

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.

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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.

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16 **A. DEFINITION OF HOMELESS STUDENTS**

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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;
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27 2. living in motels, hotels, transient trailer parks, or camping grounds due to the lack  
28 of alternative adequate accommodations;
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30 3. living in emergency or transitional shelters;
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32 4. abandoned in hospitals;
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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;
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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.

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44 **B. ENROLLMENT, ASSIGNMENT, AND TRANSPORTATION OF HOMELESS STUDENTS**

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46 1. Enrollment

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48 a. Eligibility

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50 Notwithstanding the enrollment eligibility requirements established by the  
51 board elsewhere in policy, school personnel shall immediately enroll  
52 homeless students even if they do not have proof of residency, school and  
53 immunization records, birth certificates, or other documents; have missed  
54 application or enrollment deadlines during a period of homelessness; have  
55 outstanding fees; or are not accompanied by an adult. The homeless  
56 liaison shall assist the students and parents or guardians in securing  
57 appropriate records or otherwise meeting enrollment requirements.

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59 b. Records

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61 Homeless students transferring into the school system may provide  
62 cumulative and other records directly to school system personnel. The  
63 superintendent or designee shall not require that such records be  
64 forwarded from another school system before the student may enroll.  
65 However, school personnel shall immediately request the official records  
66 from the previous school.

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

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72 2. Assignment

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

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86 The superintendent shall designate the director of support services or other  
87 appropriate personnel to decide, in consultation with the homeless liaison, which  
88 school a homeless student will attend. The decision must be based upon

89 consideration of student-centered factors related to the student’s best interest,  
90 including factors concerning the impact of mobility on achievement, education,  
91 health, and safety of homeless students, giving priority to the request of the  
92 student’s parent or guardian or the unaccompanied youth. The superintendent’s  
93 designee must presume that keeping the student in the school of origin is in the  
94 student’s best interest unless contradicted by the student’s parent or guardian or  
95 the unaccompanied youth.

96  
97 If the superintendent’s designee determines that it is not in the student’s best  
98 interest to attend the school of origin or the school requested by the parent or  
99 guardian or unaccompanied youth, he or she must provide a written explanation  
100 of the reasons for the determination to the parent or guardian or unaccompanied  
101 youth, along with information regarding the right to appeal the placement decision  
102 as described in Section D, below.

### 103 3. Transportation

104  
105 The board of education will provide homeless students with transportation  
106 services comparable to those of other students. In addition, at the parent or  
107 guardian’s request (or at the request of the homeless liaison for unaccompanied  
108 youth), the board will provide transportation services to/from the school of origin.  
109 The superintendent or designee and the homeless liaison shall coordinate  
110 homeless students’ transportation needs, based on the child’s best interest. In  
111 situations in which a student attends school in this system but his or her temporary  
112 housing is in another system (or vice versa), the superintendent or designee shall  
113 work with the other system to share the cost and/or responsibility for  
114 transportation. If an agreement cannot be reached between the systems, the cost  
115 of such transportation will be divided evenly.

