



Student Policy 5101

Approved: 04/04/18

Revised: 8/31/23

## I. PURPOSE

In accordance with the McKinney-Vento Homeless Assistance Act § 11431-11435, Every Student Succeeds Act (ESSA), and the 2013 Uninterrupted Scholars Act, this policy ensures that homeless and foster care students have the opportunity to attend school with as little disruption as reasonably possible.

## II. THE MCKINNEY-VENTO DEFINITION OF HOMELESS

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act (per Title IX, Part A of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act) defines *homeless* as follows:

The term "homeless children and youths"--

- A. means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and
- B. includes--
  - (i) children and youths 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 the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;\*
  - (ii) 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 (within the meaning of section 103(a)(2)(C));
  - (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
  - (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

## III. ESSA DEFINITION OF A CHILD IN FOSTER CARE

- *"Foster Care" means 24-hour substitute care for all children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility.*
- *Includes placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.*
- *A child in foster care regardless of whether the foster care facility is licensed and payments are made by the State, Tribal, or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made. (45 C.F.R. § 1355.20(a)).*

### IV. POLICY

- A. Homeless students are entitled to immediate enrollment and full participation:
  - (i) even if they are unable to produce records required for enrollment, which may include medical records, birth certificate, school records; or proof of residency.
  - (ii) even if they have missed application or enrollment deadlines during any period of homelessness or foster care placement.
- B. Athlos Academy of Jefferson Parish will use formal and informal methods to identify homeless students throughout the year. The *Louisiana Student Residency Questionnaire* is included with the registration process and is required for all new and returning students. The Homeless Liaison will follow up with families whose forms indicate homeless status to assess the families' needs and inform them of services and supports that are available along with informing them of students' education rights. Athlos Academy of Jefferson Parish will post information about services on the school's website, in office areas at the school, and use newsletters and social media. Information will be in English and other languages for our multi-lingual families.
- C. Staff members who suspect that a student meets the definition of homelessness as described by the McKinney-Vento Act will notify the Homeless Liaison who will follow up with the family.
- D. Athlos Academy of Jefferson Parish has the following protocol for meeting the needs of homeless students:
  - (i) Within one (1) day of admitting a homeless student, the homeless education liaison shall be notified, and contact shall be made with the appropriate officials.
  - (ii) Homeless children are entitled to receive transportation and other services that are available to non-homeless students.
  - (iii) Homeless students will be eligible for programs for gifted and talented students and school nutrition programs as well as any other educational services for which the student meets eligibility criteria.
  - (iv) Homeless students shall be permitted to continue attending Athlos Academy of Jefferson Parish, to the extent reasonable, unless it is against the wishes of their parent/guardian(s), and be permitted to remain at the school for the duration of the homelessness until the students move into permanent housing.
  - (v) Athos Academy of Jefferson Parish will continue efforts to assist homeless students in completing necessary and important records, especially immunization records.
- E. **Unaccompanied Youth**

Following are related excerpts from the McKinney-Vento Act:

"The term unaccompanied youth includes a youth not in the physical custody of a parent or guardian." [42 U.S.C. §11434A(6)]

"The school selected [...] shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation." [42 U.S.C. §§11432(g)(3)(C)(i)]

"The terms 'enroll' and 'enrollment' include attending classes and participating fully in school activities." [42 U.S.C. §11434A(1)]
- F. Parents, guardians, and unaccompanied youths have the right to dispute an enrollment decision or eligibility for services under the McKinney-Vento Act. Athlos Academy of Jefferson Parish will provide a written statement of the enrollment or eligibility for services decision and a notice of the right to appeal the decision to the Chief Executive Officer.

### G. Students in Foster Care

Children in foster care are entitled to remain at their school of origin (the school in which a child is enrolled at the time of placement in foster care) unless it is determined that it is not in the child's best interest to do so.

Policies regarding school placement and transportation of foster care students were issued in Revised Statute 17:238 and in BESE Bulletin 741, Chapter 11 Student Services, Section 1109: Assignment and Transfer of Students (<http://bese.louisiana.gov/>.)

### H. Staff Training

All staff will receive annual mandatory training that fulfills the requirements of the McKinney-Vento Act.

## HOMELESS LIAISON

Athlos Academy of Jefferson Parish Homeless Liaison is Joannie Sparks. She can be contacted by email [jsparks@athlosjp.org](mailto:jsparks@athlosjp.org) or phone at 504-290-2510.

### References:

BESE Bulletin 741

<https://www.louisianabelieves.com/resources/library/school-policy>

[McKinney-Vento Homeless Assistance Act § 11431-11435](#)

<https://nche.ed.gov/mckinney-vento-definition/>

<https://nche.ed.gov/unaccompanied-youth/>