



Farmingdale School District

Board of Education Meeting
February 6, 2019

EXECUTIVE SESSION, 6:00 P.M. – A. TERRY WEATHERS BOARD ROOM

It is anticipated that upon a majority vote of the total membership of the Board, a motion to meet in Executive Session to discuss specific litigation, collective bargaining, and personnel issues in accordance with Open Meetings Law will be considered. Following the Executive Session the Board will reconvene in the Howitt East Cafeteria at approximately 8 p.m.

PUBLIC MEETING, 8:00 P.M.

Howitt East Cafeteria

The Board of Education is interested in encouraging all members of the public to share their ideas, comments and questions. Public participation opportunities will be available at the beginning and end of this meeting and, as stated in board policy, no person shall speak for more than three minutes and each period of public participation shall be limited to 30 minutes. If you have any questions or concerns regarding matters on the Agenda, it may be important for you to utilize the first public participation opportunity as the Board will act on those items immediately. Charges, complaints or challenges should follow procedures listed under Policies 1400, 1410 and/or 1440, which are included on the materials table. Thank you for your anticipated courtesy and cooperation. The agenda follows:

IN THE EVENT OF FIRE AND/OR IF YOU HEAR THE FIRE BELL, YOU MUST LEAVE THE BUILDING. PLEASE USE THE NEAREST EXIT, WHICH IS TO YOUR RIGHT IN THE BACK OF THIS ROOM.

Call to Order

Pledge of Allegiance

Superintendent's Update

- Presentation: Communication Plan

Public Participation

Board of Education Minutes

Motion made by _____, seconded by _____ to approve the minutes of

1. Minutes of Jan 9, 2019 Board of Education Meeting

Board Correspondence

Board Committee Reports

Consideration of Consent Agenda:

Motion made by _____, seconded by _____ that the Consent Agenda consisting of Items I (a-i), II (a-b), and III (a-d) be approved as a whole with action recorded separately.

I. Business Report

a. Acceptance for File of Financial Reports

1. Acceptance of the Claims Auditor Report - December 2018
2. Acceptance of the Extra Curricular Report - December 2018
3. Acceptance of the Revenue and Expenditure Report - December 2018
4. Acceptance of the Treasurer's Report - December 2018

b. Approval of Contracts and Agreements

1. Approval of a Special Education Contract Addendum
2. Approval of a Special Education and General Education Contract
3. Approval of a Licensing Agreement for the Use of Hofstra University Facilities for the June 25, 2019 Farmingdale High School Commencement Ceremony
4. Approval of Health & Welfare Services Agreements for Resident Students Attending Non Public Schools Outside of the District for the 2018/19 School Year (Massapequa & West Islip)

c. Approval of Transfer of Funds

d. Approval of Tuition Rates for Non-Resident Students Attending Public Schools for the 2017/18 School Year

e. Approval of a Variance to Board Policy 1500 to Waive Fee Schedule for a Concert Fundraiser on February 15, 2019 Benefiting the Farmingdale High School S.M.I.L.E. Club and AHRC Nassau

f. Approval of Declaration of Obsolete Equipment

g. Acceptance of Funds and Increase the 2018/19 Budget for Participation in PTA Arts-in-Education

h. Acceptance of Donation of Funds to the Community Assistance Fund from Mr. Ryan Lewis and RJD Capital

i. Acceptance of a Donation of a Google Jam Board from Mr. Joe Melfa and TRITECH Communications

II. Items for Action

a. Acceptance of the Recommendation of Honorees on the Farmingdale Wall of Fame for 2019

b. Approval of a Request for Indemnification and Defense in Connection with the Litigation Case Discussed in Executive Session

III. Superintendent's Report

- a. Personnel Items -- Instructional
- b. Personnel Items -- Non-Instructional
- c. Approval of the Committee on Special Education Placements Report and Acceptance for File of Said Report
- d. Approval of the Committee on Preschool Special Education Placements Report and Acceptance for File of Said Report

IV. Items for Discussion and Action

Motion made by _____, seconded by _____ to accept and approve

1. Approval of the District Calendar for 2019-2020
2. Approval of Policy No. 8505, Charging School Meals and Prohibition Against Shaming

V. Items for Discussion

1. Draft Policy #5151, Homeless Children

Public Participation

Adjournment



Mary E. Rogers, District Clerk

Board of Education50 Van Cott Ave
Farmingdale, NY 11735Meeting: 02/06/19 08:00 PM
Department: Assistant Supt for Human Resources and AdminCategory: Action Item
Prepared By: Marie Lovisa**SCHEDULED**

Initiator: Glen A Zakian

Sponsors:

DISCUSSION ITEM (ID # 5292)

DOC ID: 5292 A

Approval of the District Calendar for 2019-2020

RESOLVED, that the Farmingdale Union Free School District Board of Education adopt the school district calendar for the 2019-2020 school year in accordance with Board Policy 4110.

SEPTEMBER 2020 (17)						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER 2019 (20)						
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27	28	29	30	31		

NOVEMBER 2019 (17)						
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DECEMBER 2019 (15)						
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JANUARY 2020 (21)						
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FEBRUARY 2020 (15)						
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FARMINGDALE SCHOOL DISTRICT DRAFT

September 2019 - August 2020

- September 2 Labor Day
- September 3 & 4 Superintendent's Conference Days
- September 5 First Day of School
- September 30 Rosh Hashanah
- October 1 Rosh Hashanah
- October 9 Yom Kippur
- October 14 Columbus Day
- November 5 Supt.'s Conference Day and Election Day
- November 11 Veterans' Day
- November 28 & 29 Thanksgiving Recess
- December 23 - 31 Holiday Recess
- January 1 New Year's Day
- January 20 Martin Luther King, Jr. Day
- February 17 - 21 Winter Recess
- April 9 - 17 Spring Recess
- May 22 - 26 Memorial Day Weekend
- June 26 Last Day of School (Rating Day)



SCHOOLS CLOSED



SUPT. CONFERENCE DAYS



MAKE-UP DAYS:

Three (3) make-up days are designated if required as follows:

Day (1) - Tuesday, May 26, 2020

Day (2) - Friday, May 22, 2020

Day (3) - Friday, April 17, 2020

183 Days

MARCH 2020 (22)						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
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APRIL 2020 (15)						
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MAY 2020 (18)						
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24	25	26	27	28	29	30
31						

JUNE 2020 (20)						
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JULY 2020						
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AUGUST 2020						
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30	31					

Attachment: CALENDAR 1-PG 2019-20 DRAFT #2 (5292 : Approval of the District Calendar for 2019-2020)

Board of Education

50 Van Cott Ave
Farmingdale, NY 11735

Meeting: 02/06/19 08:00 PM
Department: Assistant Supt for Human Resources and Admin

Category: Action Item
Prepared By: Marie Lovisa

Initiator: Glen A Zaklan

Sponsors:

DOC ID: 5293

SCHEDULED

CONSENT ITEM (ID # 5293)

Approval of Policy No. 8505, Charging School Meals and Prohibition Against Shaming

RESOLVED, that the Farmingdale Union Free School District Board of Education adopt Policy No. 8505, Charging School Meals and Prohibition Against Shaming in accordance with Board Policy 2410.

“CHARGING” SCHOOL MEALS AND PROHIBITION AGAINST SHAMING

The Board of Education recognizes that on occasion, students may not have enough funds for a meal. To ensure that students do not go hungry, the Board will allow students who do not have enough funds to “charge” the cost of meals to be paid back at a later date subject to the terms in this policy. The superintendent or his/her designee will establish a plan document that fulfills the requirements set forth by Chapter 56 of the Laws of 2018.

To comply with State guidelines and maintain a system for accounting for charged meals, regarding both full and reduced-price meals, the Board shall:

1. allow only regular reimbursable meals to be charged, excluding extras, à la carte items, side dishes, additional meals, and snacks (“competitive foods”); and
2. use a computer-generated point of sale system, which identifies and records all meals as well as collects repayments.

Charged meals must be counted and claimed for reimbursement on the day that the student charged (received) the meal, not the day the charge is paid back. When charges are paid, these monies are not to be considered “à la carte” transactions, as a section on the daily cash report or deposit summary reads “charges paid.”

