

Homeless Students

5110.5

This school district shall, insofar as is possible, abide by the decision of the United States Congress and provide a tax-free education for those school-age children determined to be homeless as classified by P.L. 100. A homeless child shall be defined as: (1) one who lacks a fixed, regular and adequate residence, and (2) one who has a primary nighttime residence in a supervised publicly or privately operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for mentally ill), an institution providing temporary housing for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.

The term 'homeless' or 'homeless individual' does not include any individual imprisoned or otherwise detained by the act of Congress or by state law. 'Child' and 'youth' refers to persons who, if they were children of residents of the State of Nebraska would be entitled to a free education.

School officials shall review each situation to determine if it would be in the best interest of the homeless student to attend school in this school district or in the school district of origin of the student for the school year or the remainder of the school year. If it is determined that the student should attend his or her original school district, this school district shall not be responsible for transportation costs from this school district to the school in the student's original district.

The school district shall accept, on a tuition-free basis, any student who is placed by homeless parents with adults residing within the boundaries of this school district, with the understanding that such resident adults of this school district must, within sixty (60) days, obtain legal guardianship of the student. The student shall meet the entrance requirements required of other students entering this school for the first time, including providing school officials with a birth certificate and evidence of inoculations and physical examinations. Refer to Policy 5105, Admission to School. (Note: If a homeless student can not provide school officials with a birth certificate or other documents required for entrance, he or she shall provide school officials with information as to where this information might be secured.)

School officials will work with local and state health and social service agencies to evaluate any individual's readiness to attend school and for any assistance that might be available for the education of the student. The appropriate level of placement of any elementary- or secondary-level student shall be the responsibility of the secondary principal and the superintendent of schools. If appropriate documentation is not available from an accredited elementary or secondary school the procedures followed in placing the student shall be similar to those procedures set forth in Policy 5110.3, Admission of Students From Schools Which Choose Not to Meet Accreditation or Approval Requirements.

School officials are authorized to seek advice and assistance from the school district's legal counsel. Each situation will be reviewed on its individual merits.

Legal Reference Public Law 100-77, Part 7, Subpart B.