

1 As required by the North Carolina Constitution and North Carolina law, the Transylvania County
2 Board of Education (the “board”) is committed to providing a free public school education to all
3 children who are legally entitled to enroll in the school system. In accordance with the
4 McKinney-Vento Homeless Assistance Act and the North Carolina State Plan for Educating
5 Homeless Children, the board will make reasonable efforts to identify homeless children and
6 youth of school age located within the area served by the school system, encourage their
7 enrollment, and eliminate barriers to their receiving an education that may exist in school system
8 policies or practices. Based on individual need, homeless students will be provided services
9 available to all students, such as preschool, free or reduced price school meals, services for
10 English learners, special education, career and technical education (CTE), academically or
11 intellectually gifted (AIG) services, and before- and after-school care.

12
13 The provisions of this policy will supersede any and all conflicting provisions in board policies
14 that address the areas discussed in this policy.

15
16 **A. DEFINITION OF HOMELESS STUDENTS**

17
18 Homeless students are children and youth who lack a fixed, regular, and adequate
19 nighttime residence. The term “homeless student” will also be deemed to include the
20 term “unaccompanied youth,” which includes a youth who is not in the physical custody
21 of a parent or guardian. Homeless children and youth include those students who are as
22 follows:

- 23
24 1. sharing the house of other persons due to loss of housing, economic hardship, or a
25 similar reason;
- 26
27 2. living in motels, hotels, transient trailer parks, or camping grounds due to the lack
28 of alternative adequate accommodations;
- 29
30 3. living in emergency or transitional shelters;
- 31
32 4. abandoned in hospitals;
- 33
34 5. living in a primary nighttime residence that is a public or private place not
35 designed for or ordinarily used as regular sleeping accommodations for human
36 beings;
- 37
38 6. living in cars, parks, public spaces, abandoned buildings, substandard housing,
39 bus or train stations, or similar settings; or
- 40
41 7. living in a migratory situation that qualifies as homeless because the child lacks a
42 fixed, regular, and adequate nighttime residence.
- 43
44

B. ~~HOMELESS LIAISON~~

~~The superintendent or designee shall appoint and train a school employee to serve as the homeless liaison. The homeless liaison's duties include, but are not limited to, the following:~~

- ~~1. ensuring that school personnel identify homeless children and youth;~~
- ~~2. ensuring school/preschool enrollment of and opportunities for academic success for homeless children and youth;~~
- ~~3. ensuring that homeless families and children have access to and receive educational services for which they are eligible;~~
- ~~4. ensuring that homeless families and children receive referrals to healthcare, dental, mental health and substance abuse, housing, and other appropriate services;~~
- ~~5. informing parents or guardians and any unaccompanied youth of available transportation services and helping to coordinate such services;~~
- ~~6. ensuring that public notice of the educational rights of homeless students is disseminated in locations frequented by parents or guardians and unaccompanied youth;~~
- ~~7. informing parents or guardians of educational and related opportunities available to their children and ensuring that parents or guardians have meaningful opportunities to participate in their children's educations;~~
- ~~8. helping to mediate enrollment disputes, including ensuring that a homeless child or youth is enrolled immediately pending final resolution of the dispute;~~
- ~~9. informing unaccompanied youth of their status as independent students and assisting in verifying such status for the purposes of the Free Application for Federal Student Aid;~~
- ~~10. ensuring that school personnel providing services to homeless students receive professional development and other support;~~
- ~~11. working with school personnel, the student, parents or guardians, and/or other agencies to obtain critical enrollment records, including immunization and medical records, in a timely manner; and~~

88 ~~12. working with the superintendent or designee to identify board policies or~~
89 ~~procedures that might serve as a barrier to enrollment of homeless students,~~
90 ~~including those related to immunization records, medical records, uniforms or~~
91 ~~dress codes, school fees, and school admission.~~

92
93 The employee serving as the homeless liaison is Beth Branagan and may be contacted at
94 bbranaga@tesnc.org or 828-884-9567.

