

SY \_\_\_/\_\_\_

FAMILY # \_\_\_\_\_




\_\_\_ ELIGIBLE  
\_\_\_ INELIGIBLE  
\_\_\_ PENDING  
(Additional Information)

School Social Work Office

**McKinney Vento Homeless Education Act Student Residency Affidavit**

If you checked "Homeless" on the Registration/Emergency Data Form please complete this questionnaire to determine eligibility for educational services under McKinney-Vento Education Act.

PLEASE PRINT

Student's Name:		DOB:	School:	Grade:
Parent:		Current Address:		
Guardian/Caregiver (if living with someone other than parent):		EMAIL :		
Phone Number: (HOME)	(CELL)	(WORK)		
Emergency phone contact: (someone who will always know how to locate you)				
Please indicate if your child is, or plans to be, a student athlete during this current school year.			<input type="checkbox"/> Yes; Sport and Season: _____ <input type="checkbox"/> No, my child is not playing any sports in school.	
<b>1. Presently do you and/or your family lack a fixed, regular, and adequate nighttime residence in any of the following situations? Check <i>one</i> box.</b>				
<input type="checkbox"/> Staying in shelter <input type="checkbox"/> Agency name: _____ (letter provided ___ Y ___ N) <input type="checkbox"/> Transitional housing: Agency name: _____ <input type="checkbox"/> No verification available: Agency name: _____				
<input type="checkbox"/> Staying with someone due to an <u>eviction</u> , <u>domestic violence</u> or another situation rendering the family homeless <input type="checkbox"/> Eviction –please attach copy of documentation if available <input type="checkbox"/> Domestic violence <input type="checkbox"/> Other (explain) _____				
<input type="checkbox"/> Living in a car, park, campground, public space, abandoned building, or substandard housing <input type="checkbox"/> Temporarily living in a motel or hotel due to <u>loss</u> of housing or similar reason <input type="checkbox"/> Motel/hotel receipt or copy of registration card <input type="checkbox"/> Identify the name of motel _____				
<input type="checkbox"/> Other _____				
<input type="checkbox"/> Is the residence:				
Fixed				
Is this a temporary arrangement?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Are you looking for another place to live?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	





**PLEASE REVIEW THE FOLLOWING AND MARK THE SERVICES YOUR CHILD MIGHT NEED:**

- \_\_\_ I have received a copy of the Homeless Student Rights (page 5) and the definition of homelessness.
- \_\_\_ I understand my child will automatically become eligible for the Free Lunch program upon being determined eligible under McKinney Vento guidelines.
- \_\_\_ Please provide my child with school supplies.
- \_\_\_ Due to our current situation my child is in need of appropriate school clothing or outer wear.
- \_\_\_ I would appreciate contact from the School Social Worker to provide information on available resources and additional information.
- \_\_\_ We are staying outside of my child’s current attendance zone and would like for my child to remain at their current school.

**Any person making a materially false statement regarding residency in a school division shall be guilty of a Class 4 misdemeanor and shall be liable to the school division in which the child was enrolled as a result of such false statements for tuition charges, pursuant to the Code of Virginia § 22.1-5, for the time the student was enrolled in such school division.**

**The undersigned certifies that according to information provided above, the student(s) listed meets the definition of “Homeless” as stated in McKinney-Vento Act (Subtitle B, Sect. 725) of July 1, 2002.**

**The undersigned certifies that they have read and received a copy of pages 5 - 8 attached, which provides a Definition of Homelessness, Homeless Students and Unaccompanied Youth Rights and Hampton City Schools Policy (JECCA Admission of Homeless Children, <http://www.boarddocs.com/vsba/hampton/Board.nsf/Public#>).**

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Parent/Guardian Name (Print) \_\_\_\_\_ (Signature) \_\_\_\_\_ Date \_\_\_\_\_

**For Social Work Use Only**

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**Other Services Needed:**

Date McKinney Vento Application Received in the School Social Work Services Office:

TRANSPORTATION REQUESTED:  YES  NO \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Date Request for Transportation Sent to Transportation Department:

