

**Wissahickon Charter School
4700 G Wissahickon Avenue
Philadelphia, PA 19144**

Board of Trustees Policy

HOMELESS STUDENTS POLICY (POLICY 251)

I. Legal

1. 24 P.S. 1306
2. 22 PA Code 11.18
3. 42 U.S.C. 11431 et seq
4. 34 CFR 299.19
5. 42 U.S.C. 11431
6. 42 U.S.C. 11432
7. 42 U.S.C. 11434a
8. 34 CFR 200.30
9. Pol. 103.1
10. Pol. 113
11. Pol. 200
12. Pol. 201
13. Pol. 203
14. Pol. 204
15. Pol. 209
16. Pol. 216
17. Pol. 113.4
18. Pol. 206
19. Pol. 146
20. Pol. 810
21. Pol. 808
22. Pol. 115
23. Pol. 918

24. Pol. 138

25. Pol. 114

22 PA Code 403.1

20 U.S.C. 1232g

20 U.S.C. 6301 et seq

34 CFR Part 99

67 Fed. Reg. 10698

PA Education for Homeless Children and Youth State Plan

Adopted December 15, 2021

Authority

The McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), provides authority for the McKinney-Vento Education for Homeless Children and Youth (EHCY) program. Pursuant to EHCY program, State educational agencies (SEAs) must ensure that homeless children and youths have equal access to the same free, appropriate public education, including a public preschool education, as is provided to other children and youths. The Charter School must review and revise any practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youths. The Charter School may not separate homeless students from the mainstream school environment on the basis of their homelessness. Homeless students must also have access to the education and other services that they need to meet the same challenging State academic standards to which all students are held. (Section 721 of the McKinney-Vento Act, as amended by the ESSA).

The Every Student Succeeds Act (“ESSA”) was signed into law on December 10, 2015, (P.L. 114-95), and reauthorizes the Elementary and Secondary Education Act (ESEA) of 1965, which was enacted in its previous version as the No Child Left Behind (“NCLB”) Act, in 2002.

ESSA amended Section 724(g) of the McKinney-Vento Act, requiring the Secretary of Education to develop, issue, and publish in the Federal Register guidelines concerning ways in which a State: (1) May assist LEAs to implement the provisions related to homeless children and youths amended by the ESSA and (2) may review and revise policies and procedures that may present barriers to the identification, enrollment, attendance, and success of homeless children and youths in school.

The Board of Trustees (“Board”) of the Wissahickon Charter School (“Charter School”) recognizes **the need to promptly identify** homeless children and **youths** within the charter school, **facilitate** their **immediate** enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state laws and regulations. [\[1\]](#)[\[2\]](#)[\[3\]](#)

The Board **shall** ensure that homeless **children and youths** have **equal** access to the same educational programs and services provided to other charter school students. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

The Board, **authorizes** the Superintendent **to** waive **charter school** policies, procedures and administrative regulations that create barriers to the **identification**, enrollment, attendance, transportation, **school stability** and success in school of homeless **children and youths**. [\[3\]](#)

It is the policy of the Board that no student shall be discriminated against, segregated or stigmatized based on **his/her homeless status**. [\[5\]](#)[\[6\]](#)

Definitions

Section 725 of the McKinney-Vento Act, as amended by the ESSA, defines the following terms:

Enroll or Enrollment means attending classes and participating fully in school activities. [\[7\]](#)

Homeless children and youths means individuals **who lack** a fixed, regular and adequate nighttime residence, **and includes:** [\[7\]](#)[\[8\]](#)

1. **Children and youths who are:**
 - a. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 - b. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
 - c. Living in emergency, transitional or domestic violence shelters; **or**
 - d. 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;
4. **Migratory children who qualify as homeless because they are living in circumstances** described above; **and**
5. **School-aged parents living** in houses for **school-aged** parents if they have no other **available** living accommodations.

School of origin is the school the **child or youth** attended when permanently housed or the school in which the **child or youth** was last enrolled, **including preschool. When the child or youth completes the final grade level served by the school of origin, the school of origin shall include the designated receiving school at the next grade level for all feeder schools.**[\[6\]](#)

Unaccompanied youth means a homeless child or youth not in the physical custody of a parent or guardian. This includes youth who have run away from home; been abandoned or forced out of home by a parent, guardian or other caretaker; or separated from a parent or guardian for any other reason.[\[7\]](#)

Delegation of Responsibility

The Board designates the Superintendent and/or Principals and Counselors to serve as the charter school's liaison for homeless **children and youths.**[\[6\]](#)

The charter school's liaison shall **ensure outreach and coordination** with:[\[6\]](#)

1. Local social service agencies **and other entities** that provide services to homeless children and **youths** and families.
2. Other school districts on issues of **prompt identification, transfer of records, transportation and other inter-district activities.**
3. **Charter school staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act.**[\[9\]](#)[\[10\]](#)
4. State and local housing agencies responsible for comprehensive housing affordability strategies.

