in all school activities.

Immediate means without delay.

Parent means a person having legal or physical custody of a child or youth.

School of origin means the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

Local liaison is the staff person designated by our LEA and each LEA in the state as the person responsible for carrying out the duties assigned to the local homeless education liaison by the McKinney-Vento Homeless Assistance Act.

Identification

In collaboration with school personnel and community organizations, the local liaison will identify children and youth in transition in the district, both in and out of school. The local liaison will train school personnel on possible indicators of homelessness, sensitivity in identifying families and youth as in transition, and procedures for forwarding information indicating homelessness to the local liaison. The local liaison 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 local liaison. Community partners in identification may include the following: family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments and other social service agencies, street outreach teams, faith-based organizations, truancy and attendance officers, local homeless coalitions, and legal services.

The local liaison will keep data on the number of children and youth in transition in the district; where they are living; their academic achievement (including performance on state- and districtwide assessments); and the reasons for any enrollment delays, interruptions in their education, or school transfers.

School Selection

Each child and youth in transition has the right to remain at his or her school of origin or to 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 our school district. 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 also have 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. Therefore, in selecting a school, children and youth in transition will remain at their schools of origin to the extent feasible, unless that is against the parent or youth's wishes. Students may remain at their schools of origin the entire time they are in transition 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 will be a child-centered determination, based on the needs and interests of the particular student and the parent or youth's wishes. Potential feasibility considerations include: Age of the child or youth;- Safety of the student;- Continuity of instruction;- The distance of a commute and the impact it may have on the student's education;- Likely area of family's or youth's future housing;- Time remaining in the academic year;- Anticipated stay in a temporary shelter or other temporary location;- School placement of siblings; and- 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 next page) and services under federal and other programs, will not be considered in determining feasibility.

Enrollment

Consistent, uninterrupted education is vital for academic achievement. Due to the realities of homelessness and mobility, students in transition may not have school enrollment documents available readily. Nonetheless, the school selected for enrollment must enroll any child or youth in transition immediately. Homeless children and youth shall not be stigmatized or segregated on the basis of their status as homeless. 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 local 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- 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 enrolled immediately in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or local 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 will be provided to and from the school of origin for a child or youth in transition. Transportation will 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 local liaison will request school of origin for unaccompanied youth. The length of the commute will be considered only 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 local liaisons will use the district transportation form to process transportation requests. Requests will be processed and transportation arranged without delay. If the student in transition is living and attending school in this district, this district will arrange transportation. If the student in transition is living in this district but attending school in another, or attending school in this district but living in another, this district will coordinate with the neighboring district to arrange transportation. It is this district's policy that inter-district disputes will not result in a student in transition missing school. If such a dispute arises, this district will arrange transportation and immediately bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth.

In addition to receiving transportation to and from the school of origin upon request, children and youth in transition will also be provided with other transportation services comparable to those offered to housed students.

Services

Children and youth in transition will be provided services comparable to services offered to other students in the selected school, including:

■ Transportation (as described above)

■ Title I, Part A, services (as described below)

■ Educational services for which the student meets eligibility criteria, including special education and related services and programs for English language learners

- Vocational and technical education programs
- Gifted and talented programs
- Before- and after-school programs

The district recognizes that children and youth in transition suffer from disabilities at a disproportionate rate, yet frequently are not evaluated or provided appropriate special education and related services. To address this problem, evaluations of children and youth in transition suspected of having a disability will be given priority and coordinated with students' prior and subsequent schools as necessary to ensure the timely completion of a full evaluation. When necessary, the district will designate expeditiously a surrogate parent for unaccompanied youth suspected of having a disability. If participation of a surrogate parent in the student's education is needed prior to the appointment of a surrogate parent, the district will designate a temporary surrogate in accordance with the provisions of the Individuals with Disabilities Education Act (IDEA). If a student has an Individualized Education Program (IEP), the enrolling school will implement it immediately. Any necessary IEP meetings or re-evaluations will 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 district policy regarding tardiness or absences, any tardiness or absence related to a child or youth's living situation will be excused. Our school district will follow state procedures to ensure that youth in transition and youth who are out of school are identified and accorded equal access to appropriate secondary education and support services. School personnel will refer children and youth in transition to appropriate health care services, including dental and mental health services. The local 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. All parent information required by any provision of this policy must be provided in a form, manner, and language understandable to each parent.

Disputes

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

The school where the dispute arises will provide the parent or unaccompanied youth with a written explanation of its decision and the right to appeal and will refer the parent or youth to the local liaison immediately. The local liaison will ensure that the student is enrolled in the requested school and receiving other services to which he or she is entitled and will resolve the dispute as expeditiously as possible. The parent or unaccompanied youth will be given every opportunity to participate meaningfully in the resolution of the dispute. The local liaison will keep records of all disputes in order to determine whether particular issues or schools are delaying or denying the enrollment of children and youth in transition repeatedly.

