

TENNESSEE STATE BOARD OF EDUCATION		
HOMELESS STUDENTS		6503
<b>ADOPTED:</b> July 28, 2017	<b>REVISED:</b> May 29, 2020	<b>MONITORING:</b> Review: Annually

Each authorized charter school shall ensure that any homeless student shall have equal access to the same free, appropriate public education as provided to other children and youths.<sup>1</sup>

Homeless students are individuals who lack a fixed, regular, and adequate nighttime residence.<sup>2</sup> Homeless students include:

- (1) Students sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; students living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; students living in emergency or transitional shelters; or students abandoned in hospitals;
- (2) Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
- (3) Students living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or trains stations, or similar settings; and
- (4) Migratory students who qualify as homeless because they are living in circumstances described above.

**Enrollment.** All eligible students who submit a timely application shall be enrolled in the school, unless the number of applications exceeds the capacity of the program, in which case enrollment preferences and a lottery shall be instituted pursuant to state law. A student’s homeless status shall not preclude him or her from enrolling in a school. If a school has not exceeded its enrollment capacity based on the charter agreement and facility capacity, homeless students shall be immediately enrolled in the school, even if the student is unable to produce records normally required for enrollment (i.e., academic records, immunization records, health records, proof of residency) or missed the school’s application or enrollment deadlines.<sup>3</sup> Parents/guardians are required to submit contact information to the school’s homeless coordinator.<sup>3</sup> School homeless coordinators shall work with school operations staff to keep an up-to-date record of contact information for families experiencing homelessness.

**School of Origin.** For the purposes of this policy, school of origin shall mean the school that a child or youth attended when last permanently housed or the school in which the child or youth was last enrolled, including a preschool/pre-k program. Therefore, in the case of a State Board charter school, the school of origin shall mean:

- (1) The charter school if it was the school that a child or youth attended when last permanently housed; or

- (2) A child or youth's local zoned school in which the student was last enrolled, including a preschool/pre-K program, if the student has submitted an application for enrollment into a charter school.<sup>4</sup>

School of origin shall also include the designated receiving school at the next grade level when the student completes the final grade level served by the school of origin.<sup>4</sup>

**Placement.** Placement shall be determined based on the student's best interest.<sup>5</sup> At all times, a strong presumption that keeping the student in the school of origin is in the student's best interest shall be maintained, unless doing so would be contrary to a request made by the student's parent/guardian or the student in the case of an unaccompanied youth.<sup>6</sup> When determining placement, student-centered factors, including but not limited to impact of mobility on achievement, education, health, and safety shall be considered.<sup>6</sup> The choice regarding placement shall be made regardless of whether the student lives with their homeless parents/guardians or has been temporarily placed elsewhere.<sup>7</sup>

If, after conducting the best interest determination and considering student-centered factors, it is determined that it is not in the student's best interest to attend the school of origin or the school requested by the parent/guardian or unaccompanied youth, the school leader or his/her designee shall provide a written explanation of the reasons for the determination, in a manner and form that is understandable to the parent/guardian or unaccompanied youth.<sup>6</sup> The written explanation shall include a statement regarding the right to appeal the placement decision and should be provided in a timely manner.<sup>6</sup> If the placement decision is appealed, the school shall refer the parent/guardian or unaccompanied student to the State Board's homeless liaison, who shall carry out the dispute resolution process as expeditiously as possible and in accordance with the law and State Board procedures.<sup>8</sup> Upon notice of an appeal, the school shall immediately enroll the student in the school in which enrollment was sought pending a final resolution of the dispute, including all available appeals.<sup>8</sup>

**Records.** Records ordinarily kept by the school shall be maintained for all homeless students. Information regarding a homeless student's living situation shall be treated as a student education record and shall not be considered directory information.<sup>9</sup>

**Services/School-Level Homeless Coordinator.**<sup>10</sup> The school shall ensure that each homeless student is provided services comparable to those offered to other students within the school, including transportation, special education services, programs in career and technical education (CTE), programs for gifted and talented students, and school nutrition. The school leader shall designate a homeless coordinator who shall ensure this policy is implemented at the school. The homeless coordinator shall ensure:

- (1) Homeless students are quickly identified and have access to education and support services, including Head Start and district pre-k programs;
- (2) Homeless students are correctly coded in the student information system (SIS);

- (3) Coordination with local social service agencies and other entities providing services to homeless students;
- (4) Coordination of transportation, transfer of records, and other inter-district activities with other school districts;
- (5) Coordination of transportation to the school of origin or choice for homeless students;
- (6) Reference of homeless students and their families to health care services, dental services, mental health and substance abuse services, and housing services;
- (7) Assistance to homeless students in obtaining immunizations, medical or immunization records, and any additional assistance that may be needed;
- (8) Homeless students are provided any required supplies, including but not limited to school uniforms, free of charge;
- (9) Public notice of the educational rights of homeless students is disseminated in places frequented by parents/guardians of homeless students, including schools, shelters, public libraries, and soup kitchens; and
- (10) Unaccompanied youth are enrolled and informed of their status as independent students.

The school leader shall develop procedures to ensure that homeless students are recognized administratively and that the appropriate and available services are provided for these students. The school leader shall ensure professional development is provided to school personnel providing services to homeless students.

**Transportation.** The school is responsible for developing a policy to provide transportation services to homeless students, at the request of the parent/guardian. If requested, transportation must be arranged promptly to ensure immediate enrollment and to ensure barriers are not created for homeless students' attendance, retention, and success. The excess costs of transportation to the school of origin (costs above what the school would have otherwise provided to transport the student) may be paid for using Title I, Part A funds (district set-aside funds) reserved to defray the excess costs of transportation of homeless students to and from their school of origin or from McKinney-Vento sub-grant funds. The cost of transportation will be the responsibility of the school or shared equally with another LEA, if the school and LEA mutually agree.

**State Board Liaison.** The Director of Schools shall designate a district employee to be the homeless liaison. The homeless liaison shall monitor the compliance of district schools in serving homeless students. The liaison shall ensure that schools:

- (1) Identify homeless students through school personnel and coordination activities with other entities and agencies;
- (2) Enroll homeless students in the school, providing a full and equal opportunity to succeed;
- (3) Ensure homeless families and students receive educational services for which such families and students are eligible, including Head Start, Even Start and preschool programs administered by the school, and provide referrals to health care services, dental services, mental health services, and other appropriate services;

- (4) Inform the parents/guardians of homeless students of the education and related opportunities available to their children by the school, and provide them with meaningful opportunities to participate in the education of their children at the school;
- (5) Provide public notice of educational rights of homeless students and disseminate where such students receive services, such as schools, family shelters, and soup kitchens;
- (6) Mediate enrollment disputes in accordance with law;
- (7) Fully inform the parents/guardians of homeless students and any unaccompanied youth of all available transportation services, including transportation to the school of origin, and assist in accessing transportation to the school selected;
- (8) Assist unaccompanied youths in the placement of enrollment decisions, ensure consideration of their views, and ensure that they are provided notice of the right to appeal by the school;
- (9) Provide assistance to students who need to obtain immunizations or medical records; and
- (10) Prepare and train homeless coordinators annually on the responsibilities and requirements under the McKinney-Vento Act.

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Legal References:

<sup>1</sup> 42 U.S.C. §§ 11431 to 11435; McKinney-Vento Education Assistance Improvements Act of 2001, Part C, § 721

<sup>2</sup> McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 725

<sup>3</sup> McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 722(g)(3)(C)(i), § 722(g)(3)(H)

<sup>4</sup> McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 722(g)(3)(I)

<sup>5</sup> McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 722(g)(3)(A)

<sup>6</sup> McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 722(g)(3)(B)

<sup>7</sup> McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 722(g)(3)(F)

<sup>8</sup> McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 722(g)(3)(E)

<sup>9</sup> McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 722(g)(3)(G)

<sup>10</sup> McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 722(g)(4) - (6)

Cross References:

Education for Homeless Children and Youths Program Non-Regulatory Guidance  
Homeless Students Procedures  
Student Enrollment Procedures