

**TALBOT COUNTY
PUBLIC SCHOOLS
EASTON, MD 21601**

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**MCKINNEY-VENTO (HOMELESS STUDENTS) - IDENTIFICATION, ENROLLMENT,
SERVICES, SUPPORT, AND DISPUTE RESOLUTION**

I. PURPOSE

The purpose of these regulations is to provide procedures and guidelines which ensure that homeless children and youth have barrier free access to an appropriate public education in Talbot County.

II. DEFINITIONS

- A. McKinney-Vento Act means the McKinney-Vento Homeless Education Assistance Improvement Act of 2001, 42 U.S. Code, Section 11431 *et seq.*
- B. School of origin means the school or preschool the child or youth attended when permanently housed or the school or preschool in which the child or youth was last enrolled. The school of origin shall include the designated receiving school at the next grade level for all feeder schools.
- C. School of residence means the local school that the child and youth is currently living in.
- D. Homeless child or youth means individuals who are eligible to attend Talbot County Public Schools, and who lack a fixed, regular, and adequate nighttime residence. This term includes:
 - 1. Children and youths who are sharing the housing of other persons due to a 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; or are abandoned in hospitals;
 - 2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a 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; and

4. Migratory children (such as defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (1) through (3).
5. Unaccompanied Homeless Youth (as defined by the McKinney-Vento Act) is a homeless child that is living in circumstances described in D above and are not in the physical custody of a parent or guardian.
6. Migratory students (as defined by Section 1309 of the Elementary and Secondary Education Act of 1965 as amended) who qualify as homeless for the purposes of this section because the children are living in circumstances described in D above.

III. STANDARDS

A. MCKINNEY-VENTO LIAISON & SCHOOL BASED MCKINNEY-VENTO LIAISONS

TCPS will designate an official Homeless Liaison called the TCPS McKinney-Vento Liaison to serve the students and families experiencing homelessness within Talbot County Public Schools. The McKinney-Vento Liaison will:

1. Participate in professional development provided by the State Homeless Education Coordinator.
2. Collaborate with community agencies and the State Homeless Education Coordinator to ensure delivery of appropriate services and supports to children and youth who are homeless.
3. Inform school personnel, service providers, advocates, parents, guardians and students of the liaison's duties.
4. Work with Title 1 Administrators to ensure that Title 1 services are provided in accordance with the reservation of funds required by the McKinney-Vento Act.
5. Participate and assist with mediating disputes that occur regarding the enrollment, school selection, and provision of services for homeless children and youth, and ensure the consistent implementation of the dispute resolution process.
6. Designate all School Counselors as School-Based McKinney-Vento Liaisons.
7. Provide annual training for School-Based McKinney-Vento Liaisons (School Counselors) and Student Services Workers to ensure prompt identification,

enrollment, and delivery of appropriate educational and related services to children and youth who are homeless.

8. Work in partnership with Student Services Workers to provide technical support to McKinney-Vento Liaisons.
9. School-Based McKinney-Vento Liaisons will provide annual training to all school staff to ensure prompt identification, enrollment, and delivery of appropriate educational and related services to children and youth who are homeless.
10. School-Based McKinney-Vento Liaisons will ensure that students receive appropriate credit for full or partial coursework satisfactorily completed while attending a prior school.
11. School-Based McKinney-Vento Liaisons will provide counseling to McKinney-Vento students regarding college and career readiness.
12. School-Based McKinney-Vento Liaisons will provide scholarship opportunities to McKinney-Vento children and youth.

B. IDENTIFICATION

1. Children and youth experiencing homelessness shall be identified by school personnel through outreach and coordination activities with other entities and agencies.
2. There shall be a public notice of educational rights disseminated in locations frequented by parents, guardians, and unaccompanied youth, including schools, shelters, public libraries, and other appropriate community based locations in a manner and form understandable to parents, guardians and unaccompanied youth.
3. The McKinney-Vento form is the official form that documents the child or youth's homelessness. This affidavit must be updated and renewed annually, and list the child or youth's current address. An address update form must be completed if/when the child or youth's address changes.

