



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: J - Students
POLICY TITLE: Students in Homeless Situations
FILE No.: JECC
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1. PURPOSE AND PHILOSOPHY

- 1.1. The federal McKinney-Vento Education Assistance Act, 42 U.S.C. 11431, requires equal access to education for children and youth experiencing homelessness (referred to herein as “McKinney-Vento students.” In accordance with the law, and in order to facilitate the education of McKinney-Vento students, Nebo School District will provide equal access to public education as outlined in this policy.

2. COMPARABLE SERVICES

- 2.1. The District will provide McKinney-Vento students with services comparable to those given to other students. Such services include, but are not limited to:
 - 2.1.1. Transportation services.
 - 2.1.2. Educational services for which the student meets the eligibility criteria, such as Title I of the Elementary and Secondary Act of 1965, Section 504 of the Rehabilitation Act of 1973, the Individuals with Disabilities Education Act (IDEA), and English as a Second Language (ESL) Programs.
 - 2.1.3. School nutrition programs, including free breakfast and free lunch. McKinney-Vento students are not required to submit a separate application for free meals under Nebo School District Policy EF, Child Nutrition. Documentation of McKinney-Vento status may be provided to the Child Nutrition Department.
 - 2.1.4. Fee waivers. McKinney-Vento students are eligible for fee waivers and are not required to submit a separate fee waiver application under Nebo School District Policy JN, Student Fees. Documentation of McKinney-Vento status may be provided to the student’s school.
 - 2.1.5. Programs for gifted and talented students; and
 - 2.1.6. Programs in vocational and technical education.

3. DEFINITION OF A MCKINNEY-VENTO STUDENT

- 3.1.** Pursuant to 42 U.S.C. §11434a(2), a child or youth is considered homeless if he or she lacks a fixed, regular, and adequate nighttime residence. This includes:
 - 3.1.1.** Children and youths who share housing with other persons due to loss of housing, economic hardship, or a similar reason;
 - 