Students shall not be denied a reimbursable meal of their choice (of that day’s choices), even if they have accrued a negative balance from other cafeteria purchases, unless the parent/guardian has provided written permission to the school to withhold a meal. No student with unpaid charges will be prohibited from purchasing reimbursable meals if they have money that day.

If school food authorities (SFAs) suspect that a student may be abusing this policy, written notice will be provided to the parent/guardian.

Students who cannot pay for a meal or who have unpaid meal debt shall not be publicly identified or stigmatized (including wristbands or hand stamps), required to do chores or work to pay for meals, or have meals thrown away after they have been served. District staff shall not discuss a student’s unpaid meal debt in front of other students. The district shall not take any action directed at a student to collect unpaid school meal fees. However, the district may discretely notify students of their account balances, and why certain items (e.g., à la carte, etc.) could not be provided with charged meals.

Student Account Balance Notification

The district’s payment system allows for automatic replenishment when a balance reaches a certain amount set by the parent/guardian. The district shall encourage parents/guardians to utilize this option.

Attachment: Policy #8505 - BOE 2-6-19 (5293 : Approval of Policy #8505, Charging School Meals and Prohibition Against Shaming)

Parents/guardians shall be discretely notified of student account balances regularly. When a student’s account balance falls to \$10 and whenever a meal is charged, the district will discretely notify the parent/guardian of the balance, and the process to refill the account. This notification will continue regularly until the account is replenished. Parents/guardians must repay all unpaid charges remaining at the end of the year or before their child leaves the district, whichever occurs first.

The district shall discretely notify parents/guardians of students with negative balances of at least three meals, determine if the student is directly certified to be eligible for free meals, and attempt to reach the parent/guardian to assist them in the application process for free and/or reduced price meals, and determine if there are other issues within the household causing the insufficient funds and offer appropriate assistance. If a parent/guardian regularly fails to provide meal money and does not qualify for free or reduced price meals, the district may take other actions as appropriate, including notifying the local department of social services if neglect is suspected.

The school district shall notify all parents/guardians in writing on an annual basis at the start of the school year and to families transferring during the year, outlining the requirements of this policy. The policy shall also be published in appropriate school and district publications. All staff involved in implementing and enforcing this policy shall also be notified of these requirements and their responsibilities. The district’s enrollment process shall include the application process for free and reduced price meals. If the district becomes aware that a student is so eligible, it shall file an application for the student. Staff responsible for assisting foster, homeless and migrant students shall coordinate with the food services staff to ensure such students receive free school meals.

Unpaid Meal Charges and Debt Collection

Unpaid meal charges are a financial burden to the district and taxpayers and can negatively affect the school program. Unpaid meal charges shall be considered “delinquent” as per the district’s accounting practices. The district shall attempt to recover unpaid meal charges before the end of the school year, but may continue efforts into the next school year. The district shall notify parents/guardians of unpaid meal charges at regular intervals, and may engage in collection activities by district staff, which do not involve debt collectors as defined in federal law (15 USC §1692a), and may not charge fees or interest. The district shall offer repayment plans, and may take other actions that do not result in harm or shame to the child, until unpaid charges are paid.

Remaining Account Balances

Remaining funds may be carried over to the next school year. When students leave the district or graduate, the district will attempt to contact the parent/guardian to return remaining funds. Parents/guardians may request that funds be transferred to other students (e.g., siblings, unpaid accounts). All transfer requests must be in writing. Unclaimed funds remaining after 6 months shall be absorbed by the school meal account.

Staff

Staff members are allowed to purchase food from the district’s food services. However, all purchases must be paid for at the point of sale or set up an account where funds can be deposited. Staff members are not allowed to charge meals to be repaid later.

Building Principals, working with the head of food services, shall ensure that all district and food service staff with responsibilities under this policy will be trained on the provisions of this policy and the requirements of Education Law section 908.

