Mount Carmel Area School District

Book	Policy Manual
Section	200 Pupils
Title	Students Experiencing Homelessness, Foster Care and Other Educational Instability
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Purpose

The Board recognizes the challenges encountered by students experiencing homelessness, foster care and other educational instability. The Board is committed to facilitating the immediate enrollment; eliminating barriers to the attendance, education and graduation; and providing additional supports in compliance with federal and state laws, regulations and Board policy, for such students. [1] [2] [3] [4] [5] [6] [Z] [R]

Authority

The Board directs the district to collaborate with school staff, other school districts, local agencies and other entities in supporting the needs of students experiencing educational instability.

The Board shall ensure that students experiencing educational instability have equal access to the same educational programs, activities and services provided to other district students. [1][2][3][4][5][6][Z]

The Board authorizes the Superintendent to waive specific requirements in Board policies, procedures and administrative regulations to the extent that they create barriers for the enrollment and attendance of students experiencing educational instability. Such waivers include, but are not limited to, requirements regarding: [1] [2][3][4][5

1. Dress code. [9]
2. Transportation.[10]
3. School-sponsored or extracurricular activities for which students meet placement and qualification requirements, including, but not limited to, clubs, athletics, performing arts, class trips, social events, career and technical education, internships and specialized classes.[11][12][13][14][15][16][17]
4. Fees related to school-sponsored or extracurricular activity participation fees, and other fees including, but not limited to, school identification (badges, cards, etc.), uniforms, materials,

lost or damaged items, athletic physical exams, parking or driving, food services, library, locker or padlock rental or replacement, summer school or credit recovery,

technology and graduation regalia.[9][13][14][15][18][19][20][21][22]

5. Graduation.[19]

6. Registration deadlines.

It is the policy of the Board that no student shall be discriminated against, segregated or stigmatized based on their status as a student experiencing educational instability.

Definitions

Student Experiencing Educational Instability means a student who has experienced one (1) or more changes in school enrollment during a single school year due to any of the following: [4]

1. Homelessness.[1][3][7]

2. An adjudication of: [23][24]

    a. Dependency relating to child protective services and juvenile matters;

    b. Delinquency, if disclosed by the student's parent/guardian; or

    c. As part of court-ordered services under a voluntary placement or custody agreement.

A student experiencing foster care may also qualify as a student experiencing educational instability as defined above, if such circumstances apply..[25]

Enroll or Enrollment means attending classes and participating fully in school activities. [26]

Additional costs means the difference between what the district spends to transport a resident student to the student's assigned school and the cost to transport a child in foster care to the child's school of origin.

Foster care means twenty-four (24) hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and pre-adoptive homes. A child is in foster care in accordance with this definition 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. [25]

Homeless children and youths means individuals who lack a fixed, regular and adequate nighttime residence, and includes: [26]

1. Children and youths who are:

    a. Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;

    b. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;

    c. Living in emergency, transitional or domestic violence shelters; or

d. Abandoned in hospitals;

2. 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;

3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings;

4. Migratory children who qualify as homeless because they are living in circumstances described above; and

5. School-aged parents living in houses for school-aged parents if they have no other available living accommodations.

School of origin is the school in which the student experiencing educational instability was last enrolled.

- The school of origin for a homeless child or youth - the last school in which the homeless child or youth was enrolled when permanently housed or the school in which the homeless child or youth was last enrolled, including preschool.[27]
- The school of origin for a child in foster care - the school in which a child is enrolled at the time of placement in foster care. If a child's foster care placement changes, the school of origin is the school the child is attending immediately prior to each change in placement. [R]
- When the homeless child or youth, or child in foster care, completes the final grade level served by the school of origin, the school of origin shall become the designated receiving school at the next grade level for all feeder schools.

Unaccompanied youth means a homeless child or youth not in the physical custody of a parent or guardian. This includes youth who have run away from home; been abandoned or forced out of home by a parent, guardian or other caretaker; or separated from a parent or guardian for any other reason. [26]

Delegation of Responsibility

The Board designates the Home and School Visitor/School social Worker to serve as the district's point of contact for students experiencing educational instability. [4][5][27]

The name and contact information of the district's point of contact shall be included in the student's education records and provided to the student's education decision maker.[4]

The district's point of contact shall ensure outreach and coordination with the following, as appropriate to each individual student's needs:[4][5][

1. Local children and youth agency to:

    a. Establish formal mechanisms to ensure that the district is promptly notified when a child enters foster care or changes foster care placements;

    b. Develop a protocol on how to make best interest determinations; and

    c. Develop and coordinate transportation procedures.

