



ADMINISTRATIVE PROCEDURE

HOMELESS CHILDREN AND YOUTH – SCHOOL ACCESS AND SERVICES

5010

Procedure No.

June 1, 2002

Date

- I. **PURPOSE:** To provide guidelines and procedures which assure that homeless children and youth have as barrier-free access as possible to an appropriate public education and services.
- II. **POLICY:** Relevant federal law: Stewart B. McKinney Homeless Assistance Act: Title VII B of Public Law 100-77 and Maryland State Department of Education (MSDE): COMAR 13A.05.09.
- III. **DEFINITIONS:** A “homeless” student means a child or youth who is eligible to attend Prince George’s County Public Schools, and who lacks a fixed, regular, or adequate nighttime place of abode; or has a primary nighttime place of abode that is a (a) supervised public or private shelter designed to provide temporary living accommodations, or (b) public or private place not designated for or ordinarily used as a regular sleeping accommodation for individuals. The question of whether a student is homeless should be made on a case-by-case basis and the relative permanence of the living arrangement should be considered. The following are examples of homeless students:
 - A. A student who lacks a fixed, regular or adequate nighttime place of abode should be considered homeless.
 - B. A student who resides in a supervised public or private shelter designed to provide temporary living accommodations should be considered homeless. If a student is placed in a transitional or emergency shelter because there is nowhere else to send him or her, and he or she is awaiting placement in a foster home or a home for neglected children, the student should be considered homeless while in the emergency or transitional shelter. Once placed in a foster home or a home for neglected children or youth, the student should no longer be considered homeless.
 - C. A student who resides in an institution that provides a temporary residence for individuals intended to be institutionalized should be considered homeless.
 - D. A student who lives on the street, in welfare hotels, transitional housing shelters, cars, abandoned buildings, and other inadequate accommodations should be considered homeless.
 - E. A student who is staying temporarily in a trailer park or camping area because he or she lacks adequate living accommodations should be considered homeless. Students living in trailer parks or camping areas on a



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long-term basis in adequate accommodations should not be considered homeless.

- F. Students who are living in “doubled-up” accommodations may be considered homeless. “Doubled-up” accommodations occur when a student (with or without the rest of the family) is sharing housing with other families or individuals, and the student should be considered homeless if they are doubled-up because of a loss of housing or other similar situation (e.g., through eviction, natural disaster, etc.). Families who are living in doubled-up accommodations voluntarily to save money generally should not be considered homeless.
- G. So-called “throwaway” children or youth (i.e., those whose parents or guardians will not permit them to live at home) are considered homeless if they live on the streets, in shelters, or in other transitional or inadequate accommodations.
- H. Foster children and youth living in foster homes are NOT considered homeless, unless they were placed in foster homes due to lack of shelter space.
- I. Abandoned children living with friends or relatives whose parents or legal, court appointed guardians cannot be located or have no fixed address should be considered homeless. There are instances where students remain in a hospital beyond the time that they would normally stay for health reasons because their families have abandoned them. These students should be considered homeless because they have no other place to live. Students who were homeless prior to hospitalization should be considered homeless while they are in the hospital, unless regular and adequate living accommodations will be made available to them upon release from the hospital.
- J. Children under 18 years of age living on their own (financially independent of parents or legal, court appointed guardians) at a residence other than that of their parents or legal, court appointed guardians by necessity, not by choice of the student or parents or legal, court appointed guardians, should be considered homeless. A student over 18 with no available parent/guardian may establish homelessness, if the student meets the criteria established in this procedure.
- K. Students who are incarcerated for violation or alleged violation of a law should not be considered homeless even if prior to their incarceration they would have been considered homeless because they were living in



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inadequate accommodations. Students who are under the care of the State and are being held in an institution because they have no other place to live should be considered homeless. Once these students are placed in more permanent facilities, they are no longer considered homeless.

- L. Children of incarcerated parent(s)/guardian(s) or of parent(s)/guardian(s) residing in residential treatment rehabilitation programs should be considered homeless, if the student has no fixed, regular, or adequate night time place of abode.
- M. Migratory students should not be considered homeless simply because they are students of migratory families. To the extent that migratory students are staying in accommodations not fit for habitation, they should be considered homeless.
- N. Students who have run away from home and live in runaway shelters, abandoned buildings, the streets, or other inadequate accommodations are considered homeless, even if their parents have provided and are willing to provide a home for them.
- O. Students who are unwed mothers or expectant mothers should be considered homeless if they are living in homes for unwed mothers and they have no other available living accommodations. 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 should not be considered homeless.

IV. **INFORMATION:**

- A. The Stewart B. McKinney Homeless Assistance Act is designed to ensure that all homeless children and youth have equal access to the same free, appropriate public education, including preschool education, provided to other children and youth. The Act, as well as State regulations regarding programs for homeless children, provides that homeless children and youth have the right to free and appropriate public education; receive services comparable to those offered non-homeless children and youth, including transportation; remain in their school of origin or transfer to a school in their current attendance area; and be immediately enrolled in school despite the lack of a permanent address or the lack of school records. Federal and State laws further require local school systems to eliminate barriers to the enrollment, retention, and success in school of homeless students. Those barriers include transportation issues; enrollment delays caused by residency requirements; lack of available birth certificates, school records,



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immunization records, or other documentation; and lack of guardianship records. The school system is also required to provide homeless children and youth enrolled in Prince George's County Public Schools with transportation service comparable to the service provided to non-homeless children.

- B. It is critically important to safeguard the confidentiality of the status of homeless students. All records related to the homeless status of a student must be kept in a confidential manner, and the privacy of such student must be protected. Throughout this Administrative Procedure, when records are to be completed and maintained, they must be completed and maintained in a manner to ensure the confidentiality and privacy of the homeless student and his/her parent(s)/guardian(s); and when information is sought from the student and/or his/her parent(s)/guardian(s), it must be done in a manner to ensure confidentiality and privacy. All forms and documents relating to a student's homelessness must be maintained in the student's Limited Access Folder (LAF).
- C. There is a school system Homeless Education Coordinator (HEC), whose responsibilities are detailed more fully below. The HEC may be contacted by school staff or by homeless students and their parent(s)/guardian(s), either through the local telephone number or through the specially established toll-free telephone number, which will be answered during regular business hours by a staff person who has been trained and is knowledgeable about the school system's policies and procedures regarding the education of homeless students. Both telephone numbers appear on the school system developed flyer and the poster concerning the education of homeless students.
- D. Each school in the school system will have distributed to it a poster regarding the rights of Homeless Students, which must be displayed prominently in the school's front office, or in a location where parents are likely to view it.
- V. **GENERAL PROCEDURES:** (General procedures and guidance applicable to all students who are homeless.)
- A. The school system will take all reasonable steps to identify and track all school-aged homeless children and youth residing in Prince George's County, including, but not limited to the following steps:
1. Inquire of every parent/guardian who withdraws a student from or enrolls a student in a school during the school year whether the



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change of school is related to a loss of permanent housing. The person at the school who enrolls and withdraws students must inquire, in a place and manner which ensures privacy and confidentiality, whether the enrollment or withdrawal is related to a loss of permanent housing, and if so, whether the student has not been attending school for any period of time. The responses to these questions must be recorded on the appropriate enrollment or withdrawal form, and for every student identified as homeless, the school staff must follow the additional procedures outlined in sections V.D. and VI.A.3 below. For every student identified as homeless, a copy of the enrollment or withdrawal form must be sent, via FAX, by the school to the HEC, who shall review each form and confirm such review by signing off on the form.

2. Keep a confidential record of every homeless student who self-identifies as homeless to school personnel.
3. Collaborate with all shelters located in Prince George's County, including domestic violence programs, with DSS, and with all agencies contracted with DSS, identified to the school system by DSS, to provide services to homeless persons, to identify homeless children and youth and to arrange that the identity of, and other relevant information concerning, every school-aged homeless child identified by all such entities is shared with the school system to the extent permitted by law. If the shelter requires a parental release form, in order to cooperate with the school system, the school will request, and assist, the parent/guardian to complete and sign the Parental Permission to Request Information Form (PS-16).

