



## **JFABD - STUDENTS EXPERIENCING HOUSING INSTABILITY (MCKINNEY VENTO)**

The Poudre School District Board of Education prioritizes a safe and inclusive environment where all students and families are treated with dignity and respect. The District must take reasonable steps to ensure that each student experiencing housing instability is not segregated or stigmatized, has equal access to the same free, appropriate public education as provided to other students, and that such students have an opportunity to meet the same challenging state academic standards to which all students are held. The District will identify and remove educational barriers. All educational decisions will be made in the best interests of the student.

The District will coordinate with other school districts, local social services agencies and other agencies, or programs providing services to students experiencing housing instability as needed to best support the student.

### **Definitions**

For the purposes of this policy, these terms have the following meanings:

- **“McKinney-Vento”** means the McKinney-Vento Homeless Assistance Act, a federal law ensuring immediate enrollment, educational stability, and support services for homeless children and youth.
- **“McKinney-Vento coordinator”** means a District employee assigned to assist students who have McKinney-Vento status, as explained below. This fills the role of the homeless liaison required by state and federal law.
- **“School of origin”** means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool.
- **“Student experiencing housing instability”** means:
  - 1) a student who lacks a fixed, regular, and adequate nighttime residence;
  - 2) a student with a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
  - 3) a student living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing);

- 4) a student who resided in a shelter or place not meant for human habitation and who is exiting an institution where the student temporarily resided;
  - 5) a student who will imminently lose their housing, has no subsequent residence identified, and lacks the resources or support networks needed to obtain other permanent housing; or
  - 6) unaccompanied youth.
- **“Unaccompanied youth”** means a student experiencing housing instability and not in the physical custody of a parent or guardian.

### **McKinney-Vento Coordinator**

The McKinney-Vento coordinator appointed by the superintendent or designee will work to identify children and youth experiencing housing instability and facilitate their access to and success in school by removing educational barriers. The primary functions of the coordinator are:

- Identifying children and youth experiencing housing instability through outreach and coordination activities with other entities and agencies;
- Ensuring students experiencing housing instability have full and equal opportunity to succeed in school;
- Ensuring families have access to and receive educational services for which such families, children, and youths are eligible, including through referrals on services and opportunities;
- Disseminating public notice of the educational rights of students experiencing housing instability in the community;
- Providing professional development to school employees providing services to students experiencing housing instability;
- Ensuring unaccompanied youths are enrolled in school and have the same opportunities as other students, are informed of their status as independent students, and assisting unaccompanied youth with enrollment decisions;
- Mediating disputes concerning school selection; and
- Assisting in transportation arrangements and requesting the student’s records.

### **Enrollment**

A student experiencing housing instability must be enrolled immediately, even if the student lacks records routinely required prior to enrollment. The enrolling school will request the records from the student’s last school; the student must remain enrolled regardless of whether records are obtained. If the student needs to obtain immunizations, or medical records, after enrollment the school will immediately refer the parent/caregiver or unaccompanied youth to the McKinney-Vento coordinator, who will assist the parent/caregiver.

## **Enrollment Determination**

A student experiencing housing instability who remains located within the District may continue to attend the student's school of origin for the duration of time the student experiences housing instability or may enroll in the school in the attendance area in which the student is living and eligible to attend. Should a dispute arise over school selection, the homeless liaison will meet with the student's parent/caregiver, or the unaccompanied youth, to determine which school would best meet the student's educational and other needs.

In cases where a student experiencing housing instability's school of origin is located in another district, or where the school of origin is in Poudre School District, but the student is currently living in another district, the McKinney-Vento coordinator will assist the parent/caregiver or unaccompanied youth, in determining school selection. The McKinney-Vento coordinator will ensure collaboration with the appropriate coordinator in the other school district to determine school selection, mediate disputes concerning school selection, assist in making transportation arrangements, assist in the transfer of student records, provide information, and give referrals on services and opportunities.

