

Title X Part C McKinney-Vento Homeless Assistance Act of 2002:

Spearfish School District- Homeless Children and Youth: See School Policy Code 1240

<http://doe.sd.gov/oess/TitleXpartC.aspx>

McKinney-Vento Homeless Assistance Act of 2002, Subtitle B of Title VII, Section 725. The term “homeless children and youths” means individuals, ages five to twenty-one, who lack a fixed, regular, and adequate nighttime residence.

- Children and youths 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 youths 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 youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children (as such is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (1) through (3).

So that enrollment of homeless children and youth of school age may be facilitated, the following policy areas shall be modified as follows:

- **School records:** For students transferring out of the district, records may be provided directly to the student or the students’ parents. In addition, students transferring into the district may provide cumulative records directly to the district. The district shall not require such records be forwarded from another district before that student may enroll. The school shall then request the official records from the sending school.
- **Immunization requirements:** Homeless students shall not be denied enrollment for lack of immunization records if:
 1. They have a statement signed by a physician stating that immunization would be injurious to the child;
 2. They provide an affidavit stating such immunization would conflict with their religious beliefs;
 3. They are in the process of being immunized;
 4. They are a transfer student from another school

The school district shall make reasonable effort to locate immunization records from the information provided or shall arrange for the student to receive immunizations.

- **Waivers of fees and charges:** Fees and charges which may present a barrier to the enrollment or transfer of a homeless child or youth may be waived at the discretion of the superintendent.
- **Enrollment requirements/placements:** Enrollment requirements which may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the superintendent. If the district is unable to determine the grade level of the student because of missing or incomplete records, the district shall administer tests or use other reasonable means to determine the appropriate grade level for the child.
- **Residency:** For purposes of attending school shall be where the child actually resides or the child’s district origin. A child’s district of origin is the school district where the child is enrolled. The deciding factor shall be the welfare of the child. As much as possible, the child will not be required to change attendance centers within the district every time the child changes residence unless that change results in the child no longer being classified as homeless.
- **Transportation:** Policies or practices regarding transportation of students which might cause a barrier to the attendance of a homeless child or youth may be waived by the superintendent.
- **Special Services:** All services which are available to resident students shall be made available to homeless children or youths enrolled in the district. Services include special education, talented and gifted programs, vocational programs, health services, and food and nutrition programs.