

It is the policy of VLACS to ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths attending VLACS.

A. Homeless Students

Under the federal McKinney-Vento Homeless Assistance Act (“McKinney-Vento”), the term “homeless children and youths” means “individuals who lack a fixed, regular and adequate nighttime residence.” Under section 752(2) of McKinney-Vento, the term includes children and youth who are:

1. sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
2. living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
3. living in emergency or transitional shelters;
4. abandoned in hospitals;
5. have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
6. living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
7. are migratory children who qualify as homeless because they are living in circumstances described above.

As used in this policy, the terms “unaccompanied youth,” “school of origin,” and “enrollment,” shall have the same meanings as set forth in the McKinney-Vento Homeless Assistance Act (“McKinney-Vento”).

B. Homeless Liaison

The Director or Academic Programs and School Affairs will serve as the local liaison for homeless students and their families/guardians (the “Homeless Liaison”). VLACS shall provide training and other technical assistance to the Homeless Liaison and other appropriate VLACS staff regarding VLACS’s obligations to homeless students. The duties of the Homeless Liaison shall include, but are not limited to ensuring the following:

1. Homeless children and youths are identified by school personnel through outreach and coordinated activities with other entities and agencies;
2. Homeless children and youths are enrolled in, and have a full and equal opportunity to succeed in, schools of that local educational agency;
3. Homeless families and homeless children and youths have access to and receive educational services for which such families, children, and youths are eligible, as outlined by applicable law and this policy;
4. Homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
5. The parents or guardians of homeless children and youths 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;

6. Public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;
7. Enrollment and/or eligibility disputes are mediated in accordance with this policy;
8. The parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, and receives assistance in accessing these services;
9. School personnel providing services under this policy receive professional development and other support; and
10. Unaccompanied youths
 - a. are enrolled in school;
 - b. have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and
 - c. are informed of their status as independent students under section 1087vv of Title 20 and that the youths may obtain assistance from the Homeless Liaison to receive verification of such status for purposes of the Free Application for Federal Student Aide described in section 1090 of Title 20. See 42 U.S.C. § 11432(g)(6)(A).

C. Enrollment Determinations for Homeless Students

VLACS personnel receiving enrollment requests or information pertaining to homeless students should immediately refer those requests to the Homeless Liaison. The Homeless Liaison will make all initial determinations for VLACS with respect to eligibility and enrollment of homeless students.

Enrollment determinations shall be based upon the best interests of the homeless student, with the presumption that keeping the homeless student in their school of origin is in the homeless student's best interests, except when doing so is contrary to the request of the parent/guardian, or if applicable, unaccompanied youth.

Once a determination of eligibility has been made by the Homeless Liaison, enrollment of a homeless student with VLACS shall be immediate. If a homeless student becomes permanently housed during the school year, the student shall no longer be considered homeless and may only continue enrollment in VLACS for the remainder of that school year, unless other grounds for continued enrollment in VLACS exist (such as domicile within the state of New Hampshire or payment of tuition for non-residents)

If more than one school or school district is involved in a residency dispute, VLACS will work with the other school or school district to make such a decision.

D. Transportation of Homeless Students

McKinney-Vento provides certain requirements for the transportation of homeless students. Whereas VLACS is a virtual charter school and does not have physical classrooms, such provisions do not apply to VLACS.

E. Dispute Resolution and Notification of Appeals Process

1. Homeless Liaison's Initial Determination

In the event the Homeless Liaison's determination with respect to eligibility or enrollment is in conflict with the wishes of the homeless student's parent/guardian, or, if applicable, the unaccompanied youth, there shall be a right to an appeal to the CEO. In such circumstances, VLACS shall provide the parent/guardian or unaccompanied youth with written notice including:

- a. A succinct explanation of the child's placement/eligibility decision and contact information for VLACS's Homeless Liaison, VLACS's CEO, as well as the New Hampshire Department of Education State Coordinator for Education of Homeless Children and Youth;
- b. Notification of the parent/guardian/unaccompanied youth's right to appeal to the CEO;
- c. Notification of the right to enroll in the school of choice pending resolution of the dispute; and
- d. A copy of this policy.

In the event of a dispute, VLACS shall immediately enroll the student in VLACS should the parent/guardian or unaccompanied youth seek to be enrolled in VLACS, which enrollment shall continue pending resolution of the dispute. Additionally, while enrollment disputes are pending, students have the right to participate fully in school and receive all services for which they would be otherwise be eligible.

2. Appeal to the CEO

If the parent/guardian or unaccompanied youth disagrees with the Homeless Liaison's placement decision, he/she/they may appeal by filing a written request for dispute resolution/appeal ("appeal") with the CEO. The request for dispute resolution should be submitted within fifteen business days of receiving notification of VLACS's placement.

The CEO will arrange for a conference to be held with the parent/guardian or unaccompanied youth within five business days of receiving the written request for dispute resolution. The conference may be held telephonically or virtually at the parent/guardian or unaccompanied youth's request.

Within five business days of the conference with the parent/guardian or unaccompanied youth, the CEO will provide a written decision and notification of their right to appeal to New Hampshire Department of Education. The CEO shall provide a copy of the CEO's decision to the Homeless Liaison.

F. Actions to Prevent Stigmatization and Segregation of Homeless Youth.

To prevent stigmatization and segregation of homeless children and youth, VLACS will implement: confidential identification procedures, awareness training for staff, maintaining school stability by minimizing school transfers, prioritizing access to the same educational programs as other students, and ensuring privacy in communication regarding their housing situation.

Legal References

20 U.S.C. 6313(c)(3) (reservation of Title I funding for homeless children and youths)
42 U.S.C. §11431 and §11432 (McKinney-Vento Homeless Assistance Act –
Education for Homeless Children and Youth)
RSA 193:12, Legal Residence Required
NH Code of Administrative Rules, Section Ed 306.04(a)(19), Homeless Students

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Revision Dates: