

SECTION IV CURRICULUM AND INSTRUCTION

4.06 STUDENT ASSIGNMENT

H. HOMELESS STUDENTS

The School Board of Clay County shall ensure that homeless children and youth, including preschool-aged children are afforded the same free, appropriate public education as provided to other students and have access to the education and other services that such students need to ensure that they have an opportunity to meet the same challenging Florida student academic achievement standards to which all students are held. Homeless students shall not be stigmatized or segregated or separated into other educational programs on the basis of their status as homeless. This district shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The district will removed barriers that affect the enrollment and retention of homeless students.

1. Definitions

The District homeless education liaison shall make a final determination of homeless status on a case-by-case basis.

- a. The McKinney-Vento Act defines homeless students as individuals who lack a fixed, regular, and adequate nighttime residence and includes children and youth who:
 - 1) Are sharing the housing of other persons due to loss of housing economic hardship, or similar reason;
 - 2) Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
 - 3) Are living in emergency or transitional shelters; abandoned in hospitals; ~~or~~ **awaiting foster care placement;**

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- 4) have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodations for human beings;
 - 5) are living in **eards**, **cars**, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - 6) are migratory children who qualify as homeless because the children are living in circumstances described in 1) through 5).
- b. The term “unaccompanied youth” means a student who is not in the physical custody of a parent or guardian.
 - c. The term “school or origin” means the school that the student attended when permanently housed or the school where the child or youth was last enrolled.
 - d. The terms “enroll and enrollment” mean attending school and participating fully in school activities.
 - e. The term “immediate” means without delay.
 - f. The term “parent” means parent or guardian of a student.
 - g. The term “liaison” means the staff person designated by our LEA and each LEA in the state as their person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Act.

2. School Selection

- a. The District shall, according to that which is in the student's best interest, and if it is the wish of the parent, guardian, or unaccompanied youth, continue the homeless student's education in the school of origin for the duration of homelessness, or enroll the student in a District school in the attendance zone in which the homeless student is actually living on the same basis as other district students.
- b. In determining that which is in the best interest of the student, the District shall;
 - 1) To the extent feasible, keep a homeless student in the school of origin, unless doing so is contrary to the wishes of the student's parent or guardian.
 - 2) Provide a written explanation, including a statement regarding the right to appeal, if the District sends a homeless student to a school other than the school of origin.
 - 3) In the case of an unaccompanied student, ensure that the District homeless education liaison helps in placement or enrollment decisions, considers the views of the student, and provides notice of the right to appeal placement and enrollment decisions.
 - 4) The school of origin means the school that the student attended when permanently housed or the school in which the student was last enrolled. The choice regarding placement shall be made regardless of whether the student lives with the homeless parent or guardian or has been temporarily placed elsewhere.
 - 5) The requirements of the Student Assignment Plan for students moving their physical residence from one attendance zone to another, to transfer to a school in the new zone of residence, shall not apply to homeless students.
 - 6) The school selection may be documented through the Student Assignment waiver process.

3. Enrollment

The District will immediately enroll homeless students, new to the district, in school, even if they do have documents usually required for enrollment, such as school records (includes Individualized Education Plan-IEP, medical and immunization records, birth certificate, other documentation, or proof of residency or guardianship.

- a. A homeless student will be assigned to the student's school of origin as requested by the parent or guardian or to the District school in the attendance zone in which the student is actually living and in accordance with that which is in the student's best interest.
- b. Homeless students have a right either to remain in their school of origin or to attend school where they are temporarily residing.
- c. Homeless students who choose to remain in their school of origin have the right to remain there until the end of the school year in which they get permanent housing.
- d. If a homeless student arrives without records, the school shall contact the previously attended school system to obtain the required records and the assigned liaison shall assist the family as needed.
- e. The District shall immediately refer the parent or guardian to the districts homeless liaison for children and youth in transition, who will help in obtaining necessary immunizations or records if the student needs to obtain these records.

4. Residency

A homeless student is considered a resident if the child or youth is personally somewhere within the district with a purpose to live here temporarily, but not necessarily to remain permanently.

- a. The student shall be considered a resident when living with a parent, guardian, or person in loco parentis not solely for school purposes or for participation in extracurricular activities.
- b. Homeless students who do not live with their parents or guardians may enroll themselves in school.
- c. The address listed on the enrollment forms becomes proof that the student lives in Clay County, Florida.

5. Guardianship

- a. For purposes of school placement, any parent, guardian or person in-loco parentis who has legal or physical custody of a homeless child or youth shall enroll that child or youth directly in a District school via the school that registers students on-site, if selected.
- b. The District Guardian Responsibilities form should be completed within a reasonable period of time for those homeless students who are not accompanied by a parent or guardian, once a child or youth is enrolled in and attending a school.

6. Disputes

If a dispute arises over school selection, enrollment, or any issue covered in this Policy:

- a. The student shall be immediately admitted to the school of origin or assigned zone school as requested by the parent or guardian and transportation provided to and from the school of origin, pending resolution of the dispute;
- b. The parent or guardian of the student shall be provided with a written explanation of the District's decision regarding school selection, including the rights of the parent, guardian or student to appeal the decision through the Districts' enrollment dispute procedure and the Florida Department of Education's appeal process.
- c. The student, parent or guardian shall be referred to the District Homeless Education Liaison, who shall ensure the resolution process, is carried out as expeditiously as possible after receiving notice of the dispute; and
- d. In the case of an unaccompanied student, the District Homeless Education Liaison shall ensure that the student is immediately enrolled in school pending the resolution of the dispute.

7. Transportation

~~The District shall ensure at the request of the parent, or in the case of an unaccompanied youth, the District Homeless Education Liaison, transportation will be provided for a homeless student to and from the school of origin as follows:~~

- ~~a. If the homeless student continues to live in the School District, in which the school of origin is located, transportation will be provided.~~
- ~~b. If the homeless student moves to an area served by another district, though continuing his or her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin.~~
- ~~c. If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.~~

Maintaining the child's school stability while in out-of-home care is first priority, unless remaining in the school of origin is not in the best interest of the child. The below factors should be considered in determining whether or not a child remaining in the school of origin is in the child's best interest.

Best interest factors which must be considered include:

1. The child's desire to remain in the school of origin.
2. Was the preference of the child's parents or legal guardian considered?
3. Whether the child has a sibling(s), close friends, and/or a mentor at the school of origin.
4. The child's cultural and community connections in the school of origin.
5. The ability to implement a 504 Plan, I.E.P. or other special education services, if applicable.
6. The impact a change would have on academic credits and progress towards promotion.
7. The availability of extracurricular activities important to the child.
8. Course Offerings

9. The child's medical and behavior health needs.
10. The child's permanency goal and timeframe for achieving permanency.
11. The child's history of school transfers and how they have impacted the child.
12. The length of the commute and how it would impact the child.
13. Additional factors may be considered in making the best interest determination.

The District shall ensure, at the request of the District Homeless Education Liaison, transportation will be provided for a homeless student to and from the school of origin as follows:

- a. If the homeless student continues to live in the School Attendance Boundary in which the school of origin is located, transportation will be provided by applying the same transportation eligibility requirements in place.
- b. If a homeless student is located outside the school attendance boundary, every reasonable effort will be made to provide transportation using the existing transportation resources which may involve using ESE buses, arranging transfers between buses and riding on buses serving other schools.
- c. If a homeless student moves to an area served by another district, though continuing his or her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin.
- d. If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.

8. Homeless students shall be provided services and educational programs comparable to those offered to other students in the school selected, including the following:

- a. Preschool programs;
- b. Transportation services;
- c. Educational Services for which the student meets the eligibility criteria, including special education and related services and programs for English language learners;
- d. Vocational and technical education programs;
- e. Gifted programs;
- f. School nutrition programs;
- g. Title I, Part ~~A~~ A programs; and
- h. Before-and after-school programs.

9. Preschool Programs

The district shall ensure that homeless preschool-aged children and their families have access to educational services for which they are eligible, including preschool programs administered by the district.

10. Homeless Education Liaison

The Superintendent shall ensure that there is a District Homeless Education Liaison and his/her duties are communicated to district and school personnel and appropriate community agencies and providers.

(Ref F.S. 1003.01, 1003.21 and 1003.22)

- I. The Superintendent or designee is authorized to assign a student to any school or program as deemed by the Superintendent to be in the best interest of the student or school district. This paragraph does not apply to requests for special pupil assignment made by the student, parent or guardian.

J. CHILDREN IN FOSTER CARE

Maintaining the child's school stability while in out-of-home care is first priority, unless remaining in the school of origin is not in the best interest of the child. The below factors should be considered in determining whether or not a child remaining in the school of origin is in the child's best interest. Any decision that remaining in the school of origin is not in the child's best interest must be documented in FSFN and provided to the child's new school.