Cross-ref: 8520, Free and Reduced Price Meal Services

Ref: 42 USC §1779 (Child Nutrition Act of 1966)
 42 USC §§1758(f)(1); 1766(a) (National School Lunch Act)
 2 CFR §200.426 (accounting for debt in federal programs)
 7 CFR §§210.9 210.12; 210.19; 220.13; 245.5 (accounting in federal school meal programs)
 Healthy, Hunger-Free Kids Act (Public Law 111-296), §143
15 USC §1692a (debt collector defined)
Education Law §908
 USDA Report to Congress, *Review of Local Policies on Meal Charges and Provision of Alternate Meals*, June 2016, www.fns.usda.gov/sites/default/files/cn/unpaidmealcharges-report.pdf
Unpaid Meal Charges: Local Meal Charge Policies, USDA FNS Memo SP 46-2016 (07/08/16), www.fns.usda.gov/unpaid-meal-charges-local-meal-charge-policies
Unpaid Meal Charges: Guidance and Q&A, USDA FNS Memo SP 57-2016 (09/16/16), <https://fns-prod.azureedge.net/sites/default/files/cn/SP57-2016os.pdf>
Unpaid Meal Charges: Guidance and Q&A, USDA FNS Memo SP 23-2017 (03/23/17), <https://fns-prod.azureedge.net/sites/default/files/cn/SP23-2017os.pdf>
Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments, USDA FNS Memo SP 47-2016 (07/08/16), www.fns.usda.gov/sites/default/files/cn/SP47-2016os.pdf
Overcoming the Unpaid Meal Challenge - Proven Strategies from Our Nation's Schools, USDA FNS Guidance Document (May 2017), <https://fns-prod.azureedge.net/sites/default/files/cn/SP29-2017a1.pdf>
New York State Legislation - Prohibition Against Meal Shaming, NYSED Memo (5/1/18), <http://www.cn.nysed.gov/content/prohibition-against-meal-shaming>
Meal Charge Plan Template, NYSED (5/1/18), <http://www.cn.nysed.gov/content/meal-charge-and-prohibition-against-meal-shaming-policy-template>

Adoption date: February 6, 2019

Attachment: Policy #8505 - BOE 2-6-19 (5293 : Approval of Policy #8505, Charging School Meals and Prohibition Against Shaming)

Board of Education

50 Van Cott Ave
Farmingdale, NY 11735

Meeting: 02/06/19 08:00 PM
Department: Assistant Supt for Human Resources and Admin
Category: Discussion

Prepared By: Marie Lovisa

Initiator: Glen A Zakian

Sponsors:

DOC ID: 5310

SCHEDULED

DISCUSSION ITEM (ID # 5310)

Draft Policy #5151, Homeless Children

HOMELESS CHILDREN

The Board of Education recognizes its responsibility to identify homeless children within the district, encourage their enrollment and eliminate existing barriers to their education which may exist in district practices. The Board will provide homeless children attending the district's schools with access to the same free and appropriate public education and other school programs and activities, including publicly funded preschool education, as other children.

A homeless child is a child who lacks a fixed, regular, and adequate nighttime residence or who has a primary nighttime location in a public or private shelter designed to provide temporary living accommodations, or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This definition also includes a child who shares the housing of others due to loss of housing, economic hardship, or similar reason; lives in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; lives in a car, park, public space or abandoned building, substandard housing, bus or train station or similar setting; has been abandoned in a hospital; or is a migratory child who qualifies as homeless. An unaccompanied youth is a homeless child not in the physical custody of a parent or guardian.

To assist in determining eligibility for services, the district shall use a housing questionnaire for all enrolling students, and those reporting a change of address, which asks for a description of the student's current living arrangements.

A homeless child has the right to attend school in either the school of origin, or any school that permanently housed students who live in the attendance area in which the homeless student is actually living are eligible to attend. For homeless students, a school of origin can be:

1. the public school where he/she attended when permanently housed (i.e., before becoming homeless); or
2. the public school where he/she was last enrolled; or
3. the public school he/she was entitled or eligible to enroll in when the child became homeless, if that child became homeless after such child was eligible to apply, register, or enroll in a public preschool or kindergarten, or he/she is living with a school-age sibling who attends school in the district; or
4. the designated receiving school at the next grade level for any feeder school, where the child has completed the final grade in the feeder school.

Such schools include the publicly-funded preschools administered by the district or the State Education Department (SED).

The homeless child is entitled to attend the designated school on a tuition-free basis for the duration of his or her homelessness. If the child becomes permanently housed, the child is entitled to continue attendance in the same school building until the end of the school year and for one additional year if that year constitutes the child's terminal year in such building. If a homeless

Attachment: DRAFT 5151 + R ACCEPTED TRACKING 1-18-19 (5310 : Draft Policy #5151, Homeless Children)

DRAFT (Accepted) #5151

child completes the final grade level in his/her school of origin, the child may also attend the designated receiving school at the next grade level for all feeder schools.

The Superintendent of Schools shall develop procedures necessary to expedite the homeless child's access to the designated school. Such procedures shall include:

- 1. **Admission:** Upon designation, the district shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical or immunization records (however, the district may temporarily exclude a child from attendance if there are actual symptoms of a communicable disease that poses a significant risk of transmission to others), proof of age or residency or other documentation and even if the child has missed application or enrollment deadlines during any period of homelessness and/or there is a pending dispute with the child's parents regarding school selection or enrollment. During a dispute, the student may continue attending the school until final resolution of the dispute, including all available appeals. Homeless children will have the same opportunity as other children to enroll in and succeed in the district's schools. They will not be placed in separate schools or programs based on their status as homeless. The district shall eliminate barriers to identification, enrollment and retention of homeless children, including barriers to enrollment and retention due to outstanding fees, fines or absences.
- 2. **Transportation:** The district shall promptly provide transportation for homeless students currently attending district schools as required by applicable law, as described in the accompanying regulation. In general, the district shall ensure that transportation is provided to homeless students enrolled in the district who attend a school of origin, including a publicly funded preschool administered by the district or SED, even if the student lives outside the district's boundaries. Transportation shall be provided for the duration of homelessness, through the remainder of the school year in which the student becomes permanently housed, and one additional year if that is the student's final year in the school.
- 3. **School Records:** For homeless students attending school out of the district, the district shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship papers, if applicable. For homeless students attending school in the district, the district shall request the student's records (academic, medical, etc.) from the school district where the child's records are located.
- 4. **Coordination:** The district shall coordinate with local social services agencies and other entities providing services to homeless children and their families for the provision of services to homeless children, and shall coordinate with other school districts on issues of prompt identification, transportation, transfer of records, and other inter-district activities. This shall include ensuring the provision of appropriate services to homeless students with disabilities who are eligible for services under either Section 504 or IDEA.

A portion of the district's Title I, Part A funds shall be set aside for homeless children and youth to provide educationally related support services and services not ordinarily provided to other students.

Attachment: DRAFT 5151 + R ACCEPTED TRACKING 1-18-19 (5310 : Draft Policy #5151, Homeless Children)

DRAFT (Accepted) #5151

Information about a homeless child’s living situation shall be treated as a student education record, and shall not be deemed to be directory information under FERPA (see Board Policy 5500, Student Records, for more information).

The Superintendent shall also designate a McKinney-Vento liaison for homeless children and ensure that this person is aware of, and able to carry out, his or her responsibilities under the law. The Superintendent shall ensure that the liaison receives appropriate professional development on identifying and meeting the needs of homeless students, including the definitions of terms related to homelessness. The liaison’s responsibilities shall include, but not be limited to, ensuring that:

1. parents or guardians of homeless children are informed of the educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children;
2. parents and guardians and unaccompanied youth are fully informed of all transportation services available to them, and are assisted in accessing them;
3. enrollment disputes involving homeless children are promptly mediated and resolved;
4. school personnel, through outreach and in coordination with shelters and social service agencies and other appropriate entities, identify homeless children, including homeless preschoolers;
5. homeless children receive educational services, including Head Start and preschool services to which they are eligible, as well as referrals to health care and other appropriate services for homeless children and their families;
6. public notice of the educational rights of homeless children is disseminated in locations frequented by homeless unaccompanied youth and parents/guardians of homeless children, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to them;
7. staff who provide services to homeless students receive required professional development and support on identifying and meeting the needs of homeless students;
8. homeless unaccompanied youth are informed of their rights, are enrolled in school, and have opportunities to meet the same state standards set for all students, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner’s regulations.

