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Harrison County School District



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Section: J Students

Policy Code: JQN Education for Homeless Children and Youth

Policy:

EDUCATION FOR HOMELESS CHILDREN AND YOUTH

Homeless students in the district will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held. A liaison for students in homeless situations will be designated by the district to carry out duties as required by law.

The district will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A homeless student will be admitted to the district school in the attendance area in which the student is actually living or to the student's school of origin as requested by the parent and in accordance with the student's best interest. Transportation will be provided to and from the student's school of origin at the request of the parent, or in the case of an unaccompanied student, the district's liaison for homeless students. If this is not feasible and the child must attend a school other than the school of origin, the district will coordinate with the other LEA to determine the best interest of the student. Parents will receive written explanation of the decision and notification of their right to appeal.

The superintendent or designee will produce written guidelines for distribution to each school that explains the rights of homeless students and the responsibilities of the schools to meet their needs and eliminate barriers to school attendance. This information shall also be disseminated in writing and by other means designed to raise awareness of these rights and responsibilities to staff, homeless families and students, the public, and homeless service providers.

FOSTER CARE

The Harrison County School District will adhere to the Every Student Succeeds Act to help ensure educational stability for children in foster care. The district will ensure that children in foster care remain in their schools of origin unless it is determined to be in the student's best interest to change schools. Should a school transfer become necessary, the district will coordinate with the receiving school to ensure enrollment without delay.

DEFINITIONS

For the purposes of this policy, children are deemed to be homeless under the following conditions:

1. A child who is lacking a fixed regular and adequate nighttime residence and who has a primary nighttime residence that is a publicly or privately operated shelter designed to provide temporary living accommodations, a temporary residence prior to being placed in an institution, or a place not designed or ordinarily used as a regular sleeping accommodation for human beings.
2. A child who is living in a transitional or emergency shelter.
3. A child who is temporarily living in a trailer park or camping area due to lack of adequate living accommodations.
4. A child who is living in doubled-up accommodations due to loss of housing or other similar situation.
5. A migratory child who is staying in accommodations not fit for human habitation.
6. A child who has run away from home and lives in a runaway shelter, abandoned building, the street, or other inadequate accommodations.
7. A child who is placed in a state institution because s/he has no other place to live.

8. A child who has been abandoned by his/her family and is staying in a hospital.
9. A child whose parents or guardian will not permit him/her to live at home and who lives on the street, or other inadequate accommodations.
10. School-age unwed mothers or expectant mothers who are living in homes for unwed mothers because they have no other available living accommodations.

SERVICES TO BE PROVIDED

Pursuant to and in compliance with the requirements of the Stewart B. McKinney Homeless Assistance Act of 1990, 42USC11431, it shall be the policy of this school district, to the extent practicable under requirements relating to education established by state law, that each eligible child of a homeless individual and each eligible homeless youth will have access to a free appropriate education comparable to the education provided the children of district residents who are non-homeless, without isolation or stigma.

2. The placement of an eligible homeless child or youth will be made according to Policy JBCCA Assignment of Pupils, and will take into consideration the best interests of the homeless child or youth and placement requests made by a parent.
3. The choice of placement in either the "school of origin" or the school serving the "place of abode" will take place regardless of whether the child or youth is living with the homeless parent(s) or has been temporarily placed elsewhere by the parent(s).
4. Provided the homeless child or youth meets eligibility criteria, he/she will be provided transportation services; compensatory education programs for the disadvantaged; educational programs for the handicapped and for students with limited English proficiency; programs in vocational education; programs for the gifted and talented; and school meals programs.
5. Any and all records ordinarily kept by this school district, including immunization records, academic records, birth certificates, guardianship records, evaluations for special services and programs shall be kept on homeless children and youth and shall be forwarded in a timely fashion should a child or youth enter a new school or school district; and in a manner consistent with S1232g of Title 20.
6. Should this school district receive assistance under S11432 of the Act, it shall coordinate with local social service agencies and other agencies or programs providing services to such children or youth and their families.
7. Should this school district receive assistance under S11432 of the Act, it shall designate a homelessness liaison to insure that homeless children and youth enroll in and succeed in the schools of their district; and, homeless families, children and youth receive educational services for which they are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services.
8. The homelessness liaison shall inform school personnel, service providers and advocates working with homeless families of the duties of the liaison.
9. This school district has and will continue to review and revise, to the extent practicable under the requirements relating to education established by state law, any policies that may act as barriers to the enrollment of homeless children and youth in schools selected in accordance with paragraphs 2, 3 and 4 above.
10. In reviewing and revising such policies, to the extent practicable under the requirements relating to education established by state law, consideration shall be given to issues concerning transportation, requirements of immunization, residency, birth certificates, school records, or other documentation and guardianship.
11. Disputes which may arise regarding the assignment of a homeless child or youth will be promptly resolved according to the provisions of Policy JBCCA Assignment of Pupils. Other issues or disputes will be directed to the attention of the school official responsible for that particular matter for prompt resolution. If this dispute cannot be resolved locally, any aggrieved party may make written request for a review of the matter to:

Coordinator of the Homeless Program
Mississippi Department of Education
P. O. Box 771
Jackson, MS 39205

LEGAL REF.: McKinney-Vento Homeless Education Assistance Improvements Act of 2001

CROSS REF.: Policies JAA Equal Educational Opportunities
JBCCA Assignment of Pupils
IB Instructional Goals

Last Review Date: **May 6, 2019**

Review History: [05/15/17][06/05/17][06/19/17][06/26/17][04/16/18][04/30/18][04/15/19][05/06/19]

Exhibits:

Regulations:

References:

37-15-1 - Maintenance of permanent records and cumulative folders for pupils; requirement of certified birth certificate or other evidence of age.
37-7-301 - General powers and duties.
41-23-37 - Immunization practices for control of vaccine preventable diseases; attendance by unvaccinated children.

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Section: J Students

Policy Code: JBC School Admission

Policy:

SCHOOL ADMISSION

The term "minor" when used in any statute, shall include any person, male or female, under twenty-one years of age. MS Code ' 1-3-27

ENROLLMENT AGE

Except as provided in subsection (2) and subject to the provisions of subsection (3) of MS Code ' 37-15-9, no child shall be enrolled or admitted to any kindergarten which is a part of the free public school system during any school year unless such child will reach his fifth birthday on or before September 1 of said school year, and no child shall be enrolled or admitted to the first grade in any school which is a part of the free public school system during any school year unless such child will reach his sixth birthday on or before September 1 of said school year. No pupil shall be permanently enrolled in a school in the State of Mississippi who formerly was enrolled in another public or private school within the state until the cumulative record of the pupil shall have been received from the school from which he transferred. Should such record have become lost or destroyed, then it shall be the duty of the superintendent or principal of the school where the pupil last attended school to initiate a new record. ' 37-15-9 (1)

EVIDENCE OF AGE

It shall be the responsibility of the person in charge of each school to enforce the requirement for evidence of the age of each pupil before enrollment. If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted:

- a. A certified birth certificate;
- b. A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn to by a parent, grandparent or custodian;
- c. An insurance policy on the child's life which has been in force for at least two (2) years;
- d. A bona fide contemporary Bible record of the child's birth accompanied by an affidavit sworn to by the parent, grandparent or custodian;
- e. A passport or certificate of arrival in the United States showing the age of the child;
- f. A transcript of record of age shown in the child's school record of at least four (4) years prior to application, stating date of birth; or
- g. If none of these evidences can be produced, an affidavit of age sworn to by a parent, grandparent or custodian. Any child enrolling in Kindergarten or Grade 1 shall present the required evidence of age upon enrollment. Any child in Grades 2 through 12 not in compliance at the end of sixty (60) days from enrollment shall be suspended until in compliance. ' 37-15-1 (2002)

