

5027-R Homeless Children

Homeless is defined as an individual who lacks a fixed, regular or adequate nighttime residence and includes but is not limited to an individual who has a primary nighttime residence that is:

- a supervised publicly or privately-operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters and transitional housing for the mentally ill);
- an institution that provides a temporary residence for individuals intended to be institutionalized; or
- a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

The terms "homeless" or "homeless individual" do not include any individual imprisoned or otherwise detained.

In determining whether a child or youth is homeless, the relative permanence of the living arrangements should be considered. Determinations will be made on a case-by-case basis. In general, children or youth living in welfare hotels, transitional housing shelters, the streets, cars, abandoned buildings and other inadequate accommodations will be considered homeless.

Children and Youth in Transitional or Emergency Shelters

If children or youth are placed in a transitional or emergency shelter because there is nowhere else to send them, and they are awaiting placement in a foster home or a home for neglected children, they will be considered homeless while in the emergency or transitional shelter. Once placed in a foster home or a home for neglected children or youth, they will no longer be considered homeless.

Children and Youth Living in Trailer Parks, Camping Grounds, and Motels

Children and youth staying temporarily in trailer parks, campgrounds, and motels because they lack adequate living accommodations will be considered homeless. Those living in trailer parks or camp areas on a long-term basis in adequate accommodations will not be considered homeless.

Doubled-Up Children and Youth

Children and youth who are living in "doubled-up" accommodations, that is, are sharing housing with other families or individuals, will be considered homeless if they are doubled-up because of a loss of housing or other similar situation. Families living in doubled-up accommodations voluntarily to save money generally will not be considered homeless.

Foster Children and Youth

In general, children and youth in foster homes will not be considered homeless. Many foster children are in the care of a public agency, awaiting placement in more permanent situations. The foster home, although temporary, serves as a fixed regular and adequate nighttime residence. Children placed in foster homes for lack of shelter space, however, will be considered homeless.

Incarcerated Children and Youth

Children and youth that are incarcerated for violation or alleged violation of a law will not be considered homeless even if prior to their incarceration they would have been considered

homeless because they are living in inadequate accommodations. Children and youth who are under the care of the state and are being held in an institution because they have no other place to live will be considered homeless. Once these children are placed in more permanent facilities, they will no longer be considered homeless.

Migratory Children and Youth

Migratory children and youth will not be considered homeless simply because they are children of migratory families. To the extent that migratory children are staying in accommodations not fit for habitation, they will be considered homeless.

Runaways

Children or youth who have run away from home and live in runaway shelters, abandoned buildings, the street or other inadequate accommodations will be considered homeless, even if their parents have provided and are willing to provide a home for them.

School-Aged, Unwed Mothers

In general, if school-aged, unwed mothers or expectant mothers are living in homes for unwed mothers, and they have no other available living accommodations, they will be considered homeless. However, if they are staying in such a home only temporarily to receive specific health care or other services and intend to move to other adequate accommodations, they will not be considered homeless.

Sick or Abandoned Children and Youth

There are instances where children or youth remain in a hospital beyond the time they would normally stay for health reasons because their families have abandoned them. These children or youth will be considered homeless because they have no other place to live. Children or youth that were homeless prior to hospitalization will be considered to be homeless while they are in the hospital, unless regular and adequate living accommodations will be made available to them upon release from the hospital.

If a school has students who meet any of the above definitions of homeless, the student should be referred to the building principal. The principal will convene the necessary staff and community agencies needed to develop an action plan to provide the student with a free appropriate public education.

Transportation

Homeless students have the right to receive transportation to and from their school of origin or the school closest to where they are currently living, if requested. The request may come from the parent, guardian, youth, or CCSD staff. If the student's temporary residence is outside of the Campbell County School District, the new district and CCSD will determine how to divide the responsibility and cost of providing transportation. Transportation services will be comparable to those provided to other students.

Disputes

If a dispute arises over any issue covered in this policy, the child or youth in transition will be admitted immediately to the school in which enrollment is being sought, pending final resolution of the dispute. The student will also have the rights of a student in transition to all appropriate educational services, transportation, free meals, and Title 1, Part A, services while the dispute is pending.

The school where the dispute arises will provide the parent or unaccompanied youth with a written and/or oral explanation of its decision and the right to appeal and will refer the parent or youth to the local liaison immediately. The local liaison will ensure that the student is enrolled in the requested school and receiving services to which he or she is entitled and will resolve the dispute as expeditiously as possible. The parent or unaccompanied youth will be given every opportunity to participate meaningfully in the resolution of the dispute. The local liaison will keep records of all disputes in order to determine whether particular issues or schools are delaying or denying the enrollment of children and youth in transition repeatedly.

The parent, unaccompanied youth, or other school district may appeal the school district's decision as provided in the state's dispute resolution process.

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REFERENCE(S): Section 504 of the *Rehabilitation Act of 1973*

CROSS REFERENCE(S): 5027

ADMINISTRATIVE REGULATION: