

5014
Homeless Students

1. General Policy

The school district will provide tuition free education for homeless children and youth who are in the district and accord them the educational rights and legal protections provided by state and federal law. Homeless children and youth shall not be stigmatized or segregated on the basis of their status as homeless and shall have access to the same services offered to other students. It is the intent of this policy to remove barriers to the enrollment and retention of homeless children and youth in the school district.

2. Homeless Liaison

The district's homeless liaison is the Principal. Students in homeless situations who require assistance should contact the liaison at (308)-987-2424 or in person at 401 7th Street.

3. Definitions

- a. A homeless individual is defined as one who
 - i. lacks a fixed regular and adequate residence; and
 - ii. has a primary nighttime residence in a supervised publicly or privately operated shelter within the district for temporary accommodations, an institution within the district providing temporary residence for individuals intended to be institutionalized, or a public or private place within the district not designated for or ordinarily used as a regular sleeping accommodation for human beings.
- b. The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained by the act of Congress or by state law.
- c. "Child" and "youth" refers to persons who, if they were children of residents of the District, would be entitled to a free education.

d. The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian.

4. **Strategies to Address Enrollment Delays.** In order to address enrollment delays resulting from homelessness, the school district shall immediately enroll homeless students even if they are unable to produce records normally required for enrollment such as immunization and medical records, residency documents, birth certificates, school records, or other documentation, or guardianship documents. As soon as practicable, the school district shall contact the school last attended by the student to obtain academic and other records. The school district's homeless liaison shall review any needed immunizations, medical records, or other records with the student's parent or guardian.

5. **Transportation.** Transportation shall be provided to homeless students to the extent required by law and comparable to that provided to students who are not homeless at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin as follows:

a. If the homeless child or youth continues to live in the area served by the school district, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the school district.

b. If the homeless child's or youth's living arrangements in the area served by the school district terminate and the child or youth, though continuing his or her education in the school district, begins living in an area served by another school district, the school district and the new school district in which the homeless child or youth is living shall negotiate to agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school district. If the districts are unable to agree, the responsibility and cost for transportation shall be apportioned as provided by law.

6. **Enrollment Disputes.** If a dispute arises over school selection or enrollment in a school:

a. The child or youth shall be admitted immediately to the school in which enrollment is sought, pending resolution of the dispute;

- b. The parent or guardian of the child or youth shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision;
- c. The child, youth, parent, or guardian shall be referred to the district's homeless liaison who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute.
- d. 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.

7. **Appeal Process**

a. Homeless Liaison. 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 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.

b. 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.

c. Board of Education. If the Complainant is not satisfied with the

written decision of the Superintendent, the Complainant may appeal that decision to the Board of Education by filing a written appeal requesting a hearing before the Board at the next regularly scheduled or specially called meeting. The Superintendent shall ensure that the Board of Education receives copies of the written complaint and the response(s) thereto. Within 30 working days after the meeting, the Board shall state its decision and reply in writing to the parties involved. For district purposes, the decision of the Board of Education is final.

d. Nebraska Department of Education. If the Complainant is not satisfied with the written decision of the Board of Education, the Complainant may appeal the decision of the Board of Education to the Commissioner of the Nebraska Department of Education within 30 days after receiving the decision from the Board of Education, pursuant to Nebraska Department of Education Rule 19.

Adopted on: _____

Reviewed on: _____

Revised on: _____