



Policy for the Admission of Homeless Students

Definitions

Homeless student - individual who lacks a fixed, regular, and adequate nighttime residence.

This includes a student who:

- shares the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- lives in a motel, hotel, trailer park, or camping ground due to lack of alternative adequate accommodations;
- lives in an emergency or transitional shelter;
- is abandoned in a hospital;
- has 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;
- lives in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting; and
- migratory child who qualifies as homeless because the student is living in circumstances described above.

Unaccompanied student - includes a student not in the physical custody of a parent/guardian.

Equal Access

Each homeless student at PACE will have equal access to the same free, appropriate public education as provided to other non-homeless students. PACE will ensure that homeless students are not stigmatized or segregated on the basis of their status.

PACE will coordinate and collaborate with the designated local educational agency liaison for the provision of educational and related services for homeless students.

Admission

Homeless students will be admitted to PACE following the same enrollment procedures as non-homeless students. Provided there is space available that does not exceed the limitations of PACE's charter, PACE will immediately enroll the student even if the student is unable to produce records normally required for enrollment.

PACE will not deny admission to any student on the basis of race, religion, color, creed, sex, immigrant status or English-speaking status, national origin, or disability.



Records

Any records ordinarily maintained by PACE including the immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs will be maintained, consistent with state and federal law. PACE will treat information about a homeless student's living situation as a student education record, subject to the protections of the Family Educational Rights and Privacy Act (FERPA).

Enrollment Disputes

PACE will follow the school's established enrollment policy. If a dispute arises over enrollment, the student will immediately be admitted, pending resolution of the dispute. The parent/guardian of the student will be provided with a written explanation of PACE's decision regarding enrollment, including the rights of the parent/guardian or student to all available appeals.

Legal References

Federal Law

- Every Student Succeeds Act, Pub. L. No. 114–95, 129 Stat. 1802.
- McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C.A. Section 11431, et seq. - Provides that homeless children are entitled to a public education, including a public preschool education.
- Title IV of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000c, et seq. - Prohibits discrimination on the basis of race, color, or national origin, among other factors, by public elementary and secondary schools.
- Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d - No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance.

S. C. Code, 1976, as amended:

- Section 59-63-40 - Discrimination on account of race, creed, color, or national origin prohibited.
- Section 59-40-10 et seq. – South Carolina Charter Schools Act of 1996

Federal Cases

- *Parents Involved in Community Schools v. Seattle School District No. 1*, 551 U.S. 701 (2007).
- *Plyler v. Doe*, 457 U.S. 202 (1982).

State Board of Education Regulations

- R-43-272.2 - Review process for homeless children and unaccompanied youth.