

Homeless Children and Youth

The Board will make reasonable efforts to identify homeless children and youth of school age within the district, encourage their enrollment, and eliminate existing barriers to their receiving education which may exist in district policies or practices.

The designated coordinator for identification of homeless children and for tracking and monitoring programs and activities for these children is the Director of Student Services. A homeless child or youth is defined as a child or youth from the age of 3 years through 21 years who lacks a fixed, regular, and adequate nighttime residence and includes the following:

1. A child or youth is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; is living in a motel, hotel, trailer park, or camping grounds due to lack of alternative adequate accommodations; is living in an emergency or transitional shelter; is abandoned in a hospital; or awaiting foster care placement;
2. A child or youth who has 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. A child or youth who is living in a car, park, public space abandoned building, substandard housing, bus or train station, or similar setting; or
4. A migratory child or youth who qualifies as homeless because the child or youth is living in circumstances described in paragraphs "1" through "3" above. So that enrollment of homeless children and youth of school age may be facilitated, the following policy areas shall be modified as follows:

Enrollment Requirements: Homeless students including unaccompanied youth will be enrolled immediately even if they are missing records and documents normally required for enrollment.

Placement: According to the McKinney Vento Act a child's district of origin is the school district or school where the child was last enrolled. The deciding factor shall be the welfare of the child. As much as possible, the child will not be required to change attendance centers within the district every time the child changes residence.

Waiver of Fees and Charges: Fees and charges which may present a barrier to the enrollment or transfer of a homeless child or youth may be waived at the discretion of the superintendent or designee.

Transportation: When students enroll in a new school, they must be provided with any transportation services that are offered to non-homeless students. In addition, homeless students may be provided transportation to their school of origin as required by the McKinney Vento Act.

Special Services: All services which are available to resident students are made available to homeless children or youths enrolled in the school district. Services include special education, talented and gifted, title 1 programs, vocational education, English as a second language programs, health services and food and nutrition programs.

Dispute Process: If a dispute arises over any issue covered in this policy, the child or youth in transition will be admitted immediately to the school in which enrollment is sought, pending resolution of the dispute. The student will also have the right as a student in transition to all appropriate educational services, transportation, and free meals while the dispute is pending.

The school homeless liaison will provide the parent or unaccompanied youth with a written explanation of the district's decision on the disputed issued and the right of the parent or unaccompanied youth to appeal that decision. The parent or unaccompanied youth will be given every opportunity to participate meaningfully in the resolution of the dispute. The parent, unaccompanied youth, or school district may appeal the school district's decision as provided in the state's dispute resolution process.

Adopted: April 13, 2009
Revised: January 13, 2014

Legal Reference:
No Child Left Behind, Title X, Sec.
722, P.L. 107-110 (2002). 42
U.S.C. §§ 11431 et seq. (2004).
281 I.A.C. 33 (2007).

Written Notification of Enrollment Decision

Date: _____

Name of person completing form: _____

Title of person completing form: _____

Name of School: _____

In compliance with section 722(g)(3)(E) of the McKinney-Vento Homeless Assistance Act, the following written notification is provided to:

Name of Parent(s)/Guardian(s): _____

Name of Student(s): _____

After reviewing your request to enroll the student(s) listed above, the enrollment request is denied. This determination was based upon:

You have the right to appeal this decision by completing the second page of this notice or by contacting the school district's local homeless education liaison.

Name of local Homeless Liaison: Shirley Horstman

Title: Director of Student Services

Phone number: 563-552-3083

In addition:

- The student listed above has the right to enroll immediately in the requested school pending the resolution of the dispute.
- You may provide written or verbal communication(s) to the local Homeless Liaison, 2300 Chaney Rd., Dubuque, IA 52001 and support your position regarding the student's enrollment in the requested school. You may use the form attached to this notification.
- You may contact the State Coordinator for Homeless Education for further assistance or to obtain information on the state dispute resolution process.

Sandra Johnson / Iowa Department of Education
State Coordinator for the Homeless
(515) 281-3965

You may seek the assistance of advocates or an attorney.
A copy of our state's dispute resolution process for students
Experiencing homelessness is attached.

Appeal Notification of Enrollment Decision

To be completed by the parent, guardian, caretaker, or unaccompanied youth when a dispute arises. This information may be shared verbally with the district liaison as an alternative to completing this form.

Date: _____

Student(s): _____

Person completing form: _____

Relation to student(s): _____

I may be contacted at (phone or email): _____

I wish to appeal the enrollment decision made by: _____

Name of School: _____

I have been provided with (please check all that apply):

- _____ A written explanation of the school's decision.
- _____ The contact information of the school district's local homeless education liaison.
- _____ A copy of the state's dispute resolution process for students experiencing homelessness.

Optional: You may include a written explanation in the space below to support your appeal or you may provide your explanation verbally to Shirley Horstman at 563-552-3083.

The school provided me with a copy of this form when I submitted it. _____ (initial)

Mail completed form to:
Shirley Horstman
Homeless Liaison
2300 Chaney Rd.
Dubuque, IA 52001

Iowa Department of Education Dispute Resolution Policy for Homeless Students

IAC [281]—33.9(256) Dispute resolution. If a homeless child or youth is denied access to a free, appropriate public education in either the district of origin or the district in which the child or youth is actually living, or if the child or youth's parent or guardian believes that the child or youth's best interests have not been served by the decision of a school district, an appeal may be made to the department of education as follows:

33.9(1) If the child is identified as a special education student under Iowa Code chapter 256B, the manner of appeal shall be by letter from the homeless child or youth, or the homeless child or youth's parent or guardian, to the department of education as established in Iowa Code section 256B.6 and Iowa Administrative Code 281—41.32(17A,256B,290). The letter shall not be rejected for lack of notarization, however. Representatives of the public school district where the child or youth desires to attend and of the corresponding area education agency, as well as the child, youth, or parent or guardian of the child or youth, shall present themselves at the time and place designated by the department of education for hearing on the issue. The hearing shall be held in accordance with the rules established in

281—41.32(17A,256B,290).

33.9(2) If the child is not eligible for special education services, the manner of appeal shall be by letter from the homeless child or youth or the homeless child or youth's parent or guardian to the director of the department of education. The appeal shall not be refused for lack of notarization, however.

Representatives of the public school districts denying access to the homeless child or youth and the child, youth, or parent or guardian of the child or youth shall present themselves at the time and place designated by the department of education for hearing on the issue. The provisions of 281—Chapter 6 shall be applicable insofar as possible; however, the hearing shall take place in the district where the homeless child or youth is located, or at a location convenient to the appealing party.

33.9(3) At any time a school district denies access to a homeless child or youth, the district shall notify in writing the child or youth, and the child or youth's parent or guardian, if any, of the right to appeal and manner of appeal to the department of education for resolution of the dispute, and shall document the notice given. The notice shall contain the name, address, and telephone number of the legal services office in the area.

33.9(4) This chapter shall be considered by the presiding officer or administrative law judge assigned to hear the case.

33.9(5) Nothing in these rules shall operate to prohibit mediation and settlement of the dispute short of hearing.

33.9(6) While dispute resolution is pending, the child or youth shall be enrolled immediately in the school of choice of the child's parent or guardian or the school of choice of the unaccompanied youth. The school of choice must be an attendance center either within the district of residence or the district of origin of the child or youth.