

**CERTIFICATION OF RESOLUTION**  
**AFFIRMATION HOMELESS CHILDREN AND YOUTH POLICY**  
**2023-2024 AY**

Franklin Learning Academy  
*(An Ohio Non-Profit Corporation)*

The Governing Authority (the “Board”) of Franklin Learning Academy, (the “Corporation”), a non-profit corporation organized under the laws of the State of Ohio, hereby resolves as follows:

IT IS HEREBY RESOLVED that the School affirms the Homeless Children and Youth Policy for the 2023-2024 AY. The Homeless Children and Youth Policy is attached as Exhibit A, attached hereto and incorporated herein as restated.

IT IS FURTHER RESOLVED that the Board Chair is authorized and directed to take any and all actions to effectuate the purpose of this resolution.

**APPROVAL AND ADOPTION**

Motion to affirm the Homeless Children and Youth Policy for the 2023-2024 AY  
 (~~without~~/with) amendments,

Made by Member Herod      Seconded by Member Hurst

<b>Board Member</b>	<b>AYE</b>	<b>NAY</b>	<b>OTHER</b> <i>(Not present, Abstain, etc.)</i>
Sean Herod	✓		
Dedra Hurst	✓		
Scott Pullins	✓		
Heather Simonis	✓		
Kelly Dyer, Chair	✓		

Executed and adopted by a vote of the Board on this 14 day of November, 2023

  
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 Kelly Dyer, *Chair*  
 Franklin Learning Academy

**Exhibit A**  
**Homeless Children and Youth Policy**

**ARTICLE I**

The purpose of this policy is to ensure that all children and youth have equal access to the same free and appropriate public education, including preschool education as non-homeless children and youth.

**ARTICLE II**

**Section 1: Definitions**

*A. Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include those who meet any of the following criteria:*

- Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as doubled-up);
- Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
- Living in emergency or transitional shelters;
- Abandoned in hospitals;
- 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;
- Children displaced from their housing during naturally occurring disasters.

When children and their families are displaced from their housing as a result of a natural disaster, there is often a period of instability in which various private organizations and local, State, and Federal agencies provide assistance. The School should determine such children's eligibility for McKinney-Vento services on a case-by-case basis. In making this determination, they should take into consideration the services that are available through these other sources.

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs administered by the School District.

If a child or youth's living situation does not clearly fall into the situations described above, the School should consider the relative permanence of the living arrangements. Determinations of homelessness should be made on a case-by-case basis. Incarcerated children and youth and children and youth in foster care are not considered homeless.

*B. Unaccompanied Youth*

The term unaccompanied youth includes a youth not in the physical custody of a parent or guardian. This would include youth living in runaway shelters, abandoned buildings, cars, on the streets, or in other inadequate housing and children and youth denied housing by their families, and school-age unwed mothers, living in homes for unwed mothers, who have no other housing available.

### *C. School of Origin*

The school of origin is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

## **ARTICLE III**

### **Section 1: School Liaisons For Homeless Children**

The School liaison serves as one of the primary contacts between homeless families and Staff, School personnel, shelter workers, and other service providers. The liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed academically. School liaisons help to ensure that:

- a. Homeless children and youth are identified by school personnel and through outreach and coordination activities with other entities and agencies;
- b. Homeless students are enrolled in, and have a full and equal opportunity to succeed in, the School;
- c. Homeless children, youth, and their families have access to and receive educational services for which they are eligible;
- d. Homeless children, youth, and their families receive referrals to health, mental health and substance abuse, dental, housing, and other appropriate services;
- e. Enrollment disputes are mediated in accordance with the requirements of this policy and the McKinley-Vento Act;
- f. Staff place homeless children and youth and identifies and serve disabilities in accordance with the IDEA; and
- g. Previous schools are contacted for records and assistance with placement decisions.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths.

## **ARTICLE IV**

### **Section 1: School Placement and Enrollment**

The School shall remove barriers to the enrollment and retention of homeless students. Homeless students shall be enrolled immediately, even if they do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship, birth certificate, school records, and other documentation.

The School must make school placement determinations on the basis of the “best interest” of the homeless child or youth. The School must:

A. Continue the child’s or youth’s education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year or enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

B. In determining a child’s or youth’s best interest, the School must, to the extent feasible, keep a homeless child or youth in the “school of origin” unless doing so is contrary to the wishes of the child or youth’s parent or guardian. If the School wishes to send a homeless child or youth to a school other than the school of origin or a school requested by the parent or guardian, the School must provide a written explanation of its decision to the parent or guardian, together with a statement regarding the right to appeal the placement decision. If a School is selected on the basis of a “best interest determination”, it must immediately enroll the homeless child or youth, even if the child or youth is unable to produce the records normally required for enrollment (such as previous academic records, medical records, proof of residency, birth certificates, or other documentation). The School must immediately contact the school last attended by the child or youth to obtain relevant academic or other records. If a child or youth needs to obtain immunizations, or medical or immunization records, the School must immediately refer the parent or guardian to the School homeless liaison, who must assist in obtaining the immunizations or records. The records must be maintained so that they are available in a timely fashion when the child enters a new school or school district.