School of Origin: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

PHYSICAL/IMMUNIZATIONS:  YES  NO RECORDS:  YES  NO

## Pages 5-9 Must Be Given To The Parent/Guardian Or Unaccompanied Youth

### Definition of Homelessness\*

Anyone, due to a lack of housing, who lives:

- In emergency or transitional shelters
- In motels, hotels (due to a lack of an adequate alternative), campgrounds, abandoned in hospitals
- In cars, parks, public places, bus or train stations, abandoned buildings
- Doubled up with relatives or friends due to a loss of housing because of economic hardship or other similar reasons
- In these conditions and is a migratory child or youth

*\*To determine homelessness, consider the **permanence and adequacy** of the living situation. Determinations of homelessness should be made on a case-by-case basis.*

### Homeless Students and Unaccompanied Youth Have the Right to the Following:

- ❖ **Immediate** enrollment in school.
- ❖ Attending school **without a permanent address**.
- ❖ Staying enrolled in their school (school they were attending when they became homeless) for **as long as they remain homeless**.
- ❖ Receive **free lunch** at school.
- ❖ **Transportation services** to and from the school of origin.
- ❖ A **written explanation** if a placement dispute occurs and the right to appeal.
- ❖ Participation in **extracurricular activities** and all federal, state, or local programs for which they are eligible.

*(McKinney-Vento Homeless Assistance Act of 2001 – title IX, Part A of the Every Student Succeeds Act (ESSA))*

### For additional information please call:

DEPARTMENT OF STUDENT SUPPORT  
SCHOOL SOCIAL WORK SERVICES  
HAMPTON CITY SCHOOLS  
ONE FRANKLIN STREET (4<sup>TH</sup> Floor, Suite 435)  
HAMPTON, VIRGINIA 23669

Book  
Hampton City Schools Policy Manual

Section  
J - Students

Title  
ADMISSION OF HOMELESS CHILDREN

Code  
JECAA

Status  
Active

Legal  
20 U.S.C. § 6399  
42 U.S.C. §§ 11302, 11431, 11432, 11433  
Code of Virginia, as amended, § 22.1-3  
Code of Virginia, as amended, § 22.1-70  
Code of Virginia, as amended, § 22.1-78  
Code of Virginia, as amended, § 22.1-253.13:1  
Code of Virginia, as amended, § 22.1-270  
Superintendent's Memo No. 64 (Dec. 5, 2003)

Adopted  
June 2, 2010

Last Revised  
September 5, 2018

The School Board is committed to educating homeless children and youth. Homeless children and youth are not stigmatized or segregated on the basis of their status as homeless. The School Division coordinates the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.

The School Division serves each homeless student according to the student's best interest and will:

1. continue the student's education in the school of origin for the duration of homelessness:
  - if the student becomes homeless between academic years or during an academic year; or
  - for the remainder of the academic year, if the student becomes permanently housed during an academic year; or
2. enroll the student in any public school that non-homeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of a homeless student, the Division:

- presumes that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the youth;

- considers student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health and safety of homeless students, giving priority to the request of the student's parent or guardian or (in the case of an unaccompanied youth) the youth;
- if, after conducting the best interest determination based on consideration of the presumption and the student-centered factors above, the Division determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, provides the student's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian or unaccompanied youth, including information regarding the right to appeal; and
- in the case of an unaccompanied youth, ensures that the division homeless liaison assists in placement or enrollment decisions, gives priority to the views of such unaccompanied youth and provides notice to such youth of the right to appeal.

#### **Enrollment**

The school selected in accordance with this policy immediately enrolls the homeless student, even if the student:

- is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residence or other documentation; or
- has missed application or enrollment deadlines during any period of homelessness.

The enrolling school immediately contacts the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations or other health records, the enrolling school immediately refers the parent or guardian of the student or, (in the case of an unaccompanied youth) the youth, to the Division's homeless liaison, who assists in obtaining necessary immunizations or screenings, or immunization or other required health records.