The parent, unaccompanied youth, or school district may appeal the school district's decision as provided in the state's dispute resolution process.

Appeal Process

Oral Complaint

In the event that an unaccompanied student or the parent or guardian of a student (hereinafter

referred to as the Complainant) disagrees with a school's decision regarding the student's eligibility to attend the school, the Complainant shall orally present his position to the division's homeless liaison.

Written Complaint

If the disagreement is not resolved within five (5) school days, the Complainant may present a written complaint to the homeless liaison. The written complaint must include the following information: the date the complaint is given to the homeless liaison; a summary of the events surrounding the dispute; the name(s) of the school division personnel involved in the enrollment decision; and the result of the presentation of the oral complaint to the homeless liaison. Within five (5) school days after receiving the written complaint, the homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore, to the Complainant. The liaison will inform the Superintendent of the formal complaint and its resolution.

Appeal to Superintendent

If the Complainant is not satisfied with the written decision of the homeless liaison, the Complainant may appeal that decision to the Superintendent by filing a written appeal. The homeless liaison shall ensure that the Superintendent receives copies of the written complaint and the response thereto. The Superintendent or designee shall schedule a conference with the Complainant to discuss the complaint. Within five (5) school days of receiving the written appeal, the Superintendent, or designee, shall provide a written decision to the Complainant including a statement of the reasons therefore. The superintendent's written finding shall include a statement regarding the right to file an appeal with the Alabama State Department of Education.

Appeal to the ALSDE State Superintendent

Complaints to the Alabama State Department of Education shall be in writing and signed by the parent/guardian or unaccompanied student and mailed or delivered to:

State Homeless Coordinator
Alabama State Department of Education 5348 Gordon Persons Building
50 North Ripley Street
Montgomery, Alabama 36104-2101

The State Homeless Coordinator will inform the involved school district(s) of the complaint. The Coordinator will gather needed information and statements of the parties involved and may conduct an independent investigation through an on-site visit if necessary.

The State Homeless Coordinator, in consultation with other state officials, will tender a written decision and inform the interested parties within ten (10) business days of receipt of the appeal.

Free Meals

Hunger and poor nutrition are obvious barriers to learning. To help ensure that children and youth in transition are available for learning, the U.S. Department of Agriculture has determined that all children and youth in transition are automatically eligible for free meals. On the day a child or youth in transition enrolls in school, the enrolling school must submit the student's name to the district nutrition office for immediate processing.

Title I, Part A

Children and youth in transition are automatically eligible for Title I, Part A services, regardless of what school they attend. The trauma and instability of homelessness put students at sufficient risk of academic regression to warrant additional support. The district will reserve such funds as are necessary to provide services comparable to those provided to Title I students to children and youth in transition attending non-participating schools. The amount reserved will be determined by a formula based upon the per-pupil Title I, Part A, expenditure and developed jointly by the local liaison and the Title I director. Reserved funds will be used to provide education-related support services to children and youth in transition, both in school and outside of school, and to remove barriers that prevent regular attendance.

Our district's Title I plan will be coordinated with our McKinney-Vento services, through collaboration between the Title I director and the local liaison. Children and youth in transition will be assessed, reported on, and included in accountability systems, as required by federal law and U.S. Department of Education Regulations and Policy Guidance.

Training

The local liaison will conduct training and sensitivity/awareness activities for the following LEA and school staff at least once each year: the Assistant Superintendent, principals, assistant principals, federal program administrators, registrars, school secretaries, school counselors, school social workers, bus drivers, custodians, cafeteria workers, school nurses, and teachers. The trainings and activities will be designed to increase staff awareness of homelessness, facilitate immediate enrollment, ensure compliance with this policy, and increase sensitivity to children and youth in transition.

The local liaison will also obtain from every school the name and contact information of a building liaison. Building liaisons will lead and coordinate their schools' compliance with this policy and will receive training from the local liaison annually.

Coordination

The local liaison will coordinate with and seek support from the State Coordinator for the Education of Homeless Children and Youth, public and private service providers in the community, housing and placement agencies, the pupil transportation department, local liaisons in neighboring districts, and other organizations and agencies. Coordination will include conducting outreach and training to those agencies and participating in the local continuum of care, homeless coalition, homeless steering committee, and other relevant groups. Both public and private agencies will be encouraged to support the local liaison and our schools in implementing this policy.

Preschool

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

Children in transition with disabilities will be referred for preschool services under the Individuals with Disabilities Education Act (IDEA). Children in transition under age three will be referred for

at-risk services under Part C of IDEA and screened to determine if referrals for additional Part C services are appropriate. The local liaison will collaborate with Head Start and Even Start programs and other preschool programs to ensure that children in transition can access 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.

Child Nutrition and WIC Reauthorization Act of 2004, 42 U.S.C. § § 1751 et seq.

June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.

DISPUTE RESOLUTION

Parents/guardians/caregiver or unaccompanied youth experiencing homelessness and schools or school districts may disagree on issues related to the homeless status. In most cases, parties can resolve these issues before entering into a formal dispute; however, there are times when an informal resolution is not possible and a formal dispute resolution must be pursued.

A Formal dispute resolution:

- ensures that each party's views are represented,
- enables the facts of the case to be considered objectively, and
- allows student to attend school while bringing the disagreement to closure.

If the parent/guardian/caregiver disagrees with the decision that has been made by the school's homeless committee, the following must be taken to complete a dispute resolution.

- The student/youth remains in the school the entire time of the dispute resolution.
- The parent/guardian/caregiver will be notified, in writing, if the school's homeless committee has determined that the student/youth does not or no longer qualifies for the McKinney-Vento services.
- The parent/guardian/caregiver is given an opportunity to complete the homeless dispute resolution form.
- The district liaison will have five (5) days to review and notify the parent/guardian/caregiver of a decision.
- The district liaison will inform the parent/guardian/caregiver that they can appeal to the Alabama State Department of Education.
- The district must provide the appeal form to the parent/guardian/caregiver/unaccompanied youth to send to the Alabama State Department of Education.

***Note:** The student must remain enrolled and provided with transportation (if feasible) until the district makes a final determination and for a maximum of 20 days after the determination to give the parent/guardian/caregiver/unaccompanied youth the opportunity to appeal to and receive a decision from the Alabama State Department of Education.*

Gadsden City Schools Dispute Resolution Initial Challenge Form

Student Name:	School Name:
Parent/Guardian/Unaccompanied Youth Name:	Relationship to Student:
Street Address (City, State, Zip)	Phone Number:

I dispute that the above-named student is entitled to McKinney-Vento Homeless Services for the above named school due to the following reasons:

If you would like to appeal this initial decision, please contact the Homeless Liaison at 256-549-2929 within 5 working days of the challenge. If you decide to appeal, you will be given a final decision in writing within five (5) working days of the appeal. I understand that the above student must remain enrolled and provided with transportation (if feasible) until the district makes a final enrollment determination.

Print Name:	Title:
Signature:	Date:
Homeless Liaison: Mrs. Lynn Whisenant	Homeless Liaison Contact Information: Gadsden City Schools 201 College St. Gadsden, AL 35901 256-549-2929

Gadsden City Schools Dispute Resolution Parent Appeal Form

Student Name:	School Name:
Parent/Guardian/Unaccompanied Youth Name:	Relationship to Student:
Street Address (City, State, Zip)	Phone Number:

I wish to appeal the enrollment decision made by the above-named school.

I have been provided with a written explanation of the school’s decision (check one): ___ Yes ___ No

I understand that the above-named student **MUST** remain enrolled and provided with transportation (if feasible) until the district makes a final enrollment determination.

You may include a written explanation to support your appeal in this space, or you may provide your explanation verbally by calling the Homeless Liaison at 256-549-2929.

(Signature)

(Date)

Return completed form to school or deliver to: Gadsden City Schools
501 College St.
Gadsden AL 35901
256-549-2929

Completed form may be faxed to: 256-549-2954

-----For School Use-----

Fax a copy of this completed form to the Homeless Liaison at 256-549-2954. Give a copy to the parent/guardian or unaccompanied youth

Date received by the Homeless Liaison: _____

Gadsden City Schools Dispute Resolution Parent Appeal Form

Student Name:	School Name:
Parent/Guardian/Unaccompanied Youth Name:	Relationship to Student:
Street Address (City, State, Zip)	Phone Number:

Based on the investigation conducted by _____, it has been determined that the above named student _____ IS or _____ IS NOT (check one) entitled to enrollment in and/or transportation to the above named school due to the following reasons:

You may appeal this decision to the Alabama State Department of Education within three (3) working days. If you do not file an appeal, the district's decision will go into effect on _____.
(Date)

If you would like to appeal this decision, you must complete the appeal information below. For help completing the appeal, please contact the Homeless Liaison at 256-549-2929. If you are an unaccompanied youth and would like to file an appeal, the Homeless Liaison must help you.

Signed: _____ Date: _____
Mr. Reddick
Superintendent, Gadsden City Schools

Parent/Guardian/Unaccompanied Youth Appeal to the Alabama State Department of Education

I understand that I have the right to appeal the district's decision to deny enrollment of my child to the requested school and that my right to appeal must be exercised within three (3) working days of the above date. I understand that the above student must remain enrolled and provided with transportation (if feasible) until the State makes a determination (within ten days).

Based on the explanation provided:

____ I do not wish to appeal this decision.

____ I wish to appeal this decision to the Alabama State Department of Education. Please forward this information to:

State Homeless Coordinator
Alabama State Department of Education, 5348 Gordon Persons Building
50 North Ripley Street
Montgomery, AL 36130