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

## 120 121 **C. ELIGIBILITY FOR TITLE I SERVICES**

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

## 124 125 **D. DISPUTE RESOLUTION PROCESS**

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127 A parent, guardian, or unaccompanied youth who disagrees with a decision of school  
128 officials with regard to eligibility, school selection, or enrollment of a student who is  
129 homeless (hereinafter, referred to as a “complainant”) may appeal the decision to the  
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132 school system's homeless liaison in accordance with this section upon registering or  
133 attempting to register the child or youth at the school in which enrollment is sought.  
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135 Any employee who is aware that an unaccompanied youth or a parent or guardian of a  
136 homeless student is dissatisfied with a decision of school officials with regard to  
137 eligibility, school selection, or enrollment should immediately refer that individual to the  
138 school system's liaison for homeless students.  
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140 As used in this section, "school days" means days when students are scheduled to be in  
141 attendance.  
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143 1. Notice, Stay Put, and Informal Resolution  
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145 Upon learning of a complainant's disagreement with a decision of school  
146 officials, the homeless liaison shall take the following actions.  
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148 a. The homeless liaison shall arrange to have the student immediately  
149 admitted to the school in which enrollment is sought (either the school of  
150 origin or the school located in the attendance zone of the student's  
151 temporary residence) if enrollment is at issue. Once enrolled, the student  
152 must receive all services for which he or she is eligible and must be  
153 allowed to participate fully in school activities, pending resolution of the  
154 dispute.  
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156 b. Within one school day of learning of the complainant's disagreement, the  
157 homeless liaison shall provide the complainant a copy of the school  
158 system's uniform statement of rights and procedures that is written in a  
159 language, manner, and form the complainant can understand, to the extent  
160 the school system deems practicable. The written statement must include  
161 all of the following:  
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163 1) contact information, including telephone number, e-mail address,  
164 and physical address of the homeless liaison and of the State  
165 Coordinator for homeless education, with a brief description of  
166 their roles;  
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168 2) notice that, within two school days of the school's decision, the  
169 complainant has the right to notify the homeless liaison that the  
170 complainant intends to appeal the decision;  
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172 3) an explanation of the appeal procedure, including the timeline and  
173 process for making the initial appeal and for pursuing a subsequent  
174 appeal to the superintendent and board, as provided by this policy;  
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- 176 4) a complaint form that a complainant can understand, complete, and  
177 submit to the homeless liaison to initiate the dispute resolution  
178 process and to pursue any subsequent appeals to the superintendent  
179 and board;  
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- 181 5) notice that the board of education or a designated panel of the  
182 board will make the final decision on behalf of the school system;  
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- 184 6) notice of the right to appeal, or request an extension of time to  
185 appeal, the final decision of the school system to the State  
186 Coordinator within three school days of receipt of the final  
187 decision;  
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- 189 7) notice of the right to enroll immediately in the school located in the  
190 assignment area of the student's temporary residence or remain in  
191 the school of origin with transportation provided by the school  
192 system pending resolution of the dispute if such transportation is  
193 requested by the parent, guardian, or homeless liaison on behalf of  
194 the youth;  
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- 196 8) notice that the right to enroll includes the right to fully participate  
197 in all school activities;  
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- 199 9) notice of the right to obtain assistance of advocates or attorneys;  
200 and  
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- 202 10) notice of the right to provide supporting written or oral  
203 documentation during the appeals process.  
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- 205 c. The homeless liaison shall attempt to informally resolve the matter.  
206 Complainants are encouraged to attempt informal resolution through  
207 discussion with the homeless liaison when possible.  
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- 209 d. If informal resolution is unsuccessful, the homeless liaison shall inform  
210 the complainant of the right to appeal the matter by initiating the dispute  
211 resolution process provided in subsection D.2, below.  
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- 213 e. If the complaint initiates the dispute resolution process, the homeless  
214 liaison shall expedite the process so that a final decision in the dispute is  
215 reached within 15 school days or 30 calendar days, whichever is less.  
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- 217 2. Steps in the Dispute Resolution Process and Related Timelines  
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- 219 a. Homeless Liaison Review

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- i. If informal resolution of a complaint is unsuccessful, the complainant may initiate the dispute resolution process by making a formal appeal to the homeless liaison, either directly or through the principal of the school in which enrollment is sought. The appeal must be presented within five school days of the decision giving rise to the complaint unless the homeless liaison agrees to an extension of up to five additional school days for good cause.
  - ii. The appeal may be made orally or in writing on the designated complaint form. If the complainant makes an oral appeal, the homeless liaison shall complete the written complaint form on the complainant's behalf without delay.
  - iii. The complaint should include the date of the filing, a description of the disputed action pertaining to eligibility, school selection, or enrollment, the name of the person(s) involved, and a description of the relief requested. The complainant must be informed of the right to provide supporting written or oral documentation and to seek the assistance of an advocate or attorney.
  - iv. No more than two school days after the complainant initiates the dispute resolution process, the local liaison shall (1) inform the superintendent, other school officials participating in the dispute resolution process, and the State Coordinator of the dispute and (2) provide a written decision, including the reasons for the decision, to the complainant and the superintendent.
- b. Appeal to the Superintendent of the Liaison's Decision
- i. Within two school days of receiving the liaison's decision, the complainant may appeal the decision to the superintendent orally or in writing using the form designated for this purpose. Oral appeals must be made to the homeless liaison, who shall commit the appeal to writing on the designated form. The homeless liaison shall ensure that the superintendent receives copies of the written complaint and the response of the liaison.
  - ii. The superintendent or designee shall schedule a conference with the complainant to discuss the complaint.
  - iii. Within four school days of receiving the appeal, the superintendent or designee shall provide a written decision to the complainant including a statement of the reasons for the decision.