PARENT, LEGAL GUARDIAN OR LEGAL CUSTODIAN

Whenever any minor child seeks or applies to enroll or gain entrance to any public school in this state, and the child is not accompanied by an adult or is accompanied by an adult who is not the child's parent, guardian, if a legal guardian has been appointed for the child, or legal custodian, the school official or officials or teacher to whom the child applies or reports for enrollment or admission may delay consideration of the enrollment or enlistment of the minor child and require the child's parent, legal guardian or legal custodian to accompany the child and apply for enrollment and admission into the school for and on behalf of the minor child. ' 37-15-11 (2002)

GENERAL ELIGIBILITY

1. This school district shall admit into its free public schools all minor-age children (MS Code ' 1-3-27) and all compulsory school age children as defined by in MS Code ' 37-13-91 (2) (f).
2. Each minor child shall attend school in the school district of his/her residence unless legally transferred to another school district by the school board pursuant to MS Code ' 37-15-29.

3. Except for those students who have been legally transferred, each minor child seeking to enroll in this school district shall be a school district resident. All students shall register at the school they are assigned to attend. ' 37-15-29; ' 37-15-13
4. Any new student enrolling in this school district or any continuing student whose residence has changed shall be accompanied to enrollment by a parent, guardian, adult custodian or adult agent of a social service agency of the district who shall register the minor child for admission, except students who have been legally transferred. The accompanying adult shall be required to verify his/her residence as herein provided as part of the registration process. ' 37-15-11
5. The person in charge of each school shall require any child enrolling in kindergarten or grade 1 to present a certified birth certificate and valid immunization certificate upon enrollment. No child will be allowed to enroll in or attend any school without a certified birth certificate or valid immunization certificate. ' 37-15-1
6. Subject to the provisions of MS Code 37-15-9, subsection (3), [see item 7 below] any child who transfers from an out-of-state public or private school in which that state's law provides for a first grade or kindergarten enrollment date subsequent to September 1, shall be allowed to enroll in this school district at the same grade level as their prior out-of-state enrollment, if:
 - a. The parent, legal guardian or custodian of such child was a legal resident of the state from which the child is transferring;
 - b. The out-of-state school from which the child is transferring is duly accredited by that state's appropriate accrediting authority;
 - c. Such child was legally enrolled in a public or private school for a minimum of four (4) weeks in the previous state; and
 - d. The superintendent of schools of this school district has determined that the child was making satisfactory educational progress in the previous state. ' 37-15-9
7. When any child applies for admission or enrollment in any public school in the state, the parent, guardian or child, in the absence of an accompanying parent or guardian, shall indicate on the school registration form if the enrolling child has been expelled from any public or private school or is currently a party to an expulsion proceeding. If it is determined from the child's cumulative record or application for admission or enrollment that the child has been expelled, the school district may deny the student admission and enrollment until the superintendent of the school or his designee has reviewed the child's cumulative record and determined that the child has participated in successful rehabilitative efforts including, but not limited to, progress in an alternative school or similar program. If the child is a party to an expulsion proceeding, the child may be admitted to a public school pending final disposition of the expulsion proceeding. If the expulsion proceeding results in the expulsion of the child, the public school may revoke such admission to school. If the child was expelled or is a party to an expulsion proceeding for an act involving violence, weapons, alcohol, illegal drugs or other activity that may result in expulsion, the school district shall not be required to grant admission or enrollment to the child before one (1) calendar year after the date of the expulsion. ' 37-15-9 (3)
8. No child in grades 2 through 12 shall be allowed to enroll in or attend any school without a valid immunization certificate. ' 37-15-1
Valid certificates include:
 - a. Form 121 -- Certificate of Compliance
 - b. Form 121-A -- Medical Exemption Certificate
 - c. Form 121-T -- Temporary Compliance Certificate

The Temporary Compliance Certificate, Form 121-T, is not valid after the date shown. After that date, the principal shall deny school attendance by such child unless or until the principal is furnished another Temporary Compliance Certificate, Form 121 T, or a Certificate of Compliance, Form 121, or a Medical Exemption Certificate, Form 121-A.

RESIDENCE VERIFICATION PROCEDURE

Definition of residence for school attendance purposes: The student physically resides full time week days/nights and weekends, at a place of abode located within the limits of this school district.

Residency may be determined in the following manner:

1. STUDENTS LIVING WITH PARENT(S) OR GUARDIAN(S) The parent(s) or legal guardian(s) of a student seeking to enroll must provide this school district with at least two of the items numbered 1 through 10 below as verification of their address, except that a document with a post office box as an address will not be accepted.
 - a. Filed Homestead Exemption Application form
 - b. Mortgage documents or property deed
 - c. Apartment or home lease
 - d. Utility bills
 - e. Driver's license
 - f. Voter precinct identification
 - g. Automobile registration
 - h. Affidavit and/or personal visit by a designated school district official
 - i. Any other documentation that will objectively and unequivocally establish that the parent or guardian resides within the school district
 - j. Certified copy of filed petition for guardianship if pending and final decree when granted

2. HOMELESS CHILDREN - When a child is determined to be homeless as defined by the Stewart B. McKinney Act 42 USC Section 11431 (1), 11432 (e) and 11302 (a), this school district shall consider and take enrollment action that is in the best interest of the child pursuant to 42 USC 11432 (e) (3).

3. STUDENTS LIVING WITH ADULTS OTHER THAN PARENTS OR LEGAL GUARDIANS:

- a. The non-parent(s) claiming district residency must meet the criteria of subparagraph (a) (1) through (10) above, required of a parent or legal guardian.
- b. The district resident must provide the school with an affidavit (*see last page of this policy*) stating his or her relationship to the student, and that the student will be living at his/her abode full time, and provide documentation fully explaining the reason(s) (other than school attendance zone or district preference) for this arrangement. The superintendent or his/her designee will make the necessary factual determinations as required under this policy. Examples of situations where "in loco parentis" authority of an adult will be recognized to establish residency of the minor include but are not limited to the following:
 - Death or serious illness of the child's parent(s) or guardian(s);
 - Abandonment of the child;
 - Child abuse or neglect;
 - Unstable family relationships or undesirable conditions in the home of the child's parents or guardians having a detrimental effect on the child;
 - Students enrolled in recognized exchange programs residing with host families.
- c. Whenever appropriate the person who has assumed responsibility for the care and custody of the child shall be encouraged to obtain legal guardianship of the child.

4. STUDENTS OF MILITARY FAMILIES

- a. A pupil complies with the residency requirements for school attendance in a school district if the parent of the pupil is transferred to, or is pending transfer to, a military installation with this state while on active military duty pursuant to an official military order. A school district shall accept an application for enrollment and course registration by electronic means for a pupil who meets these requirements, including enrollment in a specific school or program within the school district.
- b. The parent of a pupil who meets these requirements shall provide proof of residence to the school district within ten (10) days after the published date provided on official documentation.
- c. The parent may use the address of any of the following as proof of residence.
 - <!--[if !supportLists]-->• <!--[endif]-->A temporary on-base billeting facility.
 - <!--[if !supportLists]-->• <!--[endif]-->A purchased or leased home or apartment.
 - <!--[if !supportLists]-->• <!--[endif]-->Any federal government housing or off-base military housing, including off-base military housing that may be provided through a public-private venture.

The school district may require additional documentation and verification at any time.

At the minimum, this school district shall maintain in a file a written instrument identifying the types of documents used to verify each student's residency and copies of any relevant guardianship petition or decree.

The provisions of this policy do not apply to students who reside outside the school district, but who have legally transferred into the school district.

Any court ordered procedure shall take precedent over any procedure contained herein.

5. ENGLISH LEARNERS

Language minority children are entitled to attend school, regardless of their ability to produce a birth certificate, social security number, immigration or residency documents. Aid will be given to students in the form of a translator, if needed.

TRANSFER STUDENTS

(See also Policy JBCD C Transfers and Withdrawals of Students)

1. No student is to be enrolled in this school district until any and all questions regarding residence or immunizations have been resolved.
2. Students suspended or expelled from another school or school district may not be allowed to enroll. ' 37-15-9 (3)
3. No pupil shall be permanently enrolled in a school in this school district who formerly was enrolled in another school within the state or outside the state until the cumulative record of said pupil shall have been received from the school from which he transferred. Should such record have become lost or destroyed, then it shall be the duty of the superintendent or principal of the school where the pupil last attended school to initiate a new record. ' 37-15-9 (1)

4. Unless a transfer student is tested in the manner provided in paragraph 5 below, the student will be permanently enrolled and placed in a grade or class on the basis of an official transcript of credits from the last school attended. ' 37-15-33
5. All students seeking to transfer from any school, public, private or home school, within or outside of the boundaries of the State of Mississippi, to this school district shall be required to take a standardized test to determine the grade and class to which the pupil shall be assigned at the time of pupil transfer.

The administrative head of the school shall administer the test or tests to such pupil or pupils as shall apply for transfer to such public school. Such test or tests shall be administered within thirty days after the filing of each such application for transfer. Notice of the giving of such test shall be given the applicant not less than five days prior to the date of the administration of such test.

No transfer of a pupil shall be affected until the test has been given and the pupil is assigned to the grade and class for which the test shows he is best suited. No pupil shall be assigned to a grade and class more than three (3) grades above or below the grade or class that the pupil would have been assigned to had the pupil remained in the school from which the transfer is being made. Pending the administration of the test herein provided for and its grading and an assignment based thereon the superintendent of this school district or the attendance center principal to which the pupil seeks admission may assign the pupil temporarily to a grade and class comparable to that in which the pupil would have been had the pupil continued in the school from which the transfer was being made.

If any student is transferred or reassigned within this school district by an order of the board of trustees of this school district as designated by law of the State of Mississippi and not at his own request, the requirement of that pupil's taking the standardized test shall be waived. Likewise, if a pupil shall transfer from one school district to another school district in the manner provided and required by the laws of the State of Mississippi, the requirement of such pupil taking the standardized test shall be waived. ' 37-15-33

6. Any legal guardianship formed for the purpose of establishing residency for school district attendance purposes shall not be recognized by this school board. ' 37-15-31 (1) (d)

The Mississippi Public School Accountability Process Standard for this policy is standard 7.

NOTE: See following page for sample Affidavit of Residency.

LEGAL REF.: MS CODE " 37-15-1; 37-15-3; 37-15-9; 37-15-11;
37-15-13; 37-15-29; 37-15-31; 37-13-33; and 41-23-37; 42
United States Code Sections 11431 - 11434 State Board of Education:
Residency Verification Process

CROSS REF.: Policy JQN Education for Homeless Children and Youth

Last Review Date: **June 24, 2019**

Review History:[03/07/16][06/06/16][01/23/17][02/06/17][04/16/18][04/30/18][04/15/19][05/06/19][06/17/19][06/24/19]

Exhibits:

Regulations:

References:

- 37-15-1 - Maintenance of permanent records and cumulative folders for pupils; requirement of certified birth certificate or other evidence of age.
- 37-15-11 - Requirement that parent, legal guardian, or legal custodian accompany child applying for enrollment.
- 37-15-13 - Assignment of child enrolling in public schools to particular school or attendance center generally
- 37-15-29 - Minor child to attend school in district of residence; exceptions.
- 37-15-3 - Storage of cumulative folders; access to records; disposition of records upon transfer of student between schools; destruction of records.
- 37-15-31 - Transfer of students between school districts generally.
- 37-15-33 - Testing of transfer students; assignment of students.
- 37-15-9 - Requirements for enrollment of children in public schools.
- 41-23-37 - Immunization practices for control of vaccine preventable diseases; attendance by unvaccinated children.

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