95
96 ~~C. ACCESS TO STUDENTS' RECORDS~~

97
98 **B. ENROLLMENT, ASSIGNMENT, AND TRANSPORTATION OF HOMELESS STUDENTS**

99
100 **1. Enrollment**

101
102 **a. Eligibility**

103
104 Notwithstanding the enrollment eligibility requirements established by the
105 board elsewhere in policy, school personnel shall immediately enroll
106 homeless students even if they do not have proof of residency, school and
107 immunization records, birth certificates, or other documents; have missed
108 application or enrollment deadlines during a period of homelessness; have
109 outstanding fees; or are not accompanied by an adult. The homeless
110 liaison shall assist the students and parents or guardians in securing
111 appropriate records or otherwise meeting enrollment requirements.

112
113 **b. Records**

114
115 Homeless students transferring into the school system may provide
116 cumulative and other records directly to school system personnel. The
117 superintendent or designee shall not require that such records be
118 forwarded from another school system before the student may enroll.
119 However, school personnel shall immediately request the official records
120 from the previous school.

121
122 ~~School personnel shall immediately enroll homeless students, even if they~~
123 ~~do not have proof of residency, school and immunization records, birth~~
124 ~~certificates, or other documents; have missed application or enrollment~~
125 ~~deadlines during a period of homelessness; have outstanding fees; or are~~
126 ~~not accompanied by an adult. The homeless liaison shall assist the~~
127 ~~students and parents or guardians in securing appropriate records or~~
128 ~~otherwise meeting enrollment requirements.~~
129

Information regarding a child or youth's homeless situation must be treated as a student record and protected accordingly. See policy 4700, Student Records.

2. Assignment

A homeless student (or the student's parent or guardian) may request to attend (1) his or her school of origin or (2) any public school that other students living in the same attendance area are eligible to attend. The school of origin is defined as the school the student attended before losing permanent housing or the school in which the student was last enrolled, including a preschool. When a student completes the final grade level served by the school of origin, the school of origin includes the designated receiving school at the next grade level for all feeder schools. Unless not in the student's best interest, a homeless student who continues attending the school of origin will remain enrolled in the school of origin for the entire time the student is homeless and until the end of any academic year in which the student moves into permanent housing.

The superintendent shall designate the director of support services or other appropriate personnel to decide, in consultation with the homeless liaison, which school a homeless student will attend. The decision ~~will~~ **must** be based upon **consideration of student-centered factors related to the student's best interest, including factors concerning the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent or guardian or the unaccompanied youth.** The superintendent's designee must presume that keeping the student in the school of origin is in the student's best interest unless contradicted by the student's parent or guardian or the unaccompanied youth. ~~The superintendent's designee must consider student-centered factors related to the student's best interest, including factors concerning the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent or guardian or the unaccompanied youth.~~

If the superintendent's designee determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian or unaccompanied youth, he or she must provide a written explanation of the reasons for the determination to the parent or guardian or unaccompanied youth, along with information regarding the right to appeal the placement decision **as described in Section D, below.**

3. Transportation

The board of education will provide homeless students with transportation services comparable to those of other students. In addition, at the parent or

174 guardian's request (or at the request of the homeless liaison for unaccompanied
175 youth), the board will provide transportation services to/from the school of origin.
176 The superintendent or designee and the homeless liaison shall coordinate
177 homeless students' transportation needs, based on the child's best interest. In
178 situations in which a student attends school in this system but his or her temporary
179 housing is in another system (or vice versa), the superintendent or designee shall
180 work with the other system to share the cost and/or responsibility for
181 transportation. If an agreement cannot be reached between the systems, the cost
182 of such transportation will be divided evenly.

183
184 If a homeless student becomes permanently housed and chooses to remain in his
185 or her school of origin, the board will provide transportation to the student for the
186 remainder of the school year.

187 188 **C. ELIGIBILITY FOR TITLE I SERVICES**

189
190 Homeless students are automatically eligible for Title I services. The homeless liaison
191 and the Title I director shall collaborate to identify the needs of homeless students.

