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Hermon School Department

Admission of Homeless Students

The Hermon School Committee recognizes that homelessness alone should not be a sufficient reason to separate students from the mainstream school environment. The Hermon School Department will strive to ensure that homeless students are identified and provided access to the same free and appropriate public education provided to other students in the school system. In accordance with federal and state law and regulations, the Hermon School Department will provide homeless students with access to the instructional programming that supports achievement of the content standards of Maine's system of Learning Results and to other services for which they are eligible. Students shall not be segregated into a separate school or program based on their status as homeless nor shall they be stigmatized in any way.

I. DEFINITIONS

A. "Homeless" students are those who lack a fixed, regular, and adequate nighttime residence and include the following:

1. Children and youths who are sharing the housing of other persons due to loss of housing, 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.

2. Children and youths who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as regular sleeping accommodation for human beings.

3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

4. Migratory children who meet one of the above-described circumstances.

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

C. "Unaccompanied youth" refers to a youth not in the physical custody of a parent or guardian (e.g., runaway and "throw away" children and youth).

II. ENROLLMENT/PLACEMENT

The Hermon School Department will determine, according to the best interest of the child or youth, whether the child or youth will be enrolled in the school of origin or in the public school that non-homeless students who live in the attendance area in which the child is actually living are eligible to attend. In determining the best interest of the child or youth, the Hermon School Department will, to the extent feasible, keep the child or youth in the school of origin, unless doing so is contrary to the wishes of the parent.

If the youth is unaccompanied by a parent or guardian, the homeless liaison will assist in placement and enrollment decisions, with the views of the youth taken into consideration.

The school selected shall immediately enroll the homeless child or youth even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, immunization records, evidence of residency, or other documentation.

The Hermon School Department may require a parent or guardian of a homeless child or youth to provide contact information.

The Hermon School Department must provide a written explanation, including a statement regarding the right to appeal, to the parent or guardian of the homeless child or youth if the Hermon School Department sends the child or youth to a school other than the school of origin or other than a school requested by the parent or guardian.

In the case of an unaccompanied youth, the homeless liaison will provide notice of the right to appeal.

The enrolling school shall contact the school last attended by the child or youth to obtain relevant academic and other records. If the child or youth needs to obtain immunizations or immunization or medical records, the parent or guardian of the homeless child or youth will be referred to the homeless liaison for assistance.

III. ENROLLMENT DISPUTES

If there is a dispute concerning enrollment, the child or youth shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent, guardian or unaccompanied youth will be provided with a written explanation of the Hermon School Department's decision regarding enrollment, including the rights of the parent, guardian or youth to appeal the decision. In addition, any time a student is sent "to a school other than the school of origin or the school requested," the Hermon School

Department will provide a written explanation of its decision and an explanation of the right to appeal, whether or not the placement is disputed [42 U.S.C. §11432 (g)(3)(B)(ii)]. In the case of an unaccompanied homeless youth, the notice explaining the decision and the right to appeal are provided directly to the youth [42 U.S.C. §11432 (g)(3)(B)(iii)].

The child, youth, parent or guardian shall be referred to the Hermon School Department homeless liaison, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute, and in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute [42 U.S.C. §11432 (g)(3)(E)]. While disputes are pending, students have the right to participate fully in school and receive all services which they would normally receive. This includes transportation services [H-5].

IV. SERVICES

Homeless students shall be provided services comparable to services available to other students in the school system including, but not limited to, transportation services; educational services for which the student meets the eligibility criteria, such as educational programs for disadvantaged students, students with disabilities, gifted and talented students, and students with limited English proficiency; vocational and technical programs; preschool programs; before and after school-care programs; and school meals/nutrition programs.

V. TRANSPORTATION

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in another school unit and the student is enrolled in the Hermon School Department, or if a homeless student's school of origin is in the Hermon School Department but he or she is enrolled in a different school unit, the school systems will coordinate the transportation services necessary for the student or will share the responsibilities and costs equally.

VI. RECORDS

Any records ordinarily kept by the school, including immunization records, medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student, shall be maintained so that records may be transferred when a student enters a new school system. Access to records will be available to parents and students in accordance with the Family Educational Rights and Privacy Act (FERPA).

VII. HOMELESS STUDENT LIAISON

A. The superintendent shall designate an individual to act as the Hermon School Department's Homeless Student Liaison. The School Department shall inform school personnel, service providers and advocates working with homeless families of the duties of the School Department's Homeless Student Liaison.

B. The Homeless Student Liaison will be responsible for ensuring that:

1. Homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;

2. Homeless children and youths enroll in and have a full and equal opportunity to succeed in schools within the Hermon School Department.

3. Homeless families, children, and youths receive educational services for which they are eligible, including Head Start, Even Start, and preschool programs administered by the Hermon School Department, and referrals to health care services, dental services, mental health services, and other appropriate services;

4. The parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

5. Public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services, such as schools, family shelters, and soup kitchens;

6. Enrollment disputes are mediated in accordance with law;

7. The parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school the student will be attending;

8. Unaccompanied youths are assisted in placement or enrollment decisions and provided notice of the right to appeal; and

9. Children or youths who need to obtain immunizations or immunization medical records receive assistance.

Legal References: 42 U.S.C. § 11431-11435
20-A M.R.S.A. §§ 261, 5205(7);
Ch. 14 (Me. Dept. of Ed. Rules);
Maine State Plan for the Education of Homeless Children and Youth