If the documentation regarding the comprehensive physical examination required by Policy JHCA cannot be furnished for a homeless child or youth, and the person seeking to enroll the pupil furnishes to the School Division an affidavit stating that the documentation cannot be provided because of the homelessness of the child or youth and also indicating that, to the best of his or her knowledge, such pupil is in good health and free from any communicable or contagious disease, the School Division immediately refers the student to the local school division homeless liaison who, as soon as practicable, assists in obtaining the necessary physical examination by the county or city health department or other clinic or physician's office and immediately admits the pupil to school.

The decision regarding placement is made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

#### **Enrollment Disputes**

If a dispute arises over eligibility, or school selection or enrollment in a school:

- the homeless student is immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;
- the parent or guardian of the student or (in the case of an unaccompanied youth), the youth is provided with a written explanation of any decisions related to the school selection or enrollment made by the school, the School Division or the Virginia Department of Education, including the rights of the parent, guardian, or student to appeal the decision;
- the student, parent, or guardian is referred to the Division's homeless liaison who carries out the appeal process as expeditiously as possible after receiving notice of the dispute; and
- in the case of an unaccompanied youth, the homeless liaison ensures that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of the dispute.

#### **Appeal Process**

##### **Oral Complaint**

In the event that an unaccompanied student or the parent or guardian of a student (hereinafter referred to as the Complainant) disagrees with a school's decision regarding the student's eligibility to attend the school, the Complainant shall orally present his position to the Division's homeless liaison.

## Written Complaint

If the disagreement is not resolved within five (5) school days, the Complainant may present a written complaint to the homeless liaison. The written complaint must include the following information: the date the complaint is given to the homeless liaison; a summary of the events surrounding the dispute; the name(s) of the School Division personnel involved in the enrollment decision; and the result of the presentation of the oral complaint to the homeless liaison.

Within five (5) school days after receiving the written complaint, the homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore, to the Complainant. The liaison will inform the Superintendent of the formal complaint and its resolution.

## Appeal to Superintendent

If the Complainant is not satisfied with the written decision of the homeless liaison, the Complainant may appeal that decision to the Superintendent/designee by filing a written appeal. The homeless liaison shall ensure that the Superintendent/designee receives copies of the written complaint and the response thereto. The Superintendent/designee shall schedule a conference with the Complainant to discuss the complaint. Within five (5) school days of receiving the written appeal, the Superintendent/designee, shall provide a written decision to the Complainant including a statement of the reasons therefore.

## Comparable Services

Each homeless student is provided services comparable to services offered to other students in the school attended by the homeless student including the following:

- transportation services;
- educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities, and educational programs for English learners;
- programs in career and technical education;
- programs for gifted and talented students; and
- school nutrition programs.

## Transportation

At the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), transportation is provided for a homeless student to and from the school of origin as follows:

- if the homeless child or youth continues to live in the area served by the division in which the school of origin is located, the child's or youth's transportation to and from the school of origin is provided or arranged by the division in which the school of origin is located.
- if the homeless child's or youth's living arrangements in the area served by the division in which the school of origin is located terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another division, the division of origin and the division in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the divisions are unable to agree upon such method, the responsibility and costs for transportation are shared equally.

## Definitions:

The term "homeless student" means an individual who lacks a fixed, regular, and adequate nighttime residence and includes:

1. children and youths, including unaccompanied youths who are not in the physical custody of their parents, who
  - a. are sharing the housing of other persons due to loss of housing, economic hardship, or other causes; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations or in emergency, or transitional shelters; are abandoned in hospitals;
  - b. 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; or



- c. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
2. migratory children who qualify as homeless for the purposes of this policy because the children are living in circumstances described above.

The term "migratory child" means a child who moved from one residence to another and from one school division to another in the preceding 36 months as a migratory agricultural worker or migratory fisher or with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian and include youth who have run away from home or have been forced to leave their home.

Adopted:  
06/02/2010

Revised:  
11/7/12, 10/4/17, 9/5/18

[JEC](#) – SCHOOL ADMISSIONS  
[JECA](#) - ADMISSION OF RESIDENT CHILDREN  
[JHC](#) – STUDENT HEALTH SERVICES AND REQUIREMENTS  
[JHCA](#) – PHYSICAL EXAMINATIONS OF STUDENTS  
[JHCB](#) – STUDENT IMMUNIZATIONS

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