192 193 **D. ENROLLMENT DISPUTE RESOLUTION PROCESS**

194
195 A parent, guardian, or unaccompanied youth who disagrees with a decision of school
196 officials with regard to eligibility, school selection, or enrollment of a student who is
197 homeless (hereinafter, referred to as a "complainant") may appeal the decision to the
198 school system's homeless liaison in accordance with this section upon registering or
199 attempting to register the child or youth at the school in which enrollment is sought.

200
201 Any employee who is aware that an unaccompanied youth or a parent or guardian of a
202 homeless student is dissatisfied with a decision of school officials with regard to
203 eligibility, school selection, or enrollment should immediately refer that individual to the
204 school system's liaison for homeless students.

205
206 As used in this section, "school days" means days when students are scheduled to be in
207 attendance. ~~The school system will implement an enrollment dispute resolution process~~
208 ~~that is consistent with the process required by the State Board of Education in the North~~
209 ~~Carolina Administrative Code, 16 N.C.A.C. 6H .0112.~~

210 211 **1. ~~Initiation of the Dispute and~~ Notice, Stay Put, and Informal Resolution**

212
213 ~~If a dispute arises over school selection or enrollment in a school for a homeless~~
214 ~~student, the following must occur:~~ Upon learning of a complainant's disagreement
215 with a decision of school officials, the homeless liaison shall take the following
216 actions.
217

- 218 a. ~~The homeless student will be~~ **The homeless liaison shall arrange to have**
219 **the student** immediately admitted to the school in which enrollment is
220 sought; ~~(either the school of origin or the school located in the attendance~~
221 ~~zone of the student's temporary residence) if enrollment is at issue. Once~~
222 **enrolled, the student must** ~~will~~ receive all services for which he or she is
223 eligible; and **must** ~~will~~ be allowed to participate fully in school activities,
224 pending resolution of the dispute.
225
- 226 b. **Immediately, but not later than one school day after learning of the**
227 **complainant's disagreement, the homeless liaison shall provide the**
228 **complainant a copy of the school system's uniform statement of rights and**
229 **procedures that is written, to the extent practicable, in a language that the**
230 **complainant can understand. The written statement must include all of the**
231 **following:** ~~The unaccompanied youth or parent or guardian of the student~~
232 ~~will be provided a written explanation of the school's decision regarding~~
233 ~~the enrollment, including the right to appeal the decision. Such~~
234 ~~information must be provided in a language that the parent or guardian or~~
235 ~~unaccompanied youth can understand. The information must contain:~~
236
- 237 1) contact information, including telephone number, **e-mail address,**
238 **and physical** address of the homeless liaison and of the State
239 **eC**oordinator for homeless education, with a brief description of
240 their roles;
241
 - 242 2) ~~the right to initiate the dispute resolution process either orally or in~~
243 ~~writing;~~
244
 - 245 2) **notice that, within two school days of the school's decision, the**
246 **complainant has the right to notify the homeless liaison that the**
247 **complainant intends to appeal the decision;**
248
 - 249 3) **an explanation of the appeal procedure, including the timeline and**
250 **process for making the initial appeal and for pursuing a subsequent**
251 **appeal to the superintendent and board, as provided by this policy;**
252
 - 253 4) a simple **complaint** form that **a complainant** ~~parents or guardians or~~
254 ~~unaccompanied youth~~ can complete and submit to the homeless
255 liaison to initiate the dispute resolution process **and to pursue any**
256 **subsequent appeals to the superintendent and board;**
257
 - 258 5) **notice that the board of education or a designated panel of the**
259 **board will make the final decision on behalf of the school system;**
260

