

AVON PUBLIC SCHOOLS

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Educational Stability for Students Who are Homeless, in Foster Care, or in Military Families

Homeless children and youth are individuals who lack a fixed, regular, and adequate nighttime residence or have a primary nighttime residence in a supervised, publicly or privately, operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.

This definition shall include:

- 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, trailer parks, or camping grounds due to the 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 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;
- children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
- migratory children who qualify as homeless because they are living in circumstances described above; and
- unaccompanied youth a youth not in the physical custody of a parents/guardians or guardian.
- Enroll and enrollment: attending classes and participating fully in school activities.

School of origin: the school the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled, including a preschool. When a child or youth completes the final grade level served by the school of origin, the school of origin includes the designated receiving school at the next grade level for all feeder schools.

Unaccompanied youth: a homeless child or youth not in the physical custody of parents/guardians.

Homeless students: Enrollment Rights and Services

To the extent practical and as required by law, the district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, and school nutrition programs.

The district liaison for homeless students and their families is:

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To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing, instead of remaining in the school of origin, parents/guardians or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living or other schools. Attendance rights by living in attendance areas, other student assignment policies, or inter-district choice options are available to homeless families on the same terms as families who reside in the district.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parents/guardians shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending the resolution of the dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to district policies, including compliance with the state's address confidentiality program when necessary.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the district will coordinate the transportation services necessary for the student, or will divide the costs equally.

LEGAL REFS: The McKinney-Vento Act and Title I, Part A, as Amended by the Every Student Succeeds Act of 2015.

Additional information about Education Stability for students who are homeless can be found at

<https://www.doe.mass.edu/sfs/edstability.html>

Educational Opportunities for Children in Foster Care

Definitions:

Foster Care: placement by DCF of a student into a 24 hour out of home care away from his/her parents/guardians. These placements include among others:

- foster family homes
- foster homes of relatives
- emergency shelters including STARR programs and Transitional Care units
- residential facilities
- child care institutions
- group homes
- pre-adoptive homes

Best Interest Determination: the collaborative process based on the individual student's unique best interest and involving input from multiple parties used for making decisions about whether a student placed in foster care involving input from multiple parties used for making decisions about whether a student place in foster care should continue to attend the school of origin.

District of Origin: the Massachusetts school district in which a school of origin is physically located. For situations in which an individual school operates as an individual school district, the school be be considered both the school or origin and the district of origin. Examples of such single school districts/education authorities include are not limited to charter schools and regional high schools.

The district ensures the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation as provided to other students as required by law. Educational stability has a lasting impact of student's academic achievement and wellbeing, and the School Committee is committed to supporting district and community efforts to ensure that students in foster care have access to high-quality stable educational experiences.

Best interest determinations are conducted to make decisions about the school a student will attend following a foster care placement or change in placement (to a new city/town). These decisions should be made collaboratively by the parties who are best situated to understand the student's unique needs. These parties often include DCF; some combination of the student, the student's family, and any EDM; the district and school of origin; and the local school district (as appropriate). All appropriate parties should have the opportunity to participate meaningfully in the decision making process. Every effort should be made to reach consensus regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF is considered the final decision maker in making the best interest determination. Under ESSA, to promote educational stability,

students should continue to attend their schools of origin while best interest determinations are being made.

Best interest determinations must involve deliberate consideration of the student's unique needs and account for the benefits of educational stability. Specific factors to consider when making best interest determinations include, but are not limited to:

- student's age and grade level;
- student's preference, when age appropriate;
- preferences of the student's parent(s)/guardian(s) or EDM(s);
- student's attachment to the school, including meaningful relationships with staff and peers;
- placement of the student's sibling(s);
- distance/length of time to travel to/from school;
- time of academic year, academic performance, and skills;
- current educational goals and services;
- individual skills, needs, and social connections;
- anticipated length of time in placement, and whether reunification is the family goal;
- number of placements to date;
- ability to maintain family relationships and engagement (including in extracurricular activities, where appropriate);
- clinical/behavioral issues;
- influence of the school climate on the student, including safety issues;
- availability and quality of the services in the school to meet the student's educational and social emotional needs;
- whether the student has an Individualized Education Program (IEP) and is receiving special education and related services, or the student is receiving special education or related aids and services under Section 504, and, if so, the availability of those required services in a school other than the school of origin; and
- if the school of origin is in the best interest but only for a limited duration of time (e.g., until the end of the school year, the end of a testing or grading period, or the end of a particular grade). Additionally, the parties involved in the decision may wish to determine a time to revisit the question of whether it is in the student's best interest to remain in the school of origin or enroll locally.

Note that transportation costs should not be a factor in determining the best interest of the student for the purposes of school selection.

Additional information about Educational Stability for students in foster care can be found at <https://www.doe.mass.edu/sfs/foster/>

Educational Opportunities for Military Children

In an effort to facilitate the placement, enrollment, graduation, data collection, and provision of special services for students transferring into or out of the District because of their parents/guardians being on active duty in the U. S. Armed Services, the District supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children.

Definitions

Children of military families: school-aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserves serving on active duty.

Deployment: means the period of one month before the service members' departure from their home station on military orders through six month after return to their home station.

Eligible students are those who are children of active-duty personnel, active duty personnel or veterans who have been severely injured and medically discharged, and active-duty personnel who die on active duty within one year of service. Students who are not eligible for the provisions of the Compact if they are children of inactive Guard or Reserves, retired personnel, veterans not included above or U.S. Department of Defense personnel, and other federal civil service employees and contract employees.

The District's responsibilities to eligible children include the following:

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.
- Simultaneously, the receiving school must request official records and the sending schools shall respond within 10 days with the records. Immunization requirements of the District may be met within 30 days from the date of enrollment (or be in progress).
- Receiving schools must initially honor the placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English as a Second Language programs. Receiving schools are not precluded from performing a subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs. In compliance with federal law, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school.
- The District will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.
- Students of active duty personnel shall have additional excused absences at the discretion of the District for visitations relative to leave or deployment.

- An eligible student living with noncustodial parents/guardians shall be permitted to attend the school in which he or she was enrolled while living without the custodial parents/guardians/guardian without any tuition fee imposed.
- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed in order to facilitate the on-time graduation of the student in accordance with Compact provisions.

LEGAL REFS: M.G.L 15E:

Interstate Compact on Educational Opportunity for Military Children

Additional information about Education Stability for students in military families can be found at <https://www.doe.mass.edu/sfs/mic3/>