In accordance with law and regulation, the district will offer a prompt dispute resolution process (described in more detail in the accompanying administrative regulation). A student shall be entitled to continued enrollment in the district’s schools, and transportation, pending resolution of the dispute and all available appeals.

Attachment: DRAFT 5151 + R ACCEPTED TRACKING 1-18-19 (5310 : Draft Policy #5151, Homeless Children)

DRAFT (Accepted) #5151

In accordance with Commissioner’s regulations, the district shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children within the State.

Ref: 20 USC § 6313(c)
 42 USC §§11431 et seq.
 McKinney-Vento Education for Homeless Children and Youth Program, 81 Fed. Reg. 14432-14436 (3/17/16)
 U.S. Department of Education, Education for Homeless Children and Youths Program, Non-Regulatory Guidance (7/27/16), <https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716.pdf>
 Education Law §§207; 305; 3202; 3205; 3209
 Executive Law §§532-b; 532-e
 Social Services Law §§17; 62; 397
 8 NYCRR §§100.2(x); 175.6

Adoption date: December 7, 2016

Attachment: DRAFT 5151 + R ACCEPTED TRACKING 1-18-19 (5310 : Draft Policy #5151, Homeless Children)

HOMELESS CHILDREN REGULATION

Each school in the district shall maintain forms provided by the Commissioner of Education for designating a homeless child’s district of attendance. These forms must be provided to any homeless child or parent or guardian who seeks to enroll a child in school. The district’s McKinney-Vento homeless liaison for homeless students shall assist the homeless child and/or parent or guardian in understanding their rights under the law and provide them with information regarding the educational and related opportunities available to them.

School placement decisions for homeless children will be based on the “best interest of the child” and shall consider student-centered factors such as the impact of mobility on student achievement, education, and the health and safety of the child, giving priority to the wishes of the parent, guardian, or unaccompanied youth. Unless doing so is contrary to the wishes of the child’s parent or guardian, or unaccompanied youth, it will be presumed that keeping the child in the school of origin is in the child’s best interest.

If the district determines that is in the best interest of the student to attend a school other than the school of origin or a school requested by the parent or guardian, the Superintendent or designee shall provide the parent, guardian, or an unaccompanied youth, with a written explanation of its decision, together with a statement regarding the right to appeal the placement and a form petition for commencing an appeal, which shall be in a manner and form understandable to them. The Superintendent or designee shall refer any such dispute to the district’s McKinney-Vento homeless liaison for resolution. The homeless child must be enrolled in the school sought by the parent, guardian, or unaccompanied youth, pending final resolution of the dispute, including all available appeals.

Admission Procedures

Upon identifying a student experiencing homelessness, the Superintendent of Schools or designee shall immediately:

1. ensure that a designation form is given to the parent, guardian, or unaccompanied youth, and review the designation form to ensure that it is complete;
2. admit the homeless child even if the child or his/her parent or guardian is unable to produce records normally required for enrollment, or the student has missed application or enrollment deadlines, or there is an unresolved dispute regarding school selection or enrollment;
3. where applicable, make a written request to the school district where a copy of the child’s records are located for a copy of the homeless child’s school records;
4. notify the McKinney-Vento homeless liaison of the child’s admission. The liaison shall:
 - a. notify the child and/or the parent or guardian of the educational and related opportunities available to homeless children including transportation to the school of

Attachment: DRAFT 5151 + R ACCEPTED TRACKING 1-18-19 (5310 : Draft Policy #5151, Homeless Children)

DRAFT (Accepted) #5151-R

origin, and help arrange for transportation and other services such as those under Title I, Section 504, IDEA, and federal school meals;

- b. ensure that the child receives the educational services for which they are eligible, including Head Start and Early Head Start, early intervention services, and preschool programs administered by the district;
- c. make necessary referrals for the homeless children and/or their families to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services;
- d. ensure that any enrollment disputes are mediated promptly and in accordance with law;
- e. when assisting unaccompanied youth in placement or enrollment decisions, give priority to the views of such youth, provide notice to such youth of the right to appeal, and inform them of their status as “independent students” for purposes of applying for federal financial aid for college and assist with that process; and
- f. assist in obtaining required immunizations, health screenings, immunization records or health records.