2. Other local service agencies and entities that provide services to students experiencing educational instability.

3. Other school districts on issues of prompt identification, transfer of records, transportation and other inter-district activities.

4. District staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act. [11][28]

5. State and local housing agencies responsible for comprehensive housing affordability strategies.

The district's point of contact, in consultation with the school counselor, school social worker, home and school visitor or school psychologist and the student's Individualized Education Program (IEP) team or Section 504 Team, shall: [4].

1. Facilitate the student's expedited consultation with the school counselor or other mental health professionals, as appropriate.

2. Facilitate the prompt placement of the student in appropriate courses.

3. Connect the student with educational services that meet the student's specific needs.

4. Immediately request the prior school entity, county agency and the student's education decision maker to provide the complete student information and records, including an IEP or Section 504 service agreement, if applicable. Within ten (10) business days, the prior school entity located within Pennsylvania, including schools with residential placements, shall provide the requested information and records to ensure proper transfer of course credits, grades and an IEP or Section 504 service agreement, if applicable.

5. Develop and execute a graduation plan in collaboration with the student in grades nine (9) through twelve (12). The graduation plan shall be customized to meet the specific needs of the student and shall detail the courses necessary for on-time graduation and transition to postsecondary education or the workforce. The graduation plan shall be included in the student's education records.

Additional Responsibilities to Support Homeless Students -

The district's point of contact shall ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents/guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries and soup kitchens. Such notice shall be provided in a manner and form understandable to the parents/guardians of homeless children and youths, and unaccompanied youths.[2Z].

The district's point of contact shall provide reliable, valid and comprehensive data to the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program in accordance with federal and state laws and regulations. [21].

Training

The district's point of contact shall provide professional development and training to school staff on the education needs of students experiencing educational instability.

Additional Training to Support Homeless Students -

The district's point of contact shall participate in professional development programs and other technical assistance activities offered by the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.[27]

The district's point of contact shall arrange professional development programs for school staff, including office staff.[27]

School personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to: [27]

1. Improve identification of homeless children and youths and unaccompanied youths;
2. Understand the rights of such children, including requirements for immediate enrollment and transportation; and
3. Heighten the awareness of, and capacity to respond to, the educational needs of such children.

Guidelines

Students enrolled in this district experiencing educational instability shall be provided support and services, as appropriate to each individual student's needs, in accordance with Board policy. [4]

Minimal documentation shall be required for a student experiencing educational instability to qualify for supports and services. Information used to determine that a student is experiencing educational instability may be confirmed verbally, in writing or by another manner by shelter providers, outreach workers, case managers, juvenile probation officers and others.

Parents/Guardians and students have the authority to determine what information shall be shared with the district.

Information related to the student's educational instability status shall be confidential and disclosed by the point of contact or other administrators only to other school staff who have a legitimate need to know unless authorized by the student or parent/guardian.[29][30]

Enrollment

Except when an unaccompanied youth or the parents/guardians of a homeless youth request otherwise, it shall be presumed that a student experiencing educational instability shall continue to be enrolled in their school of origin unless it is determined that it is not in the student's best interest to remain in the school of origin. [5] [21]

In accordance with the homeless child's or youth's best interest, the district shall continue to enroll a homeless student in the student's school of origin within the district while the student remains homeless and through the end of the academic year in which the student obtains permanent housing.[2Z]

An unaccompanied youth or the parents/guardians of a homeless student may request enrollment in any grade-appropriate school within the district regardless of the district attendance area where the student is actually living or a school of origin in another district. [27]

The district's point of contact shall assist an unaccompanied youth in placement or enrollment decisions, giving priority to the views of the student in determining where the student will be enrolled.[2Z]

Best Interest Determination -

The best interest determination shall be made in accordance with federal and state laws and regulations, court orders and established local procedures.

In making a best interest determination, the district shall:[5][27]

1. In the case of a homeless child or unaccompanied youth, give priority to the request of the parent/guardian or unaccompanied youth.
2. Consider student-centered factors related to impact of mobility on achievement, education, appropriateness of the current educational setting, health and safety, and proximity to living arrangements including foster care placement.

The cost of transportation shall not be used as a factor in the best interest determination.

Documentation related to the best interest determination shall be maintained in the student's education record. [29][30]

Timeliness of Enrollment -

When a school receives a student experiencing educational instability, the school shall immediately enroll the student and begin instruction, even if: [4] [5] [Z][29][30][31][32][33][34] [35]

1. The student is unable to produce records normally required for enrollment.[27][31
2. The application or enrollment deadline haspassed.[27][31][32]

The district's point of contact shall immediately contact the school last attended by the student to obtain relevant academic or other records. [21]

The district may require a parent/guardian to submit contact information.

Grade Level Assignment -

If the district is unable to determine the student's grade level due to missing or incomplete records, the district may administer tests or utilize appropriate means to determine the student's assignment within the school.[36]

Dispute Resolution

If a dispute involving a student experiencing educational instability arises, the concern shall be addressed and/or resolved at the lowest appropriate level in accordance with Board policy, unless otherwise stated below.[37]

Dispute Resolution for Homeless Students -

If the district determines that it is not in the student's best interest to attend the school of origin or the school requested by the unaccompanied youth or parent/guardian, the district shall provide the unaccompanied youth or parent/guardian with a written explanation of the reasons for its determination. The explanation shall be in a manner and form understandable to the unaccompanied youth or parent/guardian and shall include information regarding the right to appeal.[2Z]

If a dispute arises over eligibility, enrollment or school selection: [27]

1. The parent/guardian or unaccompanied youth shall be referred to the district's point of contact, who shall assist in the dispute resolution process.

2. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.

3. The district's point of contact shall issue a written decision of the dispute within twenty (20) business days of being notified of the dispute.

A parent/guardian or unaccompanied youth may file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

Dispute Resolution for Students in Foster Care -

If a dispute arises over the appropriate school placement for a child in foster care, to the extent feasible and appropriate, the child shall remain in their school of origin, pending resolution of the dispute.[2]

A student who has been discharged from foster care may be permitted to finish the [38] school year in this district, if appropriate, without payment of tuition.

Education Records

Information about a student's educational instability shall be treated as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA), and shall not be deemed to be directory information,[29][30

The district may disclose personally identifiable information from the education records of a student without written consent of the parent/guardian or the eligible student if the disclosure is: [29][30][39]

1. To comply with a court order authorizing the disclosure of education records in a case where a parent is a party to a proceeding involving child abuse or neglect or a dependency matter.

2. To an agency caseworker or other representative of a state or local child welfare agency, or tribal organization, who has the right to access a student's case plan, as defined and determined by the state or tribal organization, when such agency or organization is legally responsible, in accordance with state or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the state or tribal laws applicable to protecting the confidentiality of a student's education records.

Comparable Services

Students experiencing educational instability shall be provided services comparable to those offered to other district students including, but not limited to: [3][27][40

1. Transportation services.[10]

2. School nutrition programs.[21]

3. Career and technical education.[12]
4. Educational programs for which the student meets the eligibility criteria, such as:
    a. Services provided under Title I or similar state or local programs.[41]
    b. Programs for English Learners. [42]
    c. Programs for students with disabilities.[ll]
    d. Programs for gifted and talented students.[16]
5. Preschool programs.

Transportation for Homeless Students -

The district shall provide transportation for homeless students to their school of origin or the school they choose to attend within the district.[3][10]

If the school of origin is outside district boundaries or homeless students live in another district but will attend their school of origin in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation.[27]

Transportation for Students in Foster Care -

The district shall ensure that children in foster care needing transportation to their school of origin promptly receive transportation in a cost-effective manner.[6][10]

To ensure that transportation for children in foster care to their school of origin is provided, arranged, and funded, the district shall collaborate with the local children and youth agency to develop a local transportation plan.[5]

The transportation plan shall address the following: [6]

1. The procedure the district and local children and youth agency will follow to provide transportation for children in foster care in a cost-effective manner and in accordance with applicable law.[ß]
2. How transportation costs will be covered if additional costs are incurred. Options include:
    a. The local children and youth agency agrees to reimburse the district;
    b. The district agrees to pay for the cost; [5]
    c. The district and the local children and youth agency agree to share the costs; or
    d. The district of origin, the district of foster residence, and the placing children and youth agency agree to share the costs.
3. Dispute resolution procedures to ensure that any disagreements regarding the cost of transportation are resolved promptly and fairly, and do not impact a student's ability to remain in the school of origin during the dispute resolution process.

The district shall submit the local transportation plan, including any updates or revisions, to the Pennsylvania Department of Education.

Transportation shall be provided to children in foster care in accordance with the local transportation plan regardless of whether transportation is provided to district students.

Course Credit and Graduation

The district shall ensure that each student experiencing educational instability in grades nine (9) through twelve (12) is provided with a graduation plan to facilitate the student's timely graduation. The graduation plan shall specify the courses and other requirements necessary for the student to graduate. The district's efforts to ensure that the student experiencing educational instability graduates in a timely manner may include:[4][5][

1. Waiving a specific course required for graduation if similar coursework has been satisfactorily completed jn another school entity or the student has demonstrated competency in that content area. Evidence as to whether coursework has been satisfactorily completed and the amount of full or partial credit assigned, may be determined through any of the following:[4][19]

    a. Competency demonstration, which could include, but is not limited to:

        i. Submission of an essay, presentation or project.

        ii. Recognition that the student has already successfully completed a higher-level course, an experiential learning opportunity or internship that demonstrates competence in the content area.

    b. Performance on an examination.

    c. Successful completion of a career and technical education course.

    d. Other evidence or method determined appropriate by the district.

2. If a specific course requirement cannot be waived, the district shall provide an alternative or modified course of study that is currently offered to students and that will assist the student with acquiring the required work or competency requirements by the anticipated graduation date,

3. If, after considering full and partial course credits, waiving courses or providing alternative courses of study, the district determines that the student meets the established graduation requirements, the student shall be allowed to participate in the graduation ceremony and graduate with their peers.

    If the student is determined not eligible for graduation, the district may request a high school diploma from the prior school entity. The prior school entity may issue a diploma if the student meets the prior school entity's graduation requirements.

Keystone Diploma -

In any school year for which demonstration of proficiency on a Keystone exam is required for graduation, a student who has successfully satisfied the graduation requirements may obtain a secondary school diploma known as the Keystone Diploma from the PA Department of Education, if both of the following provisions apply:[4][43]

1. All other graduation options have been exhausted.

2. The student is unable to obtain a diploma from the student's prior or receiving school entity.

The district's point of contact shall assist the student in determining the student's eligibility for a Keystone Diploma and, if eligible, obtaining the Keystone Diploma from the PA Department of Education. [4] [43]

Students with Disabilities -

Students experiencing educational instability who have an IEP shall maintain the right to special education and the right to graduate either through attainment of credits or through the completion of the goals established in their IEP, in accordance with applicable law, regulations, Board policy, administrative regulations and state guidance.[11][19]

PSBA Revision 7/23 @ 2023 PSBA

Legal

1. 22 PA Code 11.18
2. 24 P.S. 1305
3. 24 P.S. 1306
4. 24 P.S. 1331.1
5. 20 U.S.C. 6311
6. 20 U.S.C. 6312
7. 42 U.S.C. 11431 et seq
8. 42 U.S.C. 675
9. pol. 221
10. pol. 810
11. pol. 113
12. pol. 115
13. pol. 121
14. pol. 122
15. pol. 123
16. pol. 114
17. pol. 231
18. pol. 124
19. pol. 217
20. pol. 223
21. pol. 808
22. pol. 110
23. 23 pa. C.S.A. 6301 et seq
24. 42 Pa. C.S.A. 6301 et seq
25. 45 CFR 1355.20
26. 42 U.S.C. 11434a

27. 42 U.S.C. 11432

28. pol. 103.1

29. pol. 113.4

30. pol. 216

31. pol. 200

32. pol. 201

33. pol, 203

34, pol, 204

35. pol. 209

36. pol. 206

37. pol. 906

38. pol. 202

39. 20 U.S.C. 1232g

40. Pol. 146

41. Poi. 918

42. Poi. 138

43. 24 P.S. 121 20 U.S.C, 6301 et seq 22 PA Code 403.1 34 CFR Part 99

67 Fed. Reg. 10698

PA Education for Homeless Children and Youth State Plan

Basic Education Circular, August 1 / 2022: Act 1 of 2022 - Assisting Students Experiencing Education Instability_

Ensuring Educational Stability for Foster Care Youth - Transportation Plan Guide