

RED HOOK CENTRAL SCHOOL DISTRICT

POLICY # 5001

Education of Homeless Children and Youth

The parent/person in parental relation to a homeless child; or the homeless child together with the homeless liaison designated by the School District, in the case of an unaccompanied youth; or the director of a residential program for runaway and homeless youth established pursuant to Article 19-H of the Executive Law, in consultation with the homeless child, living in such program, may designate either the school district of current location, the school district of origin, or a school district participating in a regional placement plan as the district the homeless child shall attend.

Pursuant to Commissioner's Regulations, a "homeless child" means a child or youth who lacks a fixed, regular, and adequate nighttime residence including a child who is:

- a. Sharing the housing of other persons for reasons such as a loss of housing, economic hardship, or a similar reason;
- b. Lacks alternative adequate accommodations and is living in motels, hotels, recreation or other vehicles, or camping grounds, campers, RV's
- c. Abandoned
- d. Awaiting foster care placement; or
- e. A migratory child who qualifies as homeless in accordance with Commissioner's Regulations. As defined in the No child Left Behind Act of 2001, the term "migratory child" includes a child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, who has moved from one school district to another in the preceding 36 months, in order to obtain, or accompanies such parent or spouse in order obtain, temporary or seasonal employment in agricultural or fishing work.
- f. A child or youth who has a primary nighttime location that is:
 1. A supervised, publicly or privately operated shelter designated to provide temporary living accommodations including, but not limited to, shelters operated or approved by the state or local department of social services and residential programs for runaway and homeless youth established pursuant to Article 19-H of the Executive Law; or
 2. A public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings; i.e. a child or youth who is living

in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.

The term “homeless child” shall not include a child in foster care or receiving educational services pursuant to Education Law Section 3202(4), (5), (6), (6a), or (7) pursuant to Article 81,85,87,or 88; for example, a child in a family home at board, a school for the mentally retarded, a hospital or other institution for the care, custody, and treatment of children. Youths under the direction of the Office of Children and Family Services incarcerated in county correctional facilities or youth shelters or children residing in child care institutions or schools for the deaf or blind would not be considered homeless.

Homeless children and youth shall be educated as part of the school’s regular academic program. Services must be provided to homeless children and youth through programs and mechanisms that integrate homeless children and youth with their nonhomeless counterparts. Services provided with McKinney-Vento funds must expand upon or improve services provided as part of the regular school program. Consequently, the School District shall ensure that the homeless children and youth are not segregated in a separate school, or in a separate program within the school based on their status as homeless; the school district shall to the extent feasible consistent with the requirements of Commissioner’s Regulations keep homeless children or child’s or youth’s parent or guardian. Further, the School District shall review and revise policies and practices, including transportation guidelines that may act as barriers to the enrollment, attendance, school success, and retention of homeless children and youth in the School District.

The District shall also establish guidelines for the prompt resolution of disputes regarding school selection or enrollment of a homeless child or youth. If the School District fails to enroll and/or transport such child or youth to the school of origin or the school requested by the child’s or youth’s parent or guardian, the District will provide a written explanation, including a statement regarding the right to appeal in accordance with the law, to the homeless child’s or youth’s parent or guardian.

School District Liaison for Homeless Children and Youth

The School District shall designate an appropriate staff person, who may also be a coordinator for other federal programs, as the local educational liaison for homeless children and youth. The Liaison shall carry out such duties as required by law, Commissioner’s Regulations, and applicable guidance issued by the United States and New York State Education Departments. Through its liaison, the school district shall coordinate the provision of services including those with local social services agencies and other agencies or programs providing services to homeless children and youths and their families, including those funded under the Runaway and Homeless Youth Act.

Requests for Records

Within five (5) days of receipt of a request for school records, the School District must forward in a manner consistent with state and federal law a complete copy of the homeless child’s records, including, but not limited to, proof of age, academic records, evaluations, immunization records, and where applicable, guardianship papers.

Reporting Requirements

The School District shall collect and transmit to the Commissioner of Education, at such time and in the manner as the Commissioner may require a report containing such information as the Commissioner determines is necessary to assess the educational needs of homeless children and youth within the state.

The School District shall also immediately process the appropriate STAC 202 designation forms in accordance with the Education Law and the Commissioner's Regulations.

McKinney-Vento Homeless Education Assistance Act, as reauthorized by the No Child Left Behind Act of 2001

42 United States Code (U.S.C.) Section 11431 et seq

Education Law Sections 3209

8 New York Code of Rules and Regulations

(NYCRR) Section 100.2(x)

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