The Superintendent or designee shall forward a copy of the designation form to the Commissioner of Education and the school district of origin where applicable.

Transportation

Unless the homeless child is receiving transportation provided by the Department of Social Services, or Office of Children and Family Services, the district shall provide transportation services to the child in accordance with applicable law. Where the district is designated by the parent, guardian, or unaccompanied youth, and the student attends the school of origin as defined in law described in the accompanying policy (including a publicly-funded preschool administered by the district or the State Education Department), the district must provide transportation, even if transportation is not generally provided to permanently housed students and the student is residing outside the district’s boundaries. A designated school district that must provide transportation to a homeless child is not required to provide transportation in excess of 50 miles one way, unless the Commissioner of Education determines that it is in the best interest of the child.

Transportation must be provided to the school of origin when the district receives notice of a child’s homeless status, for the duration of the student’s homelessness, as well as during the pendency of disputes. Transportation must be provided to the receiving school in accordance with applicable law if the student is homeless over multiple years. If a child becomes permanently housed during the school year, the student has the right to continued transportation services to the school of origin until the end of the academic year, as well as one additional year if that year constitutes the student’s final grade level or terminal year in the building.

If the district recommends that a homeless child attend a summer educational program, and lack of transportation is a barrier to participation, the district shall provide transportation. The

Attachment: DRAFT 5151 + R ACCEPTED TRACKING 1-18-19 (5310 : Draft Policy #5151, Homeless Children)

district shall also provide transportation to extracurricular or school activities for homeless students eligible for such activities where lack of transportation is a barrier to participation.

Dispute Resolution Process

If, after the Superintendent reviews the designation form (STAC-202), he/she finds that the student is either not homeless, not entitled to attend the district’s school, or not entitled to transportation (if requested), the Superintendent or designee will do the following:

- 1. Contact the district’s McKinney-Vento homeless liaison to assist in dispute resolution process.
- 2. Contact the student and parent (if available) and inform them of their opportunity to provide more information prior to the district making a final determination.

If, after consideration of any additional information and input from the McKinney-Vento homeless liaison, the Superintendent makes a final determination that a student is not homeless, or not entitled to enrollment or transportation, the Superintendent or designee must provide the student's parent or guardian, or the student, if the student is an unaccompanied youth, with written notice that the student is not entitled to their request. This written notice must also:

- 1. state the rationale/basis for the district's determination, including, but not limited to, a description of the documentary or other evidence upon which such determination is based;
- 2. state the date as of which the student will be excluded from the district's schools (or transportation), which shall be at least 30 days from receipt of the written notice;
- 3. advise that the district's final determination may be appealed to the Commissioner of Education (Commissioner);
- 4. provide the name, post office address, and telephone number for the district's McKinney-Vento homeless liaison;
- 5. inform the student's parent or guardian, or the student, if the student is an unaccompanied youth that the district's McKinney-Vento homeless liaison is required to assist him/her in filing such an appeal; and
- 6. include, as an attachment, the form petition needed to file an appeal to the Commissioner.

The Superintendent must ensure that the district's final decision is delivered to the parent, guardian, or unaccompanied youth in a timely manner. The student must remain enrolled and provided with transportation (if requested) until the district makes a final determination and for a minimum of 30 days after receipt of the determination to give the parent, guardian, or unaccompanied youth the opportunity to appeal to the Commissioner.

If the parent/guardian or student commences an appeal to the Commissioner within 30 days of the final determination, the homeless child or youth will be permitted to continue to attend the

Attachment: DRAFT 5151 + R ACCEPTED TRACKING 1-18-19 (5310 : Draft Policy #5151, Homeless Children)

DRAFT (Accepted) #5151-R

school s/he is enrolled in at the time of the appeal and/or receive transportation to that school until the Commissioner renders a decision.

Adoption date: December 7, 2016

Attachment: DRAFT 5151 + R ACCEPTED TRACKING 1-18-19 (5310 : Draft Policy #5151, Homeless Children)