

INSTRUCTIONAL SERVICES

Regulation 6273

Instruction

Instruction for Homeless Students

Enrollment/Placement

If a child identified as homeless requests admission to the District, the District will consider the best interest of the child with parent/guardian involvement in determining whether the child should be enrolled in the District or, if applicable, transported back to the school of origin.

Enrollment requirements which may constitute a barrier to the education of a homeless child or youth may be waived at the discretion of the Superintendent if allowed by law. If the District is unable to determine the grade level of the student because of missing or incomplete records, the District shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

Services

Each homeless child or youth shall be provided services comparable to services offered to other students in the District including, but not limited to, transportation services; educational services for which the child meets the eligibility criteria, such as educational programs for disadvantaged, disabled, and gifted and talented students, vocational programs, and school meals programs; before- and after-school care programs; and programs for students with limited English proficiency.

In the event that it is in the best interest of the homeless child or youth to attend the district of origin, it shall be the responsibility of the School District to provide for the transportation of the student. This may be achieved through the transportation services of this District, the district of origin, or another outside agency.

Records

Any records ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records, and evaluations for special services or programs of each homeless child or youth shall be maintained so that appropriate services may be given the student, so that necessary referrals can be made, and so that records may be transferred in a timely fashion when a homeless child or youth enters a new school district. Copies of records shall be made available upon request to students or parents/guardians in accordance with the Family Education Rights and Privacy Act.

Coordinator

The Board has designated Director of Special Education to serve as the District's homeless coordinator to ensure compliance with the Stewart B. McKinney Homeless Assistance Act. According to the Act the homeless coordinator will "ensure that homeless children and youth enroll and succeed in the schools of that agency; and homeless families, children and youth receive educational services for which they are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services." The homeless coordinator will also ensure that disputes regarding the placement or education of homeless children or youth are resolved in a timely fashion.

The District shall inform school personnel, service providers and advocates working with homeless families of the duties of the District homeless coordinator.

Resolving Grievances

Level I – A complaint regarding the placement or education of a homeless child or youth shall first be presented orally and informally to the District's homeless coordinator. If the complaint is not promptly resolved, the complainant may present a formal written complaint (grievance) to the homeless coordinator. The written charge must include the following: date of filing, description of alleged grievances, the name of the person or persons involved and a recap of the action taken during the informal charge stage. Within five (5) working days after receiving the complaint, the coordinator shall state a decision in writing to the complainant, with supporting evidence and reasons. In addition, the coordinator will inform the Superintendent of the formal complaint and the disposition.

Level II – Within five (5) working days after receiving the decision at Level I, the complainant may appeal the decision to the Superintendent by filing a written appeals package. This package shall consist of the complainant's grievance and the decisions rendered at Level I. The Superintendent will arrange for a personal conference with the complainant at their earliest mutual convenience. Within five (5) working days after receiving the complaint, the Superintendent shall state a decision in writing to the complainant, with supporting evidence and reasons.

Level III – If resolution is not reached in Level II, a similar written appeals package shall be directed through the Superintendent to the Board of Education requesting a hearing before the Board at the next regularly scheduled or specially called meeting. The hearing before the Board may be conducted in closed session upon the request of either the Board or the complainant. Within thirty (30) working days after receiving the appeals package, the Board shall state its decision and reply in writing to the parties involved. For District purposes, the decision of the Board of Education is final.

Level IV – If the complainant is dissatisfied with the action taken by the School District, a written notice stating the reasons for dissatisfaction may be filed with the state director of special federal instructional programs. The state director will initiate an investigation, determine the facts relating to the complaint, and issue notice of his/her findings within thirty (30) days to the School District and the complainant. If the findings support the action taken by the School District, such action will be confirmed. If the findings support the allegations of the complainant, the School District will be directed to take corrective action. An appeal of this decision can be made within ten (10) days to the Deputy Commissioner of Education. Within thirty (30) days after receiving an appeal, the Deputy Commissioner of Education will render a final administrative decision and notify the complainant and all other interested parties in writing.