

5116 EDUCATION OF HOMELESS CHILDREN

The Board of Education will admit and enroll homeless children in accordance with Federal and State laws and New Jersey Administrative Code. The Board of Education adopts this ~~Policy~~ to be in compliance with law and administrative Code to ensure the enrollment of homeless children in school and to respond to appeals made by ~~parents(s) or legal guardian(s)~~ or other parties related to their enrollment of homeless children.

The Board of Education district shall will determine that a child is homeless when he or she resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child is also determined homeless when he or she resides in a public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles excluding mobile homes; tents or other temporary shelters; parks; abandoned buildings, bus or train stations; temporary shelters provided to migrant workers and their children on farm sites; and the residence of relatives or friends where with whom the homeless child ~~resides is temporarily residing~~ out of necessity because his or her the family lacks a regular or permanent residence of its own. A child is also determined homeless when he or she resides in substandard housing or any temporary location wherein children and youth are awaiting foster care placement.

The school district of residence for a homeless child is responsible for the education of the child and ~~shall will~~ assume all responsibilities as required in N.J.A.C. 6A:17-2.34 ~~et seq.~~ The school district of residence for a homeless child means is the school district in which the ~~parent(s) or legal guardian(s) of a homeless child last~~ resided prior to becoming homeless.

The school district liaison designated by the Superintendent of Schools for the education of homeless children is the Director of School Counseling Services. The liaison will facilitate communication and cooperation between the school district of residence and the school district where the homeless child resides and shall assume all responsibilities as outlined in is ~~temporarily residing and will develop procedures to ensure that a homeless child temporarily residing in the district is enrolled and attending school pursuant to~~ N.J.A.C. 6A:17-2.64(a).

When a homeless child resides in a school district is living temporarily in the school district, the school district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, the Department of Human Services or the Department of Children and Families, a shelter director, an involved agency, or a case manager, ~~upon receiving notification from the parent(s) or legal guardian(s), the Department of Human Services, a shelter director, an involved agency, or a case manager,~~ will ~~notify the liaison of the district of residence within twenty-four hours of the~~



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~~notification.~~ Upon notification of the need for enrollment of a homeless child, the liaison in the school district of residence ~~shall will~~ coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.56(b).

The Superintendent of the school district of residence or designee ~~of the district of residence~~ shall decide in which the school district ~~of enrollment of~~ the homeless child shall be enrolled in accordance with the provisions of N.J.A.C. 17-2.56 ~~et seq.~~

Unless parental rights have been terminated by a court of competent jurisdiction, the parent(s) ~~or legal guardian(s)~~ retains all rights under N.J.A.C. 6A:17-2.1 et seq.

~~When~~ If a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or the designee(s) of the involved district(s) or the parent(s) ~~or legal guardian(s) of the child must~~ shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the Department of Education's McKinney-Vento Homeless Education Coordinator of designee, shall immediately will decide the child's status ~~of the child within two working days~~. If a dispute remains between the parent (s) ~~or legal guardian(s)~~ and the involved school district(s) /or the districts following the Executive County Superintendent's determination, the parent(s) ~~or legal guardian(s)~~ or the involved district Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes. ~~et seq.~~

When a school district designated as the school district of residence disputes its designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent of Schools, who shall immediately make a determination, if possible, but no later than within forty-eight hours.

If the dispute regarding determination of district of residence does not involve the determination of homelessness and/or district enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the Department of Education pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f) and request a determination from the Division of Administration and Finance. If an appeal of a determination of district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

Any dispute or appeal shall not delay the homeless child's immediate enrollment or continued enrollment in the school district. The homeless child shall be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending



resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child with a disability shall be made pursuant to N.J.A.C. 6A:14.

Financial responsibility, including the payment of tuition for the homeless child, will be in accordance with N.J.A.C. 6A:17-2.8. The school district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence shall no longer list the student on its ASSA. The State shall assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. under the circumstances outlined in N.J.A.C. 6A:17-2.8(c).

N.J.S.A. 18A:7B-12; 18A:7B-12.1

N.J.A.C. 6A:17-2.1 et seq.

~~If the district is designated as the district of residence and disputes such designation, or where no designation can be agreed upon by districts, the Superintendents of the involved districts shall immediately notify the County Superintendent of Schools who will make a determination within two working days. The district may appeal the County Superintendent's determination to the Department of Education pursuant to N.J.A.C. 6A:23-5.2(d), (e), and (f).~~

~~If a dispute occurs regarding the determination of the district of enrollment made by the district of residence, the Superintendent of the district of residence shall immediately notify the County Superintendent of Schools. The County Superintendent will determine within two working days where the child shall be enrolled based on the child's best interest pursuant to N.J.A.C. 6A:17-2.6(b). If the County Superintendent's decision is disputed, the Department of Education shall provide for mediation in accordance with N.J.A.C. 6A:17-2.8(c)1.~~

~~A dispute or appeal will not delay the homeless child's immediate entrance into school. The homeless child will be enrolled in the district designated by the County Superintendent pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child with educational disabilities will be made pursuant to N.J.A.C. 6A:14.~~

~~Financial responsibility, including the payment of tuition for the homeless child, will be in accordance with N.J.A.C. 6A:17-2.9 et seq. The district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 for as long as the parent(s) or legal guardian(s) remains homeless and the child is enrolled in another~~



~~school district. If a district of residence cannot be determined for a homeless child or if a district of residence is outside of the State, the State will assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12(d). The State will pay the tuition, in accordance with N.J.A.C. 6A:17-2.9(c)1., to the school district in which the child is currently enrolled for as long as the child and his or her parent(s) or legal guardian(s) remain homeless.~~

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~~N.J.A.C. 6A:17-2.1 et seq.~~

Adopted: 07 April 2008
homeless liaison adjusted October 2017