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- c. Appeal to the Board of the Superintendent’s Decision
    - i. If the complainant is dissatisfied with the superintendent’s decision, he or she may file an appeal with the board of education within two days.
    - ii. The appeal may be filed orally or in writing using the form designated for this purpose. Oral appeals must be made to the homeless liaison, who shall commit the appeal to writing on the designated form.
    - iii. The board or a panel of at least two board members acting on behalf of the board will render a decision on the appeal. The board or board panel will provide the complainant with a written decision within five school days of receiving the appeal. In unusual circumstances the board or board panel may extend this time but will avoid exceeding the lesser of (1) 15 school days from when the complaint was received or (2) 30 calendar days from when the complaint was received.
    - iv. The board or board panel’s decision will constitute the final decision of the school system for purposes of the complainant’s right to appeal to the State Coordinator.
    - v. If the matter under appeal is a school assignment, a board panel decision will be a recommendation that must be submitted to the full board for a final determination as required by state law and policy 4150, School Assignment. However, in order to ensure an expedited appeals process for students who are homeless, the recommendation of the board panel shall be considered the final decision of the board for purposes of appeal to the State Coordinator if a final determination by the full board reasonably cannot be accomplished by the deadline described in the previous paragraph.
    - vi. The written statement of the final decision will include the name and contact information of the State Coordinator for homeless education and will describe the appeal rights to the State Coordinator. If the matter under appeal is a school assignment and the appeal was not heard by the full board, the written decision will also note that review of the matter by the full board as required by state law is pending.

d. Appeal to the State Coordinator of the Board's Decision

If the complainant is dissatisfied with the decision of the board or board panel, he or she may file an oral or written appeal with the State Coordinator for homeless education within three school days of receiving the board or board panel's decision or within the period of any extension granted. The State Coordinator will issue a final decision on the complaint. The appeal must include:

- i. the name of the complainant and, if available, his or her physical address, e-mail address, and telephone number;
- ii. the relationship or connection of the person to the child in question;
- iii. the name of the school system and the school in question;
- iv. the federal requirement alleged to have been violated;
- v. how the requirement is alleged to have been violated; and
- vi. the relief the person is seeking.

Within three school days following a request from the State Coordinator, the homeless liaison shall provide the record of complaint, a copy of the board or panel's decision, and any other documents necessary to complete the record.

**E. HOMELESS LIAISON**

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



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- 350 4. ensuring that homeless families and children receive referrals to healthcare,  
351 dental, mental health and substance abuse, housing, and other appropriate  
352 services;  
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- 354 5. informing parents or guardians and any unaccompanied youth of available  
355 transportation services and helping to coordinate such services;  
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- 357 6. ensuring that public notice of the educational rights of homeless students is  
358 disseminated in locations frequented by parents or guardians and unaccompanied  
359 youth;  
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- 361 7. informing parents or guardians of educational and related opportunities available  
362 to their children and ensuring that parents or guardians have meaningful  
363 opportunities to participate in their children's educations;  
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- 365 8. communicating the dispute resolution process to parents, guardians, and  
366 unaccompanied youth experiencing homelessness;  
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- 368 9. helping to mediate enrollment disputes, including ensuring that a homeless child  
369 or youth is enrolled immediately pending final resolution of the dispute;  
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- 371 10. developing a uniform written notice that explains to parents, guardians, and  
372 unaccompanied youth their rights and the process for appealing a decision of  
373 school officials, as required by subsection D.1.b of this policy. The notice must  
374 be written in a simple and understandable format and translated to other languages  
375 as needed and practicable;  
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- 377 11. ensuring that when parents, students, and unaccompanied youth initiate the  
378 dispute resolution process, all parties comply with the dispute resolution policy  
379 and that parents, students, and unaccompanied youth are provided with the  
380 information listed in subsection D.1.b of this policy;  
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- 382 12. informing unaccompanied youth of their status as independent students and  
383 assisting in verifying such status for the purposes of the Free Application for  
384 Federal Student Aid;  
385
- 386 13. ensuring that school personnel providing services to homeless students receive  
387 professional development and other support;  
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- 389 14. working with school personnel, the student, parents or guardians, and/or other  
390 agencies to obtain critical enrollment records, including immunization and  
391 medical records, in a timely manner; and  
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393 15. working with the superintendent or designee to identify board policies or  
394 procedures that might serve as a barrier to enrollment of homeless students,  
395 including those related to immunization records, medical records, uniforms or  
396 dress codes, school fees, and school admission.  
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398 The employee serving as the homeless liaison is ~~Beth Branagan~~ Missy Ellenberger and  
399 may be contacted at ~~bbranaga@tesnc.org~~ [mellenbe@tcsnc.org](mailto:mellenbe@tcsnc.org) or ~~828-884-9567~~ 828-885-  
400 7374.  
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402 Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*; *Non-*  
403 *Regulatory Guidance on Education for Homeless Children and Youths Program*, U.S.  
404 Department of Education (July 2016); G.S. 115C-366(a2), -369; 16 N.C.A.C. 6H .0114, .0115,  
405 .0116; State Board of Education Policy SPLN-000  
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407 Cross References: Immunization and Health Requirements for School Admission (policy 4110),  
408 Domicile or Residence Requirements (policy 4120), Discretionary Admission (policy 4130),  
409 School Assignment (policy 4150), Student Records (policy 4700)  
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413 Revised: December 17, 2018; August 2, 2021; [DATE]