*Policy*

**ADMISSION OF HOMELESS STUDENTS**

*Code* **JFABD** *Issued* **DRAFT/19**

In accordance with federal and state law, the district will ensure that homeless students are provided with equal access to its educational programs and services comparable to those provided to other students in the schools; are not segregated on the basis of their status as homeless; and are provided transportation to and from the homeless student’s school of origin.

The superintendent will appoint a liaison for students to carry out duties as required by law in homeless situations.

The district will ensure that homeless students are not stigmatized or segregated on the basis of their status. A homeless student will be admitted to the district school in the attendance area in which the student is actually living or to the student’s school of origin as requested by the parent/guardian and in accordance with the student’s best interest. Transportation will be provided to and from the student’s school of origin at the request of the parent/guardian or, in the case of an unaccompanied student, the district’s liaison for homeless students.

An unaccompanied youth or the parent/guardian of a homeless student may request a state-level review of the district’s final decision regarding an enrollment issue. Under no circumstances will the resolution of a dispute delay the enrollment of said student.

The district will not deny admission to any student on the basis of race, religion, sex, color, disability, national origin, immigrant status, English-speaking status, or any other applicable status protected by local, state, or federal law.

The superintendent will develop administrative procedures to implement this policy.

Cf. EEA, IHBA, JFAA, JH, JRA

Adopted ^

Legal References:

1. United States Code of Laws, as amended:
2. Every Student Succeeds Act, Pub. L. No. 114–95, 129 Stat. 1802.
3. McKinney-Vento Homeless Assistance Act, 42 U.S.C.A. Section 11431, *et seq*.
4. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, *et seq*.
5. Title II of the Americans with Disabilities Act, 42 U.S.C.A. 12132.
6. Title IV of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000c, *et seq*.
7. Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d, *et seq*.
8. Title IX of the Education Amendments of 1972, 20 U.S.C.A. Section 1681, *et seq*.
9. S.C. Code of Laws, 1976, as amended:
10. Section 59-1-435 - Religious Viewpoints Antidiscrimination Act.
11. Section 59-63-40 - Discrimination on account of race, creed, color, or national origin prohibited.
12. Federal Cases:
13. Parents Involved in Community Schools v. Seattle School District No. 1, 551 U.S. 701 (2007).
14. *Plyler v. Doe*, 457 U.S. 202 (1982).
15. S.C. State Board of Education Regulations:

 1. R43-272.2 - Review process for homeless children and unaccompanied youth.