

CHILDREN AND YOUTH IN TRANSITION (HOMELESS) CHILDREN

It is the policy of the Sweetwater County School District Number One that every child will have equal access to a free and appropriate public education (FAPE). Children who are youth in transition have the same rights to FAPE as do the other children, and the District is committed to assuring that those rights are fully protected and honored.

It is the policy of the District to view children as individuals. Therefore, this policy will not refer to children as youth in transition; it will instead use the term children and youth in transition. Under federal law, children and youth in transition must have access to appropriate public education, including preschool, and be given a full opportunity to meet state and local academic achievement standards. They must be included in state- and district-wide assessments and accountability systems. District schools will ensure that children and youth in transition are free from discrimination, segregation, and harassment.

Information regarding this policy will be distributed to all students and families upon enrollment in the school calendar/enrollment guide/handbook and posted in every District school, as well as other places where children, youth, and families in transition receive services (i.e. family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments, health departments, or other social service agencies and in comprehensible formats (i.e. in Spanish).

If a school has any student who meets the following definition of children and youth in transition, please complete the attached referral sheet and send it to the Human Resources Office.

The Human Resources Office will respond to the referring school/agency to assist in developing an action plan to provide the student with a free and appropriate public education.

CHILDREN AND YOUTH IN TRANSITION is defined as children and youth who lack a fixed, regular and adequate nighttime residence. The term includes:

- children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting;
- children and youth 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;
- migratory children and youth who are living in a situation described above.

The terms “children and youth in transition” or “transition individual” do not include any individual imprisoned or otherwise detained.

In determining whether a child or youth is in transition, the relative permanence of the living arrangements should be considered. Determinations will be made on a case-by-case basis.

A child or youth will be considered to be in transition for the duration of homelessness and for the remainder of the academic year in which the student becomes permanently housed.

Unaccompanied youth means a youth not in the physical custody of a parent or guardian, who is in transition as defined above. The general term youth also includes unaccompanied youth.

Enroll and enrollment mean attending school and participating fully in all school activities.

Parent / legal guardian means a person having legal or physical custody of a child or youth.

School of origin means the school the child or youth attended when permanently housed, the school in which the child was last enrolled, or shall include the designated receiving school at the next grade level for all feeder schools.

School Selection and assignment of school:

The District shall, according to the student's best interests, continue the student's education in the school of origin for the duration of the homelessness, and for the remainder of an academic year in which the student becomes permanently housed, (42 U.S.C 11432 (g) (3) (A) (i) (II)) or enroll the student in a District school that non youth in transition students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of the student, the District shall:

1. Presume that keeping the student in his/her school of origin is in the best interest, unless doing so is contrary to the request of the student's parent or guardian;
2. Provide a written explanation, including a statement regarding the right to appeal, if the District sends a youth in transition student to a school other than the school of origin or a school requested by the parent or guardian;
3. Ensure that the District's liaison helps with placement or enrollment decisions for an unaccompanied student and gives priority to the views of the student (42 U.S.C. 11432(g) (3) (B) (iv)), and provides a notice of the right to appeal, on placement and enrollment decisions.

The District shall not segregate youth in transition students from non youth in transition students.

Best interest will be a child-centered determination, based on the needs and interests of the particular student and the parent or youth's wishes. Potential best interest considerations include:

- The impact of mobility on achievement, education, health, and safety of youth in transition children and youth (42 U.S.C. 11432 (g) (3) (B) (ii));
- The age of the child or youth;
- The distance of a commute and the impact it may have on the student's education;
- Personal safety issues;
- A student's need for special instruction;
- The length of anticipated stay in a temporary shelter or temporary location;
- The time remaining in the school year.

Services that are required to be provided, including transportation to and from the school of origin and

services under federal and other programs, will not be considered in determining best interest.

The student may continue attending the school of origin for the duration of the homelessness and/or until the end of the academic year in which the student moves into permanent housing.

Children and Youth in Transitional or Emergency Shelters

If children or youth are placed in a transitional or emergency shelter they will be considered a child and youth in transition.

Children and Youth Living in Trailer Parks and Camping Grounds

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

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 a child and youth in transition 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 a child and youth in transition.

Foster Children and Youth

In general, children and youth in foster homes will not be considered a child and youth in transition. 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.

Incarcerated Children and Youth

Children and youth that are incarcerated for violation or alleged violation of a law will not be considered a child and youth in transition even if prior to their incarceration they would have been considered a child and youth in transition because they are living in inadequate accommodations. Children and youth that are under care of the state and are being held in an institution because they have no other place to live will be considered a child and youth in transition. Once these children are placed in more permanent facilities, they will no longer be considered a child and youth in transition.

Migratory Children and Youth

Migratory children will not be considered a child and youth in transition 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 a child and youth in transition.

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 a child and youth in transition, even if their parents have provided and are willing to provide a home for them.

School-Age, Unwed Mothers

In general, if school-age, unwed mothers or expectant mothers are living in homes for unwed mothers, and they have no other available living accommodations, they will be considered a child and youth in transition. 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 a child and youth in transition.

Sick or Abandoned Children and Youth

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

Services

Children and youth in transition will be provided services comparable to services offered to other students in the selected school, including:

- **Transportation:** The District shall provide or arrange transportation for a youth in transition student to and from the school of origin when the student is residing within the District and the parent/guardian or unaccompanied student request that such transportation be provided. Transportation will be provided for the entire time the child or youth has a right to attend that school, including transportation to and from the school or origin for the unaccompanied youth. The length of the commute will be considered only in determining whether the placement in the school of origin is in the student's best interest. Parents and unaccompanied youth must be informed of their right to transportation before they select a school for attendance.

If the youth in transition student moves to an area served by another school district, though continuing his/her education at the school of origin, the district of origin and the district in which the student is living must agree upon a method to apportion responsibility and costs for transportation to and from the school of origin. If the school districts cannot agree upon such a method, the responsibility must be shared equally;

- **Title I, Part A:** youth in transition children are automatically eligible for Title I, Part A services, regardless of what school they attend. The District will reserve such funds as are necessary to provide services comparable to those provided to Title I students to youth in transition children attending non-participating schools. The District's Title I plan will be coordinated through collaboration between the Title I Director, District Liaison, and the Principal.

Services: Each youth in transition student shall be provided with services comparable to services offered to other students, including the following:

- youth in transition children shall have access to public preschool programs, administered by the state or school district as provided to other children in the District.
- youth in transition youth and youth separated from public schools must be identified and accorded equal access to appropriate secondary education and support services, including identifying and removing barriers that prevent youth described in this clause from receiving appropriate credit for full or partial course work satisfactorily completed while attending a prior school, in accordance with state, local, and school policies.
- youth in transition children and youth who meet the relevant eligibility criteria shall not face barriers to access academic and extra-curricular activities, including magnet school, summer school, career

and technical education, advanced placement, online learning, and charter school programs if such programs are available through the school district.

Youth in transition students must be given all educational services for which they are eligible including, but not limited to: Title I; special education; programs for English learners; career and technical education; talented and gifted programs; and school nutrition programs.

- To ensure continued enrollment in school and access to services, youth in transition students enrolled in the District shall have access to adequate and appropriate school supplies and waiver of school fees consistent with the District's fee waiver policy as well as tutoring services deemed necessary and consistent with school policy.
- The district shall ensure that youth in transition students receive assistance from counselors to advise such youths and prepare and prove the readiness of such youths for college, including instruction concerning the State's Hathaway Scholarship program and post-secondary preparation.

Educational services for which the student meets eligibility criteria, including special education and related services and programs for English language learners;

- Vocational and technical education programs;
- Gifted and talented programs; and
- Before- and after-school programs.

Disputes

A dispute resolution process is in place and the child or youth in transition and parent/legal guardian is informed of the right to appeal disputed decisions made by the District. Copies of this written notice are provided to parents/legal guardians prior to a dispute. 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 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 I, Part A, services while the dispute is pending. The Human Resources Office 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 or unaccompanied youth may appeal the District's decision as provided in the Wyoming's dispute resolution process.

Legal References: McKinney – Vento Homeless Education Assistance Act

Cross-reference: Policy JC – School Attendance Areas

Policy JC – R School Attendance Area