B. The Homeless Education Coordinator (HEC) shall have the primary responsibility for the mandated identification, tracking, and reporting of the school system's category of homeless students to the Maryland State Department of Education. Each local school is primarily responsible for reducing local school barriers for homeless children who seek to enter school, receive an appropriate public education and services, or withdraw from school.

1. The HEC shall have the following responsibilities:
 - a. Ensure that the McKinney Act, MSDE regulations, Board policies concerning the education of homeless children and youth and the terms of the settlement agreement reached in the Homeless Children class action litigation are followed by school staff.



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- b. Maintain a list of each school's contact person for homeless education issues.
- c. Maintain complete and confidential information concerning homeless children and youth in Prince George's County, and report such information to MSDE in a timely manner.
- d. Maintain a complete and accurate record of the identity of all persons or entities to whom homeless flyers or brochures and posters are sent, when they were sent, and the number of flyers distributed to each entity; and a complete and accurate record of the identity of all persons or entities to whom copies of Appeals forms, and Homeless Student Services forms are sent, when they were sent, and the number of forms so distributed.
- e. Coordinate and plan twice yearly visits by trained and knowledgeable school staff to each homeless shelter in Prince George's County which serves homeless children and youth, including domestic violence programs to offer training to all shelter staff on the school system's obligations and the rights of students under the McKinney Act, MSDE regulations, Board policy, and the settlement agreement reached in the Homeless Children class action litigation; the role of shelter staff in collaborating with the school system to fulfill its obligations; and the proper use and disposition of all school system forms regarding the education of homeless children and youth. The HEC shall maintain a complete and accurate record of each visit, including, but not limited to, the date of the visit, the person(s) who participated from the shelter, and any follow-up resulting from the visit.
- f. Coordinate and plan four-times yearly visits by trained and knowledgeable school staff to each homeless shelter in Prince George's County which serves homeless children and youth, including domestic violence programs to offer information and advice to all resident parents concerning the educational rights of homeless children and youth and the school system's obligations under the McKinney Act, MSDE regulations, Board policy, and the settlement agreement reached in the Homeless Children class action litigation; the services available to homeless children and youth through the school system; how to access those services; and the importance of telling someone at school if a student loses permanent housing. The HEC shall maintain a complete and accurate record of each visit, including, but



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- not limited to, the date of the visit, the shelter residents who participated, documentation concerning any newly identified homeless children and youth, and any follow-up resulting from the visit.
- g. Coordinate and plan twice yearly training sessions to DSS staff and to the staff of DSS-contracted agencies or entities identified to the school system by DSS, which serve homeless children and youth or their families. The school system will coordinate with DSS and its contracting agencies to ensure that all efforts are made to provide training to all staff who might have contact with homeless children and families. The training shall include, but not be limited to, the school system's obligations and the rights of students under the McKinney Act, MSDE regulations, Board policy, and the settlement agreement reached in the Homeless Children class action litigation; how DSS and DSS-contracted agencies and the school system will collaborate to identify and provide services to homeless children and youth; and the proper use and disposition of all school system forms regarding the education of homeless children and youth. The HEC shall maintain a complete and accurate record of each training, including, but not limited to, the date of the training, the persons who participated from DSS or DSS-contracted entities and their job titles, and any follow-up resulting from the training.
 - h. Participate actively and regularly in the Prince George's County Homeless Services Partnership, and maintain a complete and accurate record of all such participation including, but not limited to, the dates of all meetings attended and the substance of all activities carried out.
 - i. Establish and maintain a confidential central repository of files organized by student name. In each file shall be kept a copy of each school system document or form completed either by school personnel, by shelter staff, by the parent or by the student regarding each episode of homelessness experienced by the student; and any other written communication to or from the HEC related to an individual student's homelessness, or related to services requested by or provided to a homeless student.
 - j. Assist parent(s)/guardian(s), if requested, in obtaining fee waivers.
 - k. Notify the Compliance Monitor, in writing, of any identified instances of non-compliance with the McKinney Act,



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MSDE regulations, this Administrative Procedure, or the Consent Decree in the Homeless Students class action litigation.

2. The HEC, or his/her designee, shall, within three (3) school days of receipt, review all forms, confirm such review by signing off on the forms, take any and all action as required by the McKinney Act, MSDE regulations, Board policy and the settlement agreement reached in the Homeless Children class action litigation; keep a written record of all such action taken and the dates on which such action was taken, and file all forms in a single central repository organized by student name. In the case of requests regarding school enrollment, all necessary action shall be taken on the date of receipt in order to accomplish immediate enrollment. The HEC's signature on the forms shall be certification that the forms are properly completed and the action taken complies with the McKinney Act, MSDE regulations, Board policy and the settlement agreement reached in the Homeless Children class action litigation.
- C. Training and in-service activities shall be provided to all employees who have contact with students and/or parents regarding a student's education, and to all personnel who have responsibility for programs involving education of homeless students. Principals shall ensure that school-based staff receives appropriate training and in-service. The Deputy Superintendent shall ensure that non-school-based staff receive such training and in-service.
- D. There will be one specially trained staff person at each school designated as the contact person for homeless education issues at that school. Unless otherwise designated by the Principal of the school, that person shall be the person who has been designated as the "records secretary" of the school. The identity of the contact person shall be made known to all staff at the school, to every homeless student enrolled at the school, to the homeless students' parents/guardians, and to the HEC. The contact person should not be the only person in the school who interacts with homeless students and their parents/guardians; but the person should function as a resource for all school staff and the HEC, as well as for homeless students, and their parents/guardians, on matters regarding the provision of educational services to homeless students. The Principal and the contact person, along with the HEC, shall be responsible for ensuring that the McKinney Act, the Maryland State Department of Education regulations, this Administrative Procedure, and all other school system procedures and policies regarding homeless children and youth are followed by all school staff.



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- E. Each homeless child and youth in Prince George's County shall be enrolled in the school determined to be in the child or youth's best interest. The school system shall comply with the parent's choice of enrolling the student in the (1) school of origin for the remainder of the academic year or, if the student becomes homeless between academic years, for the following academic year; or (2) school in which non-homeless students who live in the attendance area in which the homeless student is living are eligible to attend. Transportation to and from the school of origin will be provided, if feasible, pursuant to the provisions contained in this Administrative Procedure, if that is the school chosen. A homeless student may remain in the school determined to be in his or her best interest for as long as the student remains homeless, and if the student becomes permanently housed, until the end of the academic year. Appropriate school personnel (e.g., principal or other administrator, counselor, teacher) may *assist* the parent in making the decision of which school would be in the child's best interest, but may not attempt to persuade or influence the parent to select the school based upon the school personnel's perception of what would be in the child's or the school system's best interest. Appropriate factors to be considered include the following:
1. the student's age,
 2. the school which the student's siblings attend,
 3. the student's experiences at the school of origin,
 4. the student's academic needs,
 5. the student's emotional needs,
 6. any other special needs of the family,
 7. continuity of instruction,
 8. length of stay in the shelter,
 9. the likely location of the family's future permanent housing,
 10. time remaining in the school year,
 11. distance of commute and other transportation-related factors, and
 12. the safety of the child.
- F. Transportation shall be provided to homeless children from their temporary residence in Prince George's County to their school of origin and back, if the school of origin is determined by their parents to be in their best interest, and if the distance is 35 road miles or less. The Transportation Department shall determine the manner and method by which the student will be transported, and shall select the mode that would be most appropriate for the individual student. In making a choice between alternatives, the Transportation Department shall consider travel time, convenience, safety, and cost, and the child's parent shall be consulted.