- 261 6) notice of the right to appeal the final decision of the school system
 262 to the State Coordinator within three school days and the option to
 263 request an extension from the State Coordinator, along with a step-
 264 by-step description of how to ~~dispute the school's decision~~ file the
 265 appeal;
- 266
- 267 7) notice of the right to enroll immediately in the school located in the
 268 assignment area of the student's temporary residence ~~of choice~~ or
 269 remain in the school of origin with transportation provided pending
 270 resolution of the dispute if such transportation is requested by the
 271 parent, guardian, or homeless liaison on behalf of the youth;
- 272
- 273 8) notice that immediate enrollment includes full participation in all
 274 school activities; ~~and~~
- 275
- 276 9) notice of the right to obtain assistance of advocates or attorneys;
 277 and
- 278
- 279 10) notice of the right to provide supporting written or oral
 280 documentation during the appeals process.
- 281
- 282 c. The homeless liaison shall attempt to informally resolve the matter.
 283 Complainants are encouraged to attempt informal resolution through
 284 discussion with the homeless liaison when possible.
- 285
- 286 d. If informal resolution is unsuccessful, the homeless liaison shall inform
 287 the complainant of the right to appeal the matter by initiating the dispute
 288 resolution process provided in subsection D.2, below.
- 289
- 290 e. If the complaint initiates the dispute resolution process, the homeless
 291 liaison shall expedite the process so that a final decision in the dispute is
 292 reached within 15 school days or 30 calendar days, whichever is less. ~~The~~
 293 ~~student or parent or guardian will be referred to the system's homeless~~
 294 ~~liaison, who shall carry out the appeal process as expeditiously as possible~~
 295 ~~after receiving notice of the dispute.~~
- 296
- 297 **2. Homeless Liaison Review Steps in the Dispute Resolution Process and Related**
 298 **Timelines**
- 299
- 300 **a. Homeless Liaison Review**
- 301
- 302 ~~Any parent or guardian or student initiating an enrollment dispute~~
 303 ~~(hereinafter "complainant") is encouraged to attempt to resolve the dispute~~
 304 ~~informally through discussion with the homeless liaison. If the dispute~~

305 ~~cannot be resolved informally, the complainant may present a formal~~
306 ~~complaint orally or in writing to the homeless liaison either directly or~~
307 ~~through the principal of the school at which enrollment is sought.~~
308

309 i. If informal resolution of a complaint is unsuccessful, the
310 complainant may initiate the dispute resolution process by making
311 a formal appeal to the homeless liaison, either directly or through
312 the principal of the school in which enrollment is sought. The
313 appeal must be presented within five school days of the decision
314 giving rise to the complaint unless the homeless liaison agrees to
315 an extension of up to five additional school days for good cause.
316

317 ii. The appeal may be made orally or in writing on the designated
318 complaint form. If the complainant makes an oral appeal, the
319 homeless liaison shall complete the written complaint form on the
320 complainant's behalf without delay.
321

322 iii. The complaint should include the date of the filing, a description of
323 the disputed enrollment action **pertaining to eligibility, school**
324 **selection, or enrollment**, the name of the person(s) involved, and a
325 description of the relief requested. The complainant must be
326 informed of the right to provide supporting written or oral
327 documentation and to seek the assistance of an advocate or
328 attorney.
329

330 iv. The local liaison shall inform the superintendent, other appropriate
331 school officials, and the State Coordinator of the dispute
332 immediately after the parent, guardian, or unaccompanied youth
333 has initiated the dispute resolution process.
334

335 v. Within ~~five~~ **two** school days after receiving the **formal** complaint,
336 the homeless liaison shall provide a written decision, including the
337 reasons for the decision, to the complainant and the superintendent.
338

339 **b. Appeal to the Superintendent of the Liaison's Decision**
340

341 i. Within ~~five~~ **two** school days of receiving the liaison's decision, the
342 complainant may appeal the decision to the superintendent **orally**
343 **or in writing using the form designated for this purpose. Oral**
344 **appeals must be made to the homeless liaison, who shall commit**
345 **the appeal to writing on the designated form.** The homeless liaison
346 shall ensure that the superintendent receives copies of the written
347 complaint and the response **of the liaison.**
348