In making enrollment determinations, the McKinney-Vento coordinator must consult with the student's parent/caregiver or the unaccompanied youth, the principals of the schools involved, the director of transportation or a designee, and the homeless liaison for the sending or receiving districts, and provide a final determination in writing. The liaison must consider all relevant factors in making the determination including but not limited to:

- The best interests of the student experiencing housing instability  
To the extent feasible, keeping the student experiencing housing instability in the student's school of origin
- The impact of mobility on the achievement, education, health and safety of the student experiencing housing instability
- The wishes of the student and/or of the student's parent/caregiver  
Which school can best meet the student's educational and other needs  
The student's transportation needs related to various school selection options

If a student experiencing housing instability becomes permanently housed outside the student's attendance area during the school year, the student will retain McKinney-Vento status and will remain eligible for all services until the end of that academic school year. The following school year, the student would become ineligible for services under the McKinney-Vento Act. However, they may remain at their school of origin subject to the District's school of choice process (see District Policy JFBA – Choice/Open Enrollment), without the need to fill out school of choice paperwork. The school year after a student is no longer eligible under the McKinney Vento Act, the District would no longer provide transportation to the student's school of origin if the student is permanently housed in another neighborhood and continues to attend

through school of choice.

### **Enrollment Disputes**

If a dispute arises over school selection or enrollment in a school, the student will be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. The McKinney-Vento coordinator must be contacted immediately by the principal of the school in which enrollment is sought. The McKinney-Vento coordinator will then determine which school the student will attend.

The parent/caregiver, or unaccompanied youth, will be notified in writing of the District's determination and of the right to appeal, and a copy of the determination will be sent to the involved principals and the appropriate assistant superintendent. If it is determined that the student experiencing housing instability will attend a school other than the student's school of origin or a school requested by the student's parent/caregiver, the McKinney-Vento coordinator will also provide a written explanation regarding that decision to the parent/caregiver, or unaccompanied youth.

The parent/caregiver, or unaccompanied youth, will be advised by the McKinney-Vento coordinator that they may appeal the determination by contacting the student services office. If the appeal decisionmaker upholds the determination, the parent/caregiver or unaccompanied youth may appeal to the state coordinator for the education of homeless children and youth at the Colorado Department of Education, whose decision is final.

### **Transportation**

#### **Within the District**

If a request for transportation is made by the student's parent/caregiver, or by the McKinney-Vento coordinator for an unaccompanied youth, the coordinator must collaborate with the director of transportation or a designee to arrange for the student's transportation to and from school in accordance with district transportation policies and federal law.

#### **Between Districts**

If a determination has been made that a student located in this District must attend school in another district, or that a student located in another district must attend school in this District, both this District and the other district must either agree on a method to apportion cost and responsibility for the student's transportation, or share the cost and responsibility equally.

### **Confidentiality and Discrimination**

Information about a student experiencing housing instability's living situation must be treated as a confidential student education record, and must not be deemed to be directory information. See District Policy JRA-JRC – Student Records/Release of

Information on Students. Such information must only be disclosed to District employees on a case-by-case basis who have a legitimate educational interest in the information, in compliance with District Policy JRA/JRC. No employee can discriminate against a student experiencing housing instability, as discrimination would create an unlawful barrier to education.

Any employee who discloses confidential information of or discriminates against a student experiencing housing instability in violation of this policy is subject to discipline, up to and including dismissal from employment.

### **Attendance and Withdrawal Process**

The District must remove barriers to attendance through collaboration with family, school and district departments. No student under McKinney-Vento status will be withdrawn from a school until the student has enrolled in a new school or without approval from the McKinney-Vento coordinator.

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Revised by Board of Education:

#### **Cross References:**

JFBA – Choice/Open Enrollment

JRA/JRC – Student Records/Release of Information on Students

#### **Legal References:**

42 U.S.C. 11431 and 11432(e), (g) (McKinney Vento Act, regarding homeless students)

C.R.S. 22-1-102.5 (Definition of a homeless child)

C.R.S. 22-33-103.5 (Attendance of homeless children and youth)