The charter school's liaison shall **ensure that** public notice of the educational rights of homeless **children and youths is disseminated in locations frequented by parents/guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens. Such notice shall be provided in a manner and form understandable to the parents/guardians of homeless children and youths, and unaccompanied youths.**[\[6\]](#)

In addition, LEA liaisons who receive appropriate training may now affirm that a child or youth who is eligible for and participating in a program provided by the LEA, or the immediate family of such a child or youth, is eligible for homeless assistance programs administered under Title IV of the McKinney-Vento Act. (Section 722(g)(6)(D)). These duties are in addition to those already required of the Liaison:

1. Identify homeless children and youth including preschool age children;
2. Inform parents or guardians of educational rights and related opportunities available to their children, and provide them with meaningful opportunities to participate in the education of their children;
3. Disseminate public notice of the educational rights of homeless students where children and youth receive services under the Act and forms to such places as schools, family shelters, and food pantries;
4. Mediate enrollment disputes in accordance with the Enrollment Dispute section and ensure immediate enrollment pending resolution of disputes;
5. Inform the parent/guardian of a homeless child or youth, and any unaccompanied youth, of all transportation options, including to the school of origin, and assist in accessing these transportation services;
6. Assist children and youth who do not have immunizations, or immunization or medical records, to obtain necessary immunizations, or immunization or medical records;
7. 7. Understand the Pennsylvania Department of Education guidance issued for the education of homeless students in order to distribute information on the subject as well as to present workshops for school personnel, including office staff;

Students shall not be discriminated against, segregated nor stigmatized based on their status as homeless.

The charter school's liaison shall provide reliable, valid and comprehensive data to the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program in accordance with federal and state laws and regulations.[\[6\]](#)

Guidelines

Enrollment/Placement

Best Interest Determination -

In determining the best interest of a child or youth, the charter school shall:

1. **Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the parent/guardian or unaccompanied youth.[\[6\]](#)**
2. **Consider student-centered factors related to impact of mobility on achievement, education, health and safety, giving priority to the request of the**

parent/guardian or unaccompanied youth.[\[6\]](#)

3. **If, after such consideration, the charter school determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent/guardian or unaccompanied youth, the charter school shall provide the parent/guardian or unaccompanied youth with a written explanation of the reasons for its determination. The explanation shall be in a manner and form understandable to the parent/guardian or unaccompanied youth and shall include information regarding the right to appeal.**[\[6\]](#)

Placement -

In accordance with the **child's or youth's** best interest, **the charter school shall continue to enroll** a homeless student in his/her school of origin while s/he remains homeless **and through** the end of the academic year in which s/he obtains permanent housing.[\[6\]](#)

Parents/Guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools. If a student is unaccompanied by a parent/guardian, the Charter School Liaison will consider the views of the student in determining where he/she will be enrolled.[\[6\]](#)

The charter school's liaison shall assist an unaccompanied youth in placement or enrollment decisions, giving priority to the views of the student in determining where s/he will be enrolled.[\[6\]](#)

The charter school shall provide the parent/guardian **or unaccompanied youth** with a written explanation of **any** charter school decision related to school selection or placement, including **the** right to appeal.[\[6\]](#)

Enrollment -

The selected school shall immediately enroll the student and begin instruction, even if:

1. The student is unable to produce records normally required for enrollment.[\[3\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)
2. **The application or enrollment deadline has passed during any period of homelessness.**[\[6\]](#)[\[11\]](#)

The **charter school's** liaison **shall immediately** contact the school last attended by the child or youth to obtain relevant academic or other records.[\[6\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)

The charter school may require a parent/guardian to submit contact information.[\[6\]](#)

Assignment -

If the charter school is unable to determine the student's grade level due to missing or incomplete records, the charter school shall administer tests or utilize appropriate means to determine the student's **assignment within the school.**[\[6\]](#)[\[18\]](#)

Dispute Resolution -

If a dispute arises over **eligibility**, enrollment or school selection:[\[6\]](#)

1. **The parent/guardian or unaccompanied youth shall be referred to the charter school's liaison, who shall assist in the dispute resolution process.**
2. The student shall be immediately enrolled in the school in which **enrollment is sought, pending final resolution of the dispute, including all available appeals.**
3. **The charter school's liaison shall issue a written decision of the dispute within twenty (20) business days of being notified of the dispute.**

A parent/guardian or unaccompanied youth may appeal a charter school's written decision or file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

Education Records

Information about a homeless child's or youth's living situation shall be treated as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA), and shall not be deemed to be directory information.[\[16\]](#)[\[17\]](#)

Comparable Services

Homeless students shall be provided services comparable to those offered to other charter school students including, but not limited to:[\[1\]](#)[\[6\]](#)[\[19\]](#)

1. Transportation services.[\[20\]](#)
2. School nutrition programs.[\[21\]](#)
3. **Career and** technical education.[\[22\]](#)
4. Preschool programs.
5. **Educational** programs for **which the homeless student meets the eligibility criteria, such as:**

- a. **Services provided under Title I or similar state or local programs.**[23]
- b. **Programs for English Language Learners.**[24]
- c. **Programs** for students with disabilities.[10]
- d. **Programs for** gifted and talented students.[25]

Transportation

The Charter School shall coordinate transportation for homeless students with the chartering school district of residence or any previous district of residence. The district of origin, the Charter School, and the chartering school district shall agree upon a method to apportion the responsibility and costs of the transportation.

[1][6][20]

Training

The charter school's liaison shall participate in professional development programs and other technical assistance activities offered by the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.[6]

The charter school's liaison shall arrange professional development programs for school staff, including office staff.[6]

School personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to:[6]

1. Improve identification of homeless children and youths and unaccompanied youths;
2. Understand the rights of such children, including requirements for immediate enrollment and transportation; and
3. Heighten the awareness of, and capacity to respond to, the educational needs of such children.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE
CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR
APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE
AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this day 15 of December, 2021

Justin DiBerardinis
Justin DiBerardinis (Dec 21, 2021 09:54 EST)

President

Deborah Levin
Deborah Levin (Dec 21, 2021 09:33 EST)

Secretary









Homeless Students Policy 12152021

Final Audit Report

2021-12-21

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