- 349 ii. The superintendent or designee shall schedule a conference with
350 the complainant to discuss the complaint.
351
- 352 iii. Within ~~five~~ **four** school days of receiving the appeal, the
353 superintendent or designee shall provide a written decision to the
354 complainant including a statement of the reasons for the decision
355
- 356 **c. Appeal to the Board of the Superintendent's Decision**
357
- 358 i. If the complainant is dissatisfied with the superintendent's
359 decision, he or she may file ~~an written~~ appeal with the board of
360 education **within two days**.
361
- 362 ii. **The appeal may be filed orally or in writing using the form**
363 **designated for this purpose. Oral appeals must be made to the**
364 **homeless liaison, who shall commit the appeal to writing on the**
365 **designated form.**
366
- 367 iii. **The board or a panel of at least two board members acting on**
368 **behalf of the board will hear the appeal. The board or board panel**
369 **will provide the complainant with a written decision within ~~30~~ **five****
370 **school days of receiving the appeal. In unusual circumstances the**
371 **board or board panel may extend this time but will avoid**
372 **exceeding the lesser of (1) 15 school days from when the**
373 **complaint was received or (2) 30 calendar days from when the**
374 **complaint was received.**
375
- 376 iv. **The board or board panel's decision will constitute the final**
377 **decision of the school system for purposes of the complainant's**
378 **right to appeal to the State Coordinator.**
379
- 380 v. **If the matter under appeal is a school assignment, a board panel**
381 **decision will be a recommendation that must be submitted to the**
382 **full board for a final determination as required by state law and**
383 **policy 4150, School Assignment. However, in order to ensure an**
384 **expedited appeals process for students who are homeless, the**
385 **recommendation of the board panel shall be considered the final**
386 **decision of the board for purposes of appeal to the State**
387 **Coordinator if a final determination by the full board reasonably**
388 **cannot b be accomplished by the deadline described in the previous**
389 **paragraph.**
390
- 391 vi. The written statement of the ~~board's opinion~~ **final decision** will
392 include the name and contact information of the State ~~e~~Coordinator

393 for homeless education and will describe the appeal rights to the
394 State eCoordinator. If the matter under appeal is a school
395 assignment and the appeal was not heard by the full board, the
396 written decision will also note that review of the matter by the full
397 board as required by state law is pending.

398
399 **d. Appeal to the State Coordinator of the Board's Decision**
400

401 If the complainant is dissatisfied with the ~~action taken by the board of~~
402 ~~education~~ decision of the board or board panel, he or she may file an oral
403 or written appeal with the State eCoordinator for homeless education
404 within three school days of receiving the board or board panel's decision.
405 The State Coordinator, ~~who~~ will issue a final decision on the complaint.
406 The appeal must include:

- 407
408 i. the name, physical address if available, e-mail address, and
409 telephone number of the complainant;
410
411 ii. the relationship or connection of the person to the child in
412 question;
413
414 iii. the name of the school system and the specific school in question;
415
416 iv. the federal requirement alleged to have been violated;
417
418 v. how the requirement is alleged to have been violated; and
419
420 vi. the relief the person is seeking.

421
422 Within ~~five~~ three school days following a request from the State
423 eCoordinator, the homeless liaison shall provide the record of complaint,
424 ~~and~~ a copy of the board or panel's decision, and any other supporting
425 documents necessary to complete the record along with any other
426 information requested regarding issues in the appeal.

427
428 **E. HOMELESS LIAISON**
429

430 The superintendent or designee shall appoint and train a school employee to serve as the
431 homeless liaison. In addition to the duties specifically assigned elsewhere in this policy,
432 the homeless liaison's duties shall include, but not be limited to, the following:

- 433
434 1. ensuring that school personnel identify homeless children and youth;
435

