The American Samoa Department of Education (ASDOE) recognize the right of all students residing within its boundaries, including those who are homeless, to immediately enroll in, and participate in, each school’s educational and support programs.

# DEFINITIONS

“Homeless students” mean children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and lack a fixed, regular, and adequate nighttime residence. This includes children and youth who:

1. are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as *doubled-up*);
2. living in motels, hotels, trailer parks, or recreational park grounds due to lack of alternative adequate accommodations;
3. living in emergency, transitional shelters or abandoned in hospitals;
4. 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;
5. live in cars, parks, public spaces, abandoned buildings, substandard housing, bus, or similar settings;
6. are migratory children and youth living in a situation described above; and
7. unaccompanied youth living in a situation described above.

A child or youth shall be considered to be in transition or homeless for as long as he or she is in a living situation described above and for the remainder of the school year in which they find permanent housing. Homeless children and youth will be annually evaluated by the liaison to determine if they are still living in an eligible living situation and eligible for McKinney-Vento related services and supports.

“School of origin” means the school that the student attended when permanently housed, or the school in which the student was last enrolled.

“Local attendance area school” means any public school that housed students who live in the attendance area in which the child or youth is actually living are eligible to attend.

“Unaccompanied youth” means a youth not in the physical custody of a parent or legal guardian, who is in transition as defined above. Unaccompanied youths include young people who have been denied housing by their families, run away from home, and/or been abandoned by parents or guardians.

“Immediate” means without delay.

“Enroll and Enrollment” mean attending school and participating fully in school activities.

“Local Housing Stability Liaison” is the staff person designated by the district who is responsible or carrying out the duties assigned to the loca liaison by the McKinney-Vento Homeless Assistance Act.

# NOTICE

Public notice regarding the educational rights of children and youths identified as homeless as well as who to contact regarding eligibility, will be posted in the district office and in every school in the district, as well as disseminated in other places where children, youths, and families who are homeless receive services, including family and youth shelters, motels, recreational park grounds, welfare departments, health departments, and other social service agencies.

# SCHOOL STABILITY

In determining the best interest of the homeless student, the District shall:

1. Presume 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/guardian, or (in the case of an unaccompanied youth) the student;
2. Consider 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/guardian or (in the case of an unaccompanied youth) the student;
3. If, after conducting the best interest determination based on consideration of the above presumptions, the school/district team determines that it is not in 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 student) the student, provide the student's parent/guardian or the unaccompanied student with a written explanation of the reasons for his or her determination, which will be provided in a manner and form understandable to such parent/guardian, or unaccompanied student, including information regarding the right to appeal under “Disputes”, below; and
4. In the case of an unaccompanied student, ensure that the District’s liaison designated under “District Liaison,” below, assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied student, and provides notice to such student of the right to appeal under “Disputes,” below.

# IMMEDIATE ENROLLMENT

**In General:** The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student:

A. Is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation;

B. Has missed application or enrollment deadlines during any period of homelessness; or

C. Has outstanding fees or fines, including fees associated with extracurricular activities.

**Relevant Academic Records:** The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

**Relevant Health Records:** If the student needs to obtain immunizations or other required health records, the enrolling school shall immediately refer the parent/guardian or the unaccompanied youth to the liaison, who shall assist in obtaining all necessary immunizations and/or screenings, or other required health records, in accordance with “Records,” below.

# RECORDS Any record ordinarily kept by the school, including immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student shall be maintained:

1. So that the records involved are available, in a timely fashion, when the student enters a new school or school district; and
2. In a manner consistent with FERPA and District policy

# DISPUTE RESOLUTION

If a dispute arises over any issue covered in this policy:

1. A homeless student shall be immediately enrolled to the school of choice of the parent/guardian or unaccompanied youth during the period of dispute resolution and be allowed to fully participate in all school activities for which the student is otherwise eligible.
2. The district will provide the parent/guardian or unaccompanied youth with a written explanation of the decision regarding eligibility, school selection or enrollment and notice of their right to appeal. Along with the written explanation, the district McKinney-Vento Appeal Packet will be provided - which includes: a copy of their rights, an explanation of the appeal process, and dispute documents. Such notice will be in language the parent, guardian, or unaccompanied youth can understand and will include an appeal form and a summary of the dispute resolution process.
3. The parent/guardian, or unaccompanied youth shall be referred to the district liaison upon being informed of the parent/guardian or students’ desire to make an appeal. The liaison shall gather any additional related documents and submit the dispute packet to the designated district team, who will respond in writing to the parent/guardian or unaccompanied youth within 10 days.
4. If an agreement cannot be reached between the parties regarding the dispute, the district will promptly seek further assistance from the State Coordinator for Homeless Education who will follow the American Samoa Department of Education Dispute Process to review and determine how the student’s best interests will be served. All parties will be expeditiously informed of the State’s determination in writing and such decision will constitute final resolution of the dispute.

# DISTRICT RESPONSIBILITIES AND SERVICES

# The schools in this district will develop strategies for meeting the needs of homeless students and eliminating barriers to their attendance at school, including identification, and the provision of appropriate support services

Students experiencing homelessness will be provided services comparable to services offered to other non-homeless students. A student who ceases to be homeless may continue to receive services until the end of the period of time for which the service was originally intended, which may be the end of the school year or the end of a program cycle.

Services provided to homeless students include:

* Public preschool programs: e.g., Head Start
* Title I-A services
* Educational services for which the student meets eligibility criteria, e.g., special education and related services and programs for English language learners
* Vocational and technical education programs
* Gifted and talented programs
* Before- and after-school programs
* Free Meals
* Transportation

When applying any district policy regarding tardiness or absences, any tardiness or absence related to a child or youth’s living situation will be excused.