IV. GENERAL PROCEDURES

The school may not deny, delay or transfer enrollment solely because a child or youth is homeless, or because a homeless child or youth is unable to produce documents required for enrollment including birth certificate, immunizations, and/or proof of residency . All

homeless children and youth shall be immediately enrolled whether they are with a parent or guardian or not. A school or preschool enrolling, or about to enroll, a homeless child or youth shall:

- A. Immediately enroll the child or youth in the school or preschool of origin or the school or preschool of residence, in accordance with the best interests of the child or youth. Student Services staff will assist unaccompanied youth if assistance is needed.
- B. Immediately enroll homeless preschool and PreKindergarten children in school regardless of existing class size or space limitations of the school.
- C. Immediately enroll homeless children into all Talbot County Public Schools administered early childhood programs.
- D. All homeless children and youth will be enrolled in school, including PreKindergarten, immediately regardless of missed application or enrollment deadlines or time remaining in the school year; and will be given access to fully participate in extracurricular activities.
- E. All homeless children and youth, including PreKindergarten children, will be provided access to free school meals.
- F. Outstanding fines/fees cannot be a barrier to immediate enrollment or full participation of homeless children and youth, including PreKindergarten children.
- G. All homeless children and youth will have access to fully participate in Career and Technology programs offered by Talbot County Public Schools.
- H. All homeless children and youth will have full access to School Counselors and a Maryland State diploma.
- I. If the school cannot determine the appropriate grade placement and/or credits of a homeless child or youth, upon enrollment, school personnel will promptly place the child or youth in a classroom, based on the best information available. The child or youth's placement may be revised, if necessary, after appropriate review of records and/or testing has been completed.
- J. Partial credit will be given for courses partially completed for homeless high school students.
- K. Graduation requirements that are specific to Talbot County Public Schools and are in addition to Maryland State graduation requirements, must be waived for any homeless student in the 11th or 12th grade, who transfers from another Maryland school system and is unable to complete the additional required courses.

- L. Schools are prohibited from waiving Talbot County Public Schools graduation requirements if the child or youth is capable of completing those graduation requirements prior to the anticipated high school completion date.
- M. All homeless children and youth will have access and support in completing the FAFSA.
- N. All homeless children and youth will receive guidance, interventions, and support leading to high school graduation and post secondary transition.
- O. Refer all homeless children and youth to the Multi-Tiered Systems of Support (MTSS) Team for regular monitoring of school adjustment needs. Assess needs, provide necessary intervention and support, and assign the School-Based McKinney-Vento Liaison/ School Counselor, as case-manager.
- P. All homeless children and youth will be provided transportation in a timely manner, and may cross LEA boundaries as needed.
- Q. All homeless children and youth will be provided transportation to extracurricular activities in a manner comparable to non-homeless students.
- R. Parents and guardians of homeless children and youth will be given meaningful opportunities to participate in the education of their children and information about their rights, including transportation.
- S. Children and youth who are homeless will not be stigmatized or segregated in any way, but specifically on the basis of their homeless status.
- T. Children and youth who are homeless will receive referrals to health care services, dental services, mental health, substance abuse services, housing services, and any other appropriate services as needed.
- U. A child or youth's homeless status is a protected educational record that will not be shared without specific consent.
- V. A child or youth's absence due to homelessness shall be excused using the appropriate code permitted in COMAR.
- W. There shall be robust interventions to improve the attendance of children and youth who are homeless and who are experiencing issues with attendance.

V. BEST INTEREST MEETINGS

Schools shall enroll each homeless child or youth in the school determined to be in the child or youth's best interest. A homeless child or youth shall remain in his or her school of origin, unless doing so is against the wishes of the parent, guardian or unaccompanied youth. The right to attend the school of origin extends for the duration of homelessness, or, if the child or youth becomes permanently housed, for the remainder of the school year. In determining which school will serve the best interests of children and youth:

- A. The parent, guardian, or unaccompanied youth's choice will be given first priority. The school of origin is presumed to be in the best interest of the child. The parent, guardian, or unaccompanied youth may choose the school of origin for the remainder of the year even if permanent housing is found during the year. If homelessness occurs between academic years, the child or youth may remain in the school of origin for the following academic year.
- B. The parent, guardian or unaccompanied youth and the TCPS McKinney-Vento Liaison and/or the Student Services Worker shall consider the following factors when determining which school will best serve the child or youth's needs:
 - 1. Continuity of Instruction
 - 2. Age of the child or youth
 - 3. The child or youth's experience at the school of origin
 - 4. The child or youth's academic needs;
 - 5. The child or youth's emotional needs;
 - 6. The special needs of the family;
 - 7. Safety of the child or youth;
 - 8. Length of stay in the shelter or temporary housing;
 - 9. Likely area in which the family, child or youth will find permanent housing;
 - 10. The child or youth's need for special instructional programs;
 - 11. The impact of the commute on the child or youth's education, and other transportation factors;
 - 12. School placement of sibling(s);
 - 13. Schools attended by other children and youth at the same shelter or other temporary residence
 - 14. Time remaining in the school year; and
 - 15. Distance of the commute and other transportation related factors
- C. At the end of each school year, the TCPS McKinney-Vento Liaison and/or Student Services Worker, in conjunction with an unaccompanied youth, or the family of a homeless child or youth, may reevaluate the school assignment and transportation provided to the student to determine whether they remain in the child or youth's best interest.
- D. If there is a dispute over enrollment, the child or youth shall be immediately enrolled in the school of origin or school of residence, pending resolution of the dispute. The

parent, guardian or unaccompanied youth shall be provided written notice of the school's decision, including the right of the parent, guardian or unaccompanied youth to appeal the decision. The TCPS McKinney-Vento Liaison and Student Services Worker will assist the family in following procedures for dispute resolution.

- E. Refer the family to the School-Based McKinney-Vento Liaison (School Counselor), Student Services Worker, and/or TCPS McKinney-Vento Liaison for assistance in understanding their rights, programs, services for homeless students, transportation services and notice of dispute resolution and appeals.
- F. Children and youth who are homeless and are matriculating from elementary school to middle school will be permitted to participate fully in the feeder middle school assigned to that elementary school. Children and youth who are homeless and are matriculating from middle school to high school will be permitted to participate fully in the feeder high school assigned to that middle school.
- G. If the school sends the child or youth to a school other than the school of origin or the school requested by the parent/guardian, or unaccompanied youth the school must provide written explanation of the school's decision that includes notice of the parent guardian, or unaccompanied youth's right to appeal the decision.

VI. DISPUTE RESOLUTION

The following procedures, as outlined in COMAR 13A.05.09.07, shall be implemented to address disputes regarding services to homeless children and youth:

- A. School personnel informed of a parent, guardian, or unaccompanied youth's disagreement with the enrollment or access to services provided to a homeless student shall refer the parent to the TCPS McKinney-Vento Liaison and the Student Services Worker for assistance with dispute resolution. Parents, guardians, and youth are provided with a written explanation of the decision made by the school which includes the right to appeal the decision.
- B. Upon receipt of a written complaint from the parent, guardian, or unaccompanied youth, the Principal shall resolve the complaint in writing within 5 school days. Notice of appeal rights will also be included.
- C. If the parent, guardian, or unaccompanied youth is dissatisfied with the resolution, or if the Principal does not issue a resolution within 5 school days, the parent, guardian, or unaccompanied youth may file a written complaint with the Superintendent. Notice of appeal rights will be given.
- D. The Superintendent shall issue a decision in writing within 10 school days, which shall include notice of the right to appeal the decision.

- E. If the Superintendent does not issue a decision in writing within 10 school days or if the parent, guardian, or unaccompanied youth is dissatisfied with the decision, the parent, guardian, or unaccompanied youth may appeal, in writing, to the Talbot County Board of Education within 30 days, pursuant to Education Article, 4-205(c), Annotated Code of Maryland. Notice of appeal rights will be given.
- F. The Talbot County Board of Education shall decide the appeal in writing on an expedited basis within 45 days of receipt of the appeal. Notice of appeal rights will be included.
- G. If the parent, guardian, or unaccompanied youth is dissatisfied with the decision of the Board of Education, the parent, guardian, or unaccompanied youth may appeal the decision to the Maryland State Board of Education in writing, within 30 days, pursuant to COMAR 13A.01.01.03.

During the dispute resolution process, including any appeals, the child or youth shall remain enrolled in the school system. If a dispute arises over school selection or enrollment, the child or youth immediately shall remain enrolled in the school of origin, pending resolution of the dispute and provided transportation to the school of origin for the duration of the dispute resolution process. The dispute process will be accessible and understandable for parents, guardians and unaccompanied youth.