-
- 436 2. ensuring school/preschool enrollment of and opportunities for academic success
437 for homeless children and youth;
 - 438
 - 439 3. ensuring that homeless families and children have access to and receive
440 educational services for which they are eligible;
 - 441
 - 442 4. ensuring that homeless families and children receive referrals to healthcare,
443 dental, mental health and substance abuse, housing, and other appropriate
444 services;
 - 445
 - 446 5. informing parents or guardians and any unaccompanied youth of available
447 transportation services and helping to coordinate such services;
 - 448
 - 449 6. ensuring that public notice of the educational rights of homeless students is
450 disseminated in locations frequented by parents or guardians and unaccompanied
451 youth;
 - 452
 - 453 7. informing parents or guardians of educational and related opportunities available
454 to their children and ensuring that parents or guardians have meaningful
455 opportunities to participate in their children's educations;
 - 456
 - 457 8. communicating the dispute resolution process to parents, guardians, and
458 unaccompanied youth experiencing homelessness;
 - 459
 - 460 9. helping to mediate enrollment disputes, including ensuring that a homeless child
461 or youth is enrolled immediately pending final resolution of the dispute;
 - 462
 - 463 10. developing a uniform written notice that explains to parents, guardians, and
464 unaccompanied youth their rights and the process for appealing a decision of
465 school officials, as required by subsection D.1.b of this policy. The notice must
466 be written in a simple and understandable format and translated to other languages
467 as needed and practicable;
 - 468
 - 469 11. ensuring that when parents, students, and unaccompanied youth initiate the
470 dispute resolution process, all parties comply with the dispute resolution policy
471 and that parents, students, and unaccompanied youth are provided with the
472 information listed in subsection D.1.b of this policy;
 - 473
 - 474 12. informing unaccompanied youth of their status as independent students and
475 assisting in verifying such status for the purposes of the Free Application for
476 Federal Student Aid;
 - 477
 - 478 13. ensuring that school personnel providing services to homeless students receive
479 professional development and other support;

- 480
- 481 14. working with school personnel, the student, parents or guardians, and/or other
- 482 agencies to obtain critical enrollment records, including immunization and
- 483 medical records, in a timely manner; and
- 484
- 485 15. working with the superintendent or designee to identify board policies or
- 486 procedures that might serve as a barrier to enrollment of homeless students,
- 487 including those related to immunization records, medical records, uniforms or
- 488 dress codes, school fees, and school admission.
- 489

490 The employee serving as the homeless liaison is Beth Branagan and may be contacted at

491 bbranaga@tcsnc.org or 828-884-9567.

492

493 **F. — TRANSPORTATION**

494

495 ~~The board of education will provide homeless students with transportation services~~

496 ~~comparable to those of other students. In addition, at the parent or guardian's request (or~~

497 ~~at the request of the homeless liaison for unaccompanied youth), the board will provide~~

498 ~~transportation services to/from the school of origin. The superintendent or designee and~~

499 ~~the homeless liaison shall coordinate homeless students' transportation needs, based on~~

500 ~~the child's best interest. In situations in which a student attends school in this system but~~

501 ~~his or her temporary housing is in another system (or vice versa), the superintendent or~~

502 ~~designee shall work with the other system to share the cost and/or responsibility for~~

503 ~~transportation. If an agreement cannot be reached between the systems, the cost of such~~

504 ~~transportation will be divided evenly.~~

505

506 ~~If a homeless student becomes permanently housed and chooses to remain in his or her~~

507 ~~school of origin, the board will provide transportation to the student for the remainder of~~

508 ~~the school year.~~

509

510 **G. — TITLE I**

511

512 ~~Homeless students are automatically eligible for Title I services. The homeless liaison~~

513 ~~and the chief academic officer shall collaborate to identify the needs of homeless~~

514 ~~students.~~

515

516 Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*; *Non-*

517 *Regulatory Guidance on Education for Homeless Children and Youths Program*, U.S.

518 Department of Education (July 2016); G.S. 115C-366(a2), -369; 16 N.C.A.C. 6H .0112; State

519 Board of Education Policies **SBOP-020**, SPLN-000

520

521 Cross References: Immunization and Health Requirements for School Admission (policy 4110),

522 Domicile or Residence Requirements (policy 4120), Discretionary Admission (policy 4130),

523 School Assignment (policy 4150), Student Records (policy 4700)

524
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