A child or youth shall be considered to be in transition or homeless for as long as he or she is in a living situation described above and for the remainder of the school year in which they find permanent housing. Homeless children and youth will be annually evaluated by the liaison to determine if they are still living in an eligible living situation and eligible for McKinney-Vento related services and supports.

# TRANSPORTATION

Parents, guardians, and unaccompanied youths will be informed of the right to transportation before they select a school for attendance. At the request of a parent, guardian, or unaccompanied youth, transportation will be provided to and from the school of origin. Transportation will be provided for the entire time the student has a right to attend that school, including during pending disputes.

~~If is this district’s policy that inter-district disputes will not result in a homeless student missing school. If such a dispute arises, the district will arrange transportation and immediately bring the matter to the attention of the State Coordinator for Homeless Education.~~

**FREE MEALS**  
Any child identified as homeless by the local liaison automatically qualifies for free school meals in the National School Lunch and School Breakfast Programs. They do not have to complete an application. The local liaison or shelter director will create a list of students who are eligible for free meals, note the effective eligibility date~~s~~, sign the form, and give it to the school nutrition program office for immediate processing.

A homeless student who is declared eligible for free meals remains eligible for the rest of the school year, even if the student’s homeless status changes.

# PRESCHOOL

The district will ensure that children identified as homeless receive priority enrollment in preschool programs operated by the district, including exempting homeless children from waiting lists. Homeless children with disabilities will be referred for preschool services under the Individuals with Disabilities Education Act (IDEA).

# TITLE I, PART A The SEA shall reserve a portion of Title IA funding to provide educationally related support services to homeless children and youths regardless of whether they attend a Title I eligible school. In addition the SEA may use this reservation to provide regular Title I services to homeless students attending non-Title I schools, as well as to provide homeless students with services not ordinarily provided to Title I students, regardless of whether the homeless students attend Title I or non-Title I schools. The SEA bases the reservation on its total allocation prior to any other allowable expenditures or transfer of funds.

# LOCAL HOMELESS EDUCATION LIAISON

The superintendent or designee will designate a local liaison for homeless children and youths and their families. The local liaison will serve as one of the primary contacts between homeless families and school staff, district personnel, and other service providers.

The responsibilities of the liaison include, but are not limited to, ensuring:

1. all homeless children and youths in and out of school are identified by school personnel through coordination with other entities and agencies;
2. ensure that all district personnel receive annual professional development training and other support related to the McKinney-Vento Act;
3. all homeless children and youths enroll in and have a full and equal opportunity to succeed as non-homeless students in the district;
4. homeless families, children, and youths receive educational services for which they are eligible, including services through Head Start, programs (including Early Head Start programs), early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the District;
5. the parents/guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in that education;
6. parents, guardians, and unaccompanied youths are informed and assisted in accessing transportation services, including transportation to the school of origin or to the selected school;
7. eligibility, school selection, or enrollment disputes are mediated in accordance with the “Dispute Resolution” section above;
8. public notice of the educational rights of homeless children and youths is disseminated in in locations frequented by parents/guardians of such students, and unaccompanied students including schools, shelters, and public libraries, in a manner and form understandable to the parents/guardians of homeless students and unaccompanied students; and
9. all homeless families, children and youth receive referrals to health, dental, mental health, housing, substance abuse, and other appropriate services.
10. support for Unaccompanied Homeless Youth to allow them to:
    * immediately enroll in school;
    * have opportunities to meet the same challenging state academic standards as the State established for other students;
    * receive college and career counseling; and
    * understand their status ~~inform them regarding~~ as independent students under 20 USC § 1087vv(d) and obtain verification of such status for purposes of the Free Application for Federal Student Aid (FAFSA).

**LOCAL AND STATE COORDINATION**

The local liaison will coordinate and collaborate with the ASDOE State Coordinator for Homeless Education, as well as community and school personnel who are responsible to provide education and related services to homeless students. These shall include public and private service providers in the community, housing and placement agencies, the district transportation department, local liaisons in neighboring districts, and other organizations and agencies as needed and appropriate to provide more effective and comprehensive services to homeless children and youth and their families. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data need to meet the requirements of 42 USC § 11432(f)(1) and (3).

# DETERMINING HOMELESS STATUS

The District’s Liaison who receives training provided by the ASDOE Office of the Coordinator for Education of Homeless Children and Youths may authorize a homeless student who is eligible for and participating in a program provided by the District, or the immediate family of such student, who otherwise meets the eligibility requirements Federal Housing Assistance (see 42 USC §§ 11360 *et. seq.*), to do so without approval or other agency action by or on behalf of the Department of Housing and Urban Development.

**POLICY REVIEW**

The district will review and revise any policies that may act as barriers to the enrollment of homeless children and youths in schools. In reviewing and revising such policies, consideration will be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, guardianship, and accepting/granting partial credit for completed coursework. Special attention will be given to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.

**♦ ♦ ♦ ♦ ♦ ♦**

# LEGAL REFERENCE:

McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11432(2017).

Elementary & Secondary Act - Title I, Part A of the Every Student Succeeds Act, 20 U.S.C § 6301 *et seq*., reauthorized in 2015.

Individuals with Disabilities Education Act, 20 U.S.C. § 1400 *et seq*. (2004).

Child Nutrition and WIC Reauthorization Act of 2004, P.L. 108-265 (2004).

Improving Head Start for School Readiness Act of 2007, P.L 110-134 (2007)

Strengthening Career and Technical Education for the 21st Century Act (Perkins V), 20 U.S.C § 2031, 2032, 2322, 2323 (2018)

**ADOPTED:**

**AMENDED:**