

Homeless Students

Homeless student liaison

The liaison appointed by the superintendent shall work to identify homeless children and facilitate each homeless child's access to and success in school. On or before the pupil enrollment count day, the liaison shall report the number of homeless students enrolled in the school district to the Colorado Department of Education.

The primary functions of the liaison shall be to mediate disputes concerning school enrollment, assist in making transportation arrangements, assist in requesting the student's records, provide information and give referrals on services and opportunities, and assist any homeless child who is not in the custody of a parent or guardian with enrollment decisions.

Enrollment

A homeless student is deemed to reside, and may enroll and attend school in:

- the district where the child is presently located, or
- the district in which the student attended school previous to becoming homeless.

Enrollment shall be immediate even if the student lacks records routinely required prior to enrollment. The school shall make arrangements to obtain any necessary records and to have the student receive any necessary immunizations. When feasible the district shall seek immunization through no- or low-cost health care providers. If an expense is incurred, the district shall seek reimbursement through Medicaid if possible.

If a homeless student becomes permanently housed outside the district during the school year, the student shall no longer be considered homeless and may only continue enrollment in the district for the remainder of the school year.

Tuition

Students defined in state and federal law as homeless children shall be admitted without payment of tuition.

Enrollment determination

1. *Scenario One*

- student enrolled in this district
- becomes homeless
- remains located in this school district

If a district student becomes homeless, but remains located in this school district, the student shall continue to attend school in his or her school.

[NOTE: If the district is comprised of school attendance areas or has more than one school building serving a grade level, add the following paragraph.]

If the student is no longer located in the attendance area of the school he or she previously attended, the liaison shall meet with the student and the student's parent/guardian, if the student is in the custody of the parent/guardian, to determine which district school would best meet the student's educational and other services needs, taking into account the wishes of the student and the parent/guardian, the feasibility of keeping the student in his or her previous school, and the student's transportation needs related to various enrollment options.

2. *Scenario Two*

- student enrolled in another school district
- becomes homeless
- is presently located in this school district
- seeks to enroll in the district previously attended

If a student becomes homeless and is presently located in this school district, but seeks to enroll in the district he or she previously attended, the previous school district shall determine enrollment.

If this school district has knowledge that a homeless student is presently located in this school district but seeks to enroll in the school district he or she previously attended, this district's homeless student liaison shall assist the student in accessing enrollment in the previous school district, work with the homeless student liaison in the previous school district to mediate disputes concerning enrollment, assist in making transportation arrangements, assist in requesting/sending the student's records, provide information and give referrals on services and opportunities, and assist any homeless student who is not in the custody of a parent or guardian with enrollment decisions.

3. *Scenario Three*

- student who previously attended school in this district
- becomes homeless
- is presently located outside of this school district
- seeks to enroll in this school district

If a student who previously attended school in this district becomes homeless and is presently located outside of this school district, but seeks to enroll in this school district, the superintendent (or designee) shall make a reasonable determination as to whether the student should be enrolled in this district or the district where the student is presently located.

In making the reasonable determination, the superintendent (or designee) shall consult with:

- the homeless student, or the homeless student's parent/guardian if the student is in the custody of a parent/guardian, and

- the homeless student liaison for this district and the liaison for the district where the student is presently located

The superintendent (or designee) shall consider all relevant factors in making the reasonable determination including but not limited to:

- the best interests of the homeless student
- to the extent feasible, keeping the homeless student in this district
- the wishes of the student and the student's parent/guardian if the student is in the custody of a parent/guardian
- the student's transportation needs related to various enrollment options (the district where the student is located and the district where the student will attend school must either agree on a method to apportion cost and responsibility for the student's transportation or share the cost and responsibility equally)
- which school district can best meet the student's educational and other services needs

4. *Scenario Four*

- student who has never attended school in this district
- becomes homeless
- is presently located in this school district
- seeks to enroll in this district

If a student who has never attended school in this district becomes homeless and is presently located in this school district and seeks to enroll in this district, the student shall be enrolled. This district's liaison shall meet with the student and the student's parent/guardian, if the student is in the custody of the parent/guardian, to determine which district school would best meet the student's educational and other services needs, taking into account the wishes of the student and the parent/guardian, and the student's transportation needs related to various enrollment options.

Notice of determination and appeal

The superintendent (or designee) shall hand deliver to the student a written notice of the district's determination and of the right to appeal, and provide a copy to the liaison. If the superintendent or designee determines that the homeless student shall attend a school other than the student's previous school or a school other than the one requested by the student's parent or guardian, the superintendent or designee shall also provide written explanation regarding that decision to the parent/guardian and provide a copy to the liaison.

Enrollment disputes

If an enrollment dispute arises between the student's custodial parent/guardian (or the student not in custody of a parent/guardian) and the district, the student shall be immediately enrolled in the school selected by the parent/guardian or student until the dispute is resolved.

The parent/guardian (or student, if applicable) may appeal an enrollment determination made by this district to the district's homeless student liaison within 10 days after receiving the written determination and notice of right-to-appeal.

The liaison shall issue a written decision on the dispute within 10 days of the receipt of the appeal and hand deliver a written decision and notice of right-to-appeal to the Board of Education to the parent/guardian (or student, if applicable).

Within 10 days of delivery of the liaison's decision and right-to-appeal notice, the parent/guardian (or student, if applicable) may appeal the decision to the Board of Education.

The Board shall issue a written decision on the dispute within 10 days of the receipt of the appeal and next regularly scheduled Board meeting; and hand deliver the written decision and notice of right-to-appeal to the State Coordinator for the Education of Homeless Children and Youths to the parents/guardian (or student, if applicable). The decision of the State Coordinator shall be final.

NOTE: The law does not specify a local appeals process beyond an appeal to the liaison. However, we feel it is appropriate that the matter go before the Board of Education prior to an appeal to the State Coordinator. The Board may wish to hear such appeals directly or assign a hearing officer or appeals panel for this purpose. The Board has discretion as to what timeline is appropriate for the local appeals process.

Transportation

Subsequent to a determination that the student shall attend a school in this district, a request for transportation may be made by the student, or by the student's custodial parent/guardian.

If the student is located in the district, the district shall provide or arrange for the student's transportation to and from school in accordance with district transportation policies. All transportation services shall be comparable to those provided for other students in the district.

If the student is located outside of the district but a determination has been made that the student shall attend school in the district, both this district and the district where the student is located must either agree on a method to apportion cost and responsibility for the student's transportation or share the cost and responsibility equally.

Approved: 2006
Revised: 3-14-2018
1-20-2020

[Revised March 2013]
COLORADO SAMPLE REGULATION 2002©