Best interest factors which must be considered include:

1. The child's desire to remain in the school of origin.
2. Was the preference of the child's parents or legal guardian considered?
3. Whether the child has a sibling(s), close friends, and/or a mentor at the school of origin.
4. The child's cultural and community connections in the school of origin.
5. The ability to implement a 504 Plan, I.E.P. or other special education services, if applicable.
6. The impact a change would have on academic credits and progress towards promotion.
7. The availability of extracurricular activities important to the child.
8. Course Offerings
9. The child's medical and behavior health needs.
10. The child's permanency goal and timeframe for achieving permanency.
11. The child's history of school transfers and how they have impacted the child.
12. The length of the commute and how it would impact the child.
13. Additional factors may be considered in making the best interest determination.

The District shall ensure, at the request of the Child Welfare Agency, transportation will be provided for a foster student to and from the school of origin as follows:

- a. If the foster student continues to live in the School Attendance Boundary in which the school of origin is located, transportation will be provided by applying the same transportation eligibility requirements in place.

- b. If a foster student is located outside the school attendance boundary, every reasonable effort will be made to provide transportation using the existing transportation resources which may involve using ESE buses, arranging transfers between buses and riding on buses serving other schools.
- c. If a foster student moves to an area served by another district, though continuing his or her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin.
- d. If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.

(Adopted: 01/08/81)(Amended: 02/17/94, 09/21/06, 04/15/10)

(Ref. ESSA, Sections 1111 (G)(1), (E) and 1112 (C)(5))

4.07 STUDENT ADMISSION AND ENROLLMENT

A. Kindergarten and First Grade

1. Age Requirements, Kindergarten

- a. Children who will have attained the age of five years on or before September 1 of the school year shall be eligible for admission to public kindergarten during that school year.
- b. Evidence of Age – **NOTE:** See 4.06 H, for Homeless Students **and 4.06 J, Children in Foster Care**

Before admitting a child to kindergarten or first grade, the principal shall require evidence that the child has attained the age required in Section A. 1. a. or Section C.

If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted: (Ref. F.S. 1003.21(1-7))

- 1) A duly attested transcript of the child's birth record, or
- 2) A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn by the parent, or
- 3) An insurance policy on the child's life, which has been in force for at least two (2) years, or
- 4) A bona fide contemporary Bible record of the child's birth, accompanied by an affidavit sworn by the parent, or
- 5) A passport or certificate of arrival in the United States, showing the age of the child, or

- 6) A transcript or record of age shown in the child's school record of at least four (4) years prior to application, stating date of birth, or
- 7) If none of these evidences can be produced, an affidavit of age sworn to by the parent, accompanied by a certificate of age signed by a public health officer or by a public school or a licensed physician, which certificate shall state the health officer or physician has examined the child and believes that the age stated in the affidavit is substantially correct.

The date of birth, so determined shall be recorded in the permanent record of each child entering kindergarten or first grade. The form of evidence for the birth date shall be noted and the parent's affidavit filed, if such affidavit is used as proof of age.

B. Early Admission to Kindergarten

No provisions for early admission to kindergarten exist.

C. First Grade

Any child who has attained the age of six (6) years on or before September 1, of the school year and who has been enrolled in a public school or who has attained the age of 6 years on or before September 1, and has satisfactorily completed the requirements for kindergarten in a non-public school shall be admitted to first grade.

(Ref. F.S. 1003.21)(Amended: 09/20/90)

D. Early Admission to First Grade

No provisions for early admission to first grade exist.

E. Health Examinations – **NOTE:** See 4.06 H, for Homeless Students **and 4.06 J, Children In Foster Care**

All "initial entry students" to a Florida school (preschool through grade 12) must present certification of a school entry health examination performed within the 12 months prior to enrollment. Any child shall be exempt from a health examination upon written request of the parent or guardian of such child stating objections to such examination on religious grounds.

(Ref. F.S. 1003.22(1))(Adopted: 07/01/81)(Amended: 10/08/81)

F. Immunizations – **NOTE:** See 4.06 H, for Homeless Students **and 4.06 J, Children in Foster Care**

Prior to admittance to or attendance in a public school (preschool through grade 12) each child shall present or have on file, a certificate of immunization for the prevention of those communicable diseases for which immunization is required by the Department of Health.

These provisions shall not apply if:

1. A request for religious exemption from immunization requirements is presented to the facility/school on a Department of Health Religious Exemption Immunization Form (DH 681) that has been officially approved by the Department of Health.
2. A physician licensed under the provisions of Chapter 458, Chapter 459 or Chapter 460 certifies in writing on forms approved and provided by the Department of Health that the child should be exempt from required immunization for medical reasons stated in writing, based upon valid clinical reasoning or evidence, demonstrating the need for the exemption at that time.

The presence of any of those communicable diseases for which immunization is required by the Department of Health in a Florida school shall permit the county health director or the health program officer staff director to declare a communicable disease emergency. The declaration of said emergency shall mandate that all children in attendance in the school who are not in compliance with the provisions of this section shall be identified by the School Board and the school.

Health and immunization records of such children shall be made available to the county health director. Those children identified as not being immunized against the disease for which the emergency has been declared shall be temporarily excluded from school until such time as specified by the county health unit director.

(Ref. F.S. 1003.22(5) (e))(Adopted: 07/01/81)(Amended: 08/21/97)

G. High School Enrollment

Any student who is enrolled in a secondary school shall present an official transcript of work or credit at the time of entrance. If the transcript is not presented, the student is tentatively enrolled on the basis of information available at the time of enrollment. Upon receipt of any official transcript, which indicates that the student is enrolled in the wrong subject or grade, the student shall be immediately withdrawn and re-enrolled in the appropriate grade or subject. The parents shall be so informed of such action.

(Ref. F.S. 1008.2)(Adopted: 01/08/81)(Amended: 08/21/97)

H. Entry into Kindergarten and First Grade by Out-of-State Transfer Students

1. Any student who transfers from an out-of-state public school and who does not meet regular age requirements for admission to Florida public schools shall be admitted upon presentation of the data required in subsection (3).
2. Any student who transfers from an out-of-state nonpublic school and who does not meet regular age requirements for admission to Florida public schools may be admitted if the student meets age requirements for public schools within the state from which he or she is transferring, and if the transfer of the student's academic

credit is acceptable under rules of the School Board. Prior to admission, the parent or guardian must also provide the data required in subsection (3).

3. In order to be admitted to Florida Schools, such a student transferring from an out-of-state school must provide the following data:
 - a. Official documentation that the parent(s) or guardian(s) was a legal resident(s) of the state in which the child was previously enrolled in school.
 - b. An official letter of transcript from proper school authority which shows record of attendance, academic information, and grade placement of student.
 - c. Evidence of immunization against communicable diseases as required in Section 1003.22, Florida Statutes.
 - d. Evidence of date of birth in accordance with Section 1003.21, Florida Statutes.
 - e. Evidence of a medical examination completed within the last twelve (12) months in accordance with Section 1003.22, Florida Statutes.

(Ref. F.S. 1003.21 & SBER 6A01.0985)(Adopted: 09/09/92)(Amended: 10/04/98)

I. Disclosure of Previous Discipline Offenses Required Upon Initial Registration

Each student at the time of initial registration into Clay County Schools shall note previous school expulsions, arrests resulting in a charge and juvenile justice actions the student have had. The registration form, completed by the student and parent at time of enrollment, shall accurately denote such incidences.

(Ref. F.S. 1006.07(1) (b))(Amended: 08/21/97)

J. Homeless Students – Documentation Required for School Entry

1. The term “homeless children and youths” means individuals who lack a fixed, regular and adequate nighttime residence and includes 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 resident 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 describe above. (Also, referenced in 4.06 H STUDENT ASSIGNMENT)

2. Evidence of Date of Birth Requirements

Homeless students being admitted to pre-kindergarten or kindergarten are to be provided a 30-day temporary exemption from the evidence of date of birth requirements. (Ref. F.S.1003.22, effective 07/01/01)

3. Health Examination

Homeless students are to be provided a 30-day temporary exemption to attend class without documentation of the required school entry health exam. (Ref. F.S.1003.22, effective 07/01/01)

4. Immunizations

Homeless students are to be provided an exemption of 30 school days to attend class without documentation of the required immunizations. The public school health nurse is responsible for the follow-up until proper documentation or immunizations are obtained.

(Ref. F.S. 1003.22, effective 07/01/01) (Amended: 10/18/01, 09/21/06, 08/19/10)