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The flexible transportation system to be utilized to transport homeless students shall incorporate the following:

1. availability of buses and personnel, including all types of school buses for all types of students (i.e., regular schools, magnet schools, pre-schools, vocational schools, special education, or special education schools),
2. opportunity for parent reimbursement, or ability to pre-pay mileage costs to parents/guardians who provide transportation,
3. ability to reroute buses,
4. availability and cost of alternative transportation modes, such as taxis, private bus contracts, or public transit, as permitted by law (e.g., to interface with and utilize public transportation and to pre-pay fares for use of public transportation),
5. the ability to transport students from their residences in the “north” County to schools of origin in the “south” County and from residences in the “south” County to schools of origin in the “north” County,
6. the ability to accommodate the need of a homeless student to arrive at school in time to participate in the school breakfast program.

In selecting the mode of transportation, the Department of Transportation will not require any student to ride more than two (2) buses (school buses or public transportation) each way to or from school; any elementary-school-aged child to ride public transportation unless accompanied by an adult whose fare is also paid by the school system; or any child under the age of 10 to ride in a taxi, unless accompanied by an adult whose return fare is also paid by the school system.

Transportation shall be provided to every homeless student who will be attending the local school serving the attendance area in which the student is temporarily living, if transportation is provided to permanently housed students attending the same local school who live an equivalent distance from the school. Transportation shall be provided by the same means as it is provided to other students in the same attendance area.

Transportation arrangements for homeless students must be made as quickly as possible, but in no event more than three (3) school days after receiving the request for transportation, regardless of whether the student is remaining at the school of origin, or is transferring to a new local school. All transportation arrangements will be made by the Department of Transportation, including, but not limited to, arrangements for placement on a public school system bus, transportation by a private company,



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obtaining and delivering passes or tokens for public transportation, or prepayment of funds for parents who are providing transportation by private vehicle. The Department of Transportation is also responsible for conveying information regarding transportation arrangements to the parent(s)/guardian(s). Such information shall be completed on the Transportation for Homeless Student Form (MISC-964A), and the form must be faxed to the school, for delivery to the parent(s)/guardian(s). In addition, the form must be faxed immediately to the homeless shelter, if the family is living in a shelter, and mailed to the parent(s)/guardian(s) at the temporary address provided. The Department of Transportation must also fax the form to the HEC, who shall be responsible for ensuring that the information has been communicated to the parent(s)/guardian(s) and who shall keep a record of the form. The school must provide to the parent(s)/guardian(s) a copy of the Transportation for Homeless Student Form (MISC-964A), Information for Transportation of Homeless Students Form (MISC-964B), and a blank Appeal Form (OA-100A/B). The Department of Transportation, when it sends the Final Transportation for Homeless Student Form, must also fax copies of the Information for Transportation of Homeless Students Form, and a blank Appeal Form to the homeless shelter, if the family is living in a shelter, and mail the forms to the parent(s)/guardian(s) at the temporary address provided.

If the distance between a student's temporary residence in Prince George's County, and the school of origin is greater than 35 miles, the Department of Transportation shall determine, on a case by case basis, whether transportation is feasible, based upon the following factors:

1. length of ride time,
 2. distance to be traveled,
 3. availability of buses and personnel,
 4. opportunity for parent reimbursement,
 5. availability to reroute buses, and
 6. availability and cost of alternative transportation modes, such as taxis or public transit, as permitted by law.
- G. No student, including a homeless student, is to be denied enrollment because the student does not have an SR-7 card (withdrawal/transfer card).
- H. **Though a homeless student may have no birth verification, immunization, or prior school records to present, such students must be registered** with responsible school personnel telephoning the school of just-prior attendance to obtain sufficient verbal information to accomplish enrollment, to permit immediate attendance, and to request the just-prior



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school to send the student's records upon receipt of the written request for records (PS-38).

1. If the just-prior school indicates that the student's records do not show any indication of appropriate immunization, the responsible school personnel of the receiving school must contact the local health department concerning the student's immunization status.
2. If there are no records of the homeless student's immunization status, the Supervisor of Health Services must be contacted immediately since an appointment must be made for the student with the local health department, with subsequent school follow-up to ensure that the student has been immunized or has had appropriate blood titers drawn.

I. **Homeless students receiving special education services or who have Section 504 eligibility have the right of immediate access to those services described in their Individualized Education Plan (IEP) or Accessibility Plan.** Schools and school systems shall immediately transfer student records to the receiving school without obtaining prior written parental consent for disclosure. Such services shall be implemented immediately, even if the school has not received the IEP or accessibility plan. A faxed copy or a phone call will be necessary to obtain critical information from the records to expedite the immediate appropriate educational placement of a student. The phone conversation should include the following:

1. Is the student disabled?
2. If so, what is the disability?
3. Does the student have a current IEP or Section 504 Accessibility Plan?
4. How many hours of special education is the student receiving and in what areas?
5. What is the environment in which the special education occurs?
6. What instructional modifications are required?
7. How many hours of related services per week does the student have in his/her program?
8. Are there any other factors concerning the student's educational program that are important to know?
9. What is the child's current immunization status?

J. School personnel should notify the Home School Visitor of any enrolled homeless students who might benefit from the Home School Visitor's services (food, clothing, transportation, etc.) Parents, guardians, and school



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personnel may refer cases to the appropriate school team as needed for other types of services.

VI. SPECIFIC PROCEDURES:

A. HOMELESS STUDENTS RESIDING IN PRINCE GEORGE'S COUNTY

1. A homeless student, as defined above, has the legal right to enroll in either: the school which serves the address of his/her temporary housing (the "local school"); or the school which the student attended, or was last enrolled in, before the student became homeless (the "school of origin.")
2. No student transfer approval or tuition waiver approval, verbal or written, is required to enroll the student in the local school or in the school of origin. However, if a homeless student and/or the parent(s)/guardian(s) currently resides outside of Prince George's County and the student wishes to attend a Prince George's County public school, the homeless student must be allowed to enroll in his/her school of origin or local school (if the student resides within the County), and the Office of Pupil Accounting and School Boundaries must be contacted pursuant to the provisions contained in Section B. below.
3. A homeless student has the right to be enrolled immediately despite the lack of a permanent address or the lack of school records. The local school or the school of origin must register the homeless student pursuant to the regular process of registering students, but with the following **additional** steps:
 - a. The parent/guardian, with appropriate assistance from school staff, if needed, should **fully** complete the Homeless Student Services Form (MISC-959A/B). After completion, school staff must fax the form to the Homeless Education Coordinator's Office and must also fax it to the Department of Transportation, if the student is attending the school of origin. (The form does not need to be sent to Transportation if the student is attending his/her local school.) Regular procedures should be followed if the student requires transportation to the local school.
 - b. School staff must **fully** complete the Tracking Form for Homeless Children and Youth (PS-1). Once completed, school staff must fax the form to the Homeless Education Coordinator.



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- c. School staff must inform each homeless student and his/her parent(s)/guardian(s), of the student's educational rights, both orally and in writing, at the time the student is identified as homeless. The parent(s)/guardian(s) of each homeless student shall be given copies of all completed forms, a blank Appeal Form (OA-100A/B) and a copy of the informational flyer, in a "Parent Pack."
 4. The procedures for the appointment of a surrogate parent should be followed if a homeless student eligible for special education does not have a parent or guardian.
- B. HOMELESS STUDENTS RESIDING OUTSIDE OF PRINCE GEORGE'S COUNTY
 1. If the information obtained from the student and/or the parent/guardian indicates that the homeless student or the parent/guardian reside outside of Prince George's County, the Department of Pupil Accounting and School Boundaries has additional responsibility for documentation and must be contacted.
 - a. School staff should have the responsible adult complete a Request for Waiver of Tuition Form (PA-29).
 - b. School staff should call the Department of Pupil Accounting and School Boundaries, while the responsible adult is present in the school.
 - c. The Department of Pupil Accounting and School Boundaries will grant the tuition waiver, if the information indicates that the student is homeless and that either the student or the parent/guardian resides outside of Prince George's County. The Department of Pupil Accounting and School Boundaries will convey that decision directly to the appropriate school staff member and the responsible adult. If the Department of Pupil Accounting and School Boundaries requires additional information or data, it will so advise the school.
 - d. The student will be immediately enrolled, and the Request for Waiver of Tuition Form (PA-29) must be forwarded immediately by pony or fax to the Department of Pupil Accounting and School Boundaries.
 - e. The school will contact the Department of Transportation if transportation is needed for the student. If the student resides outside of Prince George's County, the Department



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of Transportation will cooperate with the jurisdiction in which the student resides in order to determine whether transportation to the Prince George's County [public school is feasible.

- f. All documents and forms completed and sent to the Department of Pupil Accounting and School Boundaries must also be faxed by the school to the HEC for review and filing.

C. HOMELESS STUDENTS WHOSE GRADE PLACEMENTS ARE UNKNOWN

If the school cannot determine the appropriate grade placement and/or credits for a homeless student, upon enrollment, school personnel should promptly place the student in a classroom, based on the best information available, and should complete a Tentative School, Grade, or Subject Agreement for Placement of New or Homeless Students Form (PS-126) and/or the Request for Tests for Student Programs: Course Credit by Examination for Grades 9-12 (PGIN 7540-8037). The student's placement may be revised, if necessary, after appropriate testing has been completed. The school must send a copy of the completed forms to the HEC for review and filing.

D. WAIVER OF FEES

1. A homeless student may be entitled to a waiver of school related fees, if the student is unable to pay the fee. Such include, but are not limited to, fees for the following: books and materials, locker, field trip, lab, uniform and equipment, gym/physical education, class supplies, extra-curricular activities, graduation (cap and gown), school records and any other fees associated with school activities.
2. If the student and/or the parent(s)/guardian(s) wish to request a waiver of any such school fees, they should so indicate on the Homeless Student Services Form, at the time the student is registered, or at any later date, when the parent(s)/guardian(s) learns of the fee(s). A copy of the Fee Waiver Request must be given to the parent(s)/guardian(s) and a copy must be faxed by the school to the HEC, who shall review the form for compliance with school system policies and procedures, and shall file it in the central repository. The Principal must review the request, and should grant the request if the student cannot afford to pay the fee and if the



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waiver is necessary to ensure that the student is provided services comparable to services offered to other students in the school.

3. The parent(s)/guardian(s) must be advised of the Principal's decision, and if the request is denied, the Principal must complete the Notice of Denial of Services (Homeless Students) Form (MISC-960), and follow the directions on that form.
4. If the request to waive fees is granted, the student's records should clearly indicate that the fee(s) has/have been waived.

E. STUDENTS WHO ARE SUSPECTED NOT TO BE HOMELESS

1. All students who present themselves, as being homeless shall be immediately registered, enrolled, and allowed to attend school, pursuant to the provisions contained in these procedures. If it appears that the student is not, in fact, homeless, but is using that representation as a means of avoiding an assigned, in-county or out-of-county school or a desire to attend a particular school, the Principal shall cause an investigation to determine whether the student meets the eligibility criteria of these procedures. The student shall remain enrolled in school during the course of the investigation.
2. If the investigation determines that the student is not homeless, the Principal shall inform the parent(s)/guardian(s), in writing, that the investigation has determined that the student is not homeless and that the student shall be withdrawn from the school within seven (7) calendar days of the date of the notice. The Principal must complete a Notice of Denial of Services (Homeless Students) Form (MISC-960), which contains the Notice of Right to Appeal and send it to the parent(s)/guardian(s), along with a blank Appeal Form (Homeless Students) (OA-100A/B). The parent(s)/guardian(s) shall also be advised that they have the right to appeal the decision pursuant to Section VII of this Administrative Procedure.
3. If the parent(s)/guardian(s) file an appeal, the Principal's decision is stayed, and the student may remain enrolled in the school, and may continue to attend classes, until the appeal has been fully decided.
4. All forms and documents must be sent to the HEC for review and filing.

VII. APPEAL PROCEDURE:

- A. Whenever an oral or written request by a homeless student or his/her parent for any educational service (including, but not limited to, school enrollment, transportation, tutoring, waiver of school fees, transfer of



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school records, special education services, school supplies, or medical or social services referrals) is denied, in whole or in part, or whenever any adverse action is taken, the homeless student or parent shall be given a completed Notice of Denial of Services (Homeless Students) Form (MISC-960) and a blank Appeal Form (Homeless Students) (OA-100A/B).

Whenever a homeless student or parent orally or in writing disputes any decision concerning enrollment, transportation, waiver of fees or provision of services to the student, or any other adverse action, the student or parent shall be informed immediately of the right to appeal and shall be given a blank Appeal Form (Homeless Students) (OA-100A/B).

- B. The Appeal Form (Homeless Students) shall be filed in the first instance with the Principal of the school where the student attends or would like to attend. The Principal shall, alone or in consultation with other appropriate personnel, reach a disposition of the appeal as quickly as possible, but in no event later than 5 school days after receiving the appeal. The disposition of the appeal shall be indicated in writing on the Appeal Form (Homeless Students).
- C. Unless the parent signs on the Appeal Form (Homeless Students) or otherwise indicates in writing that he/she is satisfied with the disposition, the matter shall be elevated automatically to the Superintendent's designee in the Office of Appeals, by the Principal immediately faxing the Appeal Form (Homeless Students) to the Office of Appeals. The Office of Appeals shall investigate the matter and shall reach a disposition as quickly as possible, but in no event later than ten (10) school days after receiving it, and shall provide the parent with a written explanation of the disposition.
- D. Unless the parent signs on the written explanation or otherwise indicates in writing that he/she is satisfied with the disposition, the matter shall be elevated automatically to the Board of Education, for its review, by the Office of Appeals immediately faxing the Appeal Form (Homeless Students) to the Board Office.
- E. The Board of Education shall provide the parent with an opportunity to appear in person before the Board, or its committee, for a hearing on the matter, and shall reach a disposition as quickly as possible, but in no event later than thirty (30) school days after receiving it, and shall provide the parent with a written explanation of the disposition.
- F. The parent may note a further appeal to the Maryland State Board of Education if he/she remains dissatisfied with the disposition of the appeal.



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- G. During the appeal process described above, the student shall remain enrolled in the school system. Throughout the appeal process, the student may continue to attend the school of origin if the parent arranges and pays for transportation for the student (if the issue involves transportation); or the student shall attend the school serving the attendance area of the location in which the student is temporarily living, if the parent does not arrange for transportation to the school of origin.
- H. Copies of all appeals and dispositions must be transmitted by school system personnel to the HEC for review concerning compliance with all applicable laws and regulations, and for filing in the central repository.

VIII. **RELATED PROCEDURES:**

- A. Stewart B. McKinney Homeless Assistance Act: Title VII B of Public Law 100-77.
- B. Maryland State Department of Education: COMAR 13A.05.09.
- C. Administrative Procedure 5111, Registration and Withdrawal of Students.
- D. Administrative Procedure 5118.2, Tuition Waivers for Nonresident Students.
- E. Administrative Procedure 5110.3, Student Transfers.
- F. Administrative Procedure 5161, Immunizations.

IX. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These procedures will be maintained and updated by the Division of Pupil Services and the Department of Pupil Accounting and School Boundaries, as appropriate.

X. **CANCELLATIONS AND SUPERSEDURES:** This Administrative Procedure cancels and supersedes Administrative Procedure 5010, dated February 29, 2000.

XI. **EFFECTIVE DATE:** June 1, 2002.

Approved by:
Iris T. Metts
Superintendent of Schools



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- Attachments:
1. MISC-959A/B, Homeless Student Services Form
 2. MISC-964A, Transportation of Homeless Student
 3. MISC-964B, Information for Transportation of Homeless Students
 4. MISC-960, Notice of Denial of Services (Homeless Students)
 5. OA-100A/B, Appeal Form (Homeless Students)
 6. PA-30, Tuition Waiver Questionnaire
 7. PA-29, Request for Waiver of Tuition
 8. PS-1, Tracking Form for Homeless Children and Youth
 9. PS-126, Tentative School, Grade, or Subject Agreement for Placement of New or Homeless Students
 10. PGIN 7540-8037, Request for Tests for Student Programs: Course Credit by Examination for Grades 9-12

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