

*NOTE: Colorado school districts are required by law to adopt a policy on this subject and the law contains some specific direction as to the policy content or language. This sample policy contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.*

## **Homeless Students**

It is the Board's intent to remove barriers to the identification, enrollment and retention of homeless children and youth in school in accordance with state and federal law. The district shall take reasonable steps to ensure that homeless students are not segregated or stigmatized and that decisions are made in the best interests of the student.

Terms used in this policy and its accompanying regulation, such as "homeless children and youth," "unaccompanied youth," "school of origin," "enrollment," and "attendance area school" shall be as defined by the McKinney-Vento Homeless Assistance Act and its implementing regulations. For purposes of this policy and its accompanying regulation, "homeless students" shall refer to "homeless children and youth."

Each homeless student shall have access to and shall be provided education services for which the student is eligible, comparable to services provided to other students in the school, including summer school, career and technical education programs, gifted education programs, and school nutrition programs. Transportation services for homeless students shall be provided in accordance with applicable law.

Homeless students shall be provided access to education and other services that they need to ensure that they have an opportunity to meet the same student performance standards to which all students are held. All educational decisions shall be made in the best interests of the student.

The district shall coordinate with other districts and with local social services agencies and other agencies or programs providing services to homeless students as needed.

At least one staff member shall be designated to serve as the local liaison and shall fulfill the duties required of the position as set forth in state and federal law. The district shall provide training and other technical assistance to the local liaison(s) and other appropriate district staff regarding the district's obligations to homeless students.

Duties of the local liaison and procedures for identification, enrollment, transportation and dispute resolution for homeless students shall be made in accordance with the accompanying regulation and applicable law.

Adopted: December 1995

Revised: April 1998, February 2003, May 2010, November 2014, February 2019

LEGAL REFS.: 20 U.S.C. 1232g (*Family Educational Rights and Privacy Act*)  
20 U.S.C. 6313(c)(3) (*reservation of Title I funding for homeless children and youths*)  
42 U.S.C. §11431 *et seq.* (*McKinney-Vento Homeless Assistance Act – Education for Homeless Children and Youth*)  
C.R.S. 22-1-102.5 (*definition of homeless child*)  
C.R.S. 22-32-109 (1)(dd) (*duty to adopt/revise policies to remove barriers to access and success in schools for homeless children*)  
C.R.S. 22-33-103.5 (*attendance of homeless children*)  
C.R.S. 26-5.7-101 *et seq.* (*Homeless Youth Act*)

*NOTE 1: The term “homeless children” is defined in federal law to include the following:*

*Individuals who lack a fixed, regular and adequate nighttime residence, including:*

- 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; or are abandoned in hospitals;*
- children and youths who 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;*
- 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 and unaccompanied youths (i.e., those not in the physical custody of a parent or guardian) who are living in circumstances described above.*

*NOTE 2: While the definition of homeless children in Colorado law closely tracks the definition in federal law, the federal law contains the following language which is NOT found in the Colorado law:*

- “sharing the housing of other persons due to lack of housing, economic hardship or a similar reason”*
- “trailer parks”*
- “substandard housing”*

*Colorado school districts that receive federal funds are required to follow the more inclusive federal definition.*