

*Administrative Rule*

**ADMISSION OF HOMELESS STUDENTS**

*Code JBCC-R Issued 3/16/22*

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**Definitions**

*Enrollment* - attending classes and participating fully in school activities.

*School of origin* - the school that the student attended when permanently housed or the school where last enrolled.

*Homeless student* - individuals who lack a fixed, regular and adequate nighttime residence and includes the following.

Students who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals or are awaiting foster placement.

Students 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.

Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.

Migratory students who qualify as homeless because the students are living in circumstances described above.

*Unaccompanied student* - includes a student not in the physical custody of a parent/legal guardian.

**Assignment to school**

The District will, according to the student's best interest, continue the student's education in the school of origin for the duration of homelessness, or enroll the student in a school in the attendance area in which the homeless student is actually living on the same basis as other students.

In determining the best interest of the students, the District will do the following.

To the extent feasible, keep a homeless student in the school of origin, unless doing so is contrary to the wishes of the student's parent/legal guardian.

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Provide a written explanation, including a statement regarding the right to appeal, if the District sends a homeless student to a school other than the school of origin or a school requested by the parent/legal guardian.

In the case of an unaccompanied student, ensure that the District's liaison helps in placement or enrollment decisions, considers the views of the student and provides notice of the right to appeal.

### **Enrollment**

The District will immediately enroll the student in the school selected even if the student is unable to produce records normally required for enrollment such as academic records, medical records, proof of residency or other documentation.

The District will immediately contact the school last attended to obtain relevant academic and other records.

If the student needs to obtain immunizations or immunization or medical records, the District will immediately refer the parent/legal guardian to the District's liaison who will help in obtaining necessary immunizations or records.

### **Records**

Any records ordinarily maintained by the District including immunization or medical records, academic records, birth certificates, guardianship records and evaluations for special services or programs will be maintained so that the records are available, in a timely fashion, when a homeless student enters a new school or district, consistent with state and federal law.

### **Enrollment disputes**

If a dispute arises over school selection or enrollment, the student will be immediately admitted to the school requested pending resolution of the dispute.

The parent/legal guardian of the student will be provided with a written explanation of the District's decision regarding school selection, including the rights of the parent/legal guardian or student to appeal the decision through the District's discrimination complaint procedure.

The student or parent/legal guardian will be referred to the District's liaison who will ensure the resolution process is carried out as expeditiously as possible. In the case of an unaccompanied student, the District's liaison will ensure the student is immediately enrolled in school pending the resolution of the dispute. That is, during the pendency of any administrative or judicial proceeding regarding an enrollment dispute, the student must continuously be enrolled in school, be provided all relevant services, and be allowed to participate fully in all school activities.

When it is determined that a dispute cannot be settled at the District level, the District will do the

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following in a timely manner:

- Inform the unaccompanied or parent/legal guardian of a homeless child of his/her right to request a South Carolina Department of Education (SCDE) review of the District's decision. This request must be made either on the District supplied request for review form or via telephone interview with the appropriate SCDE contact.
- Give the individual a copy of the appropriate form and SCDE contact information.
- Inform the individual that he/she may seek the assistance of advocates or attorneys for the review.

Upon receipt of the submitted request form and any relevant documentation back from the SCDE, the District will then send a written response to the SCDE and the individual filing the State review request within five (5) business days from receipt of the request for review form.

### **Services**

Each homeless student will be provided services comparable to services offered to other students, including the following.

- transportation services
- education services for which the student is eligible, such as the following.
  - Title 1
  - special education
  - programs for students with limited English proficiency
  - professional technical programs
  - talented and gifted programs
  - school nutrition programs

### **Coordination**

The District will coordinate the provision of services to homeless students with local social service agencies and other agencies or programs providing services to homeless students and their families. Services will also be provided in cooperation with other districts on inter-district issues, such as transportation or transfer of school records, to ensure that homeless students have access to available education and related services.

### **District liaison**

The District's liaison (attendance supervisor) will ensure the following.

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Homeless students are identified.

Homeless students enroll in and have a full and equal opportunity to succeed in District schools.

Homeless families and students receive educational services for which they are eligible and referrals to healthcare services, dental services, mental health services and other appropriate services.

The parent/legal guardian of a homeless student is informed of the educational and related opportunities available to the student and is provided with meaningful opportunities to participate in the education of his/her child.

Public notice of the educational rights of homeless students is distributed where such students receive services (e.g., schools, family shelters and soup kitchens).

Enrollment disputes are mediated.

The parent/legal guardian of a homeless student, or any unaccompanied student, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school selected.

School personnel, service providers and advocates working with homeless students and their families are informed of the liaison's duties.

The District's liaison will coordinate and collaborate with the state coordinator, community and school personnel responsible for the provision of education and related services to homeless students.

Adopted 3/15/22