C. In the case of an unaccompanied youth, the School must ensure that the school homeless liaison assists in placement or enrollment decisions, gives priority to the views of the youth, and provides notice to the youth of the right to appeal the placement decision.

D. If the School determines that it is not in the child’s or youth’s best interest to attend the school of origin or a school requested by the parent, legal guardian, or unaccompanied youth, the School must provide a written explanation of the reasons for its determination to the parent, legal guardian, or unaccompanied youth, together with information regarding the right to appeal the placement.

## ARTICLE V

### **Section 1:** Placement disputes between a School and a parent

If a dispute arises over school selection or enrollment, the LEA must immediately enroll the homeless student in the school in which enrollment is sought by the parent or guardian, pending resolution of the dispute. Similar provisions apply to placement of unaccompanied youth.

The School must provide the parent, guardian, or unaccompanied youth with a written statement of the school placement decision and the appeal rights. The School must refer the unaccompanied youth, parent, or guardian to the School liaison, who must expeditiously carry out the dispute resolution process.

The School should consider the following strategies for effectively resolving school enrollment disputes:

1. Disputes should be resolved at the district level rather than the school level;
2. When inter-district issues arise, representatives from all involved districts and the SEA should be present to resolve the dispute;
3. A State-level appeal process, involving the State coordinator, should be available for appeals of district-level decisions and resolution of inter-district disputes;
4. The dispute resolution process should be as informal and accessible as possible, and allow for impartial and complete review;
5. Parents, guardians, and unaccompanied youth should be able to initiate the dispute resolution process directly at the school they choose, as well as at the district or LEA homeless liaison's office;
6. States should establish timelines to resolve disputes at the local and State level;
7. Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their position;
8. Students should be provided with all services for which they are eligible while disputes are resolved;
9. Written notice should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand. The notice should include:
  - a. Contact information for the School homeless liaison and State coordinator, with a brief description of their roles;
  - b. A simple, detachable form that parents, guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process. (The School should copy the form and return the copy to the parent, guardian or youth for their records when it is submitted);
  - c. A step-by-step description of how to dispute the School's decision;
  - d. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
  - e. Notice that "immediate enrollment" includes full participation in all school activities;
  - f. Notice of the right to appeal to the State if the district-level resolution is not satisfactory; and
  - g. Timelines for resolving district- and State-level appeals.

## ARTICLE VI

### Section 1: Prohibition Against Segregation

Homelessness alone is not sufficient reason to separate students from the mainstream school environment. Services provided with McKinney-Vento Act funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the School's regular academic program.

- If a State receives funds under the McKinney-Vento program, every district in that State – whether or not it receives a McKinney-Vento sub grant from its SEA – is prohibited from segregating homeless students in separate schools or in separate programs within schools, based on the child’s or youth’s status as homeless.
- Schools may not provide services with McKinney-Vento funds on school grounds in settings that segregate homeless children and youth from other children and youth [except as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youth].

## **ARTICLE VII**

Section 1: Transportation At the request of the parent or guardian (or, in the case of an unaccompanied youth, the liaison), transportation shall be provided to or from the “school of origin” in accordance with the following requirements:

- If the homeless child or youth continues to live in the area in which the school of origin is located, that School must provide or arrange for the child’s or youth’s transportation to or from the school of origin.
- If the homeless child or youth continues his or her education in the school of origin but begins living in an area served by another local education agency (LEA), the LEA of origin and the local LEA in which the homeless child or youth is living must agree upon the responsibility for providing the child with transportation to and from the school of origin. In deciding which LEA is responsible for the transportation of the child, the LEAs shall abide by applicable state law.

## **ARTICLE VIII**

### Section 1. Comparable and Coordinated Services

The School must provide services to each homeless child and youth that is comparable to services offered to other students in the School. Homeless children are also entitled to participate in the regular after-school program provided by the School, and the School must address all barriers to their full participation in these programs. If no after-school programs are provided by the school or the programs provided do not meet the needs of homeless children, McKinney-Vento funds may be used for after-school services for homeless children, and for non-homeless children who are at risk of failing in, or dropping out of, school. The School must provide comparable services to a homeless student who does not attend a Title I school. School must reserve funds for homeless children who do not attend participating Title I schools and may, for instance, provide support services to children in shelters and other locations where homeless children live. Services should be provided to assist homeless students to effectively take advantage of educational opportunities.

## **ARTICLE IX**

### Section 1: Privacy

Information about a homeless child’s or youth’s living situation shall be treated as a student education record, and shall not be deemed to be directory information.

*42 U.S.C. 11431 et seq.*

Education for Homeless Children and Youth Program, Title VII-B of the  
McKinney-Vento Homeless Assistance Act, As Amended by the No Child Left  
Behind Act of 2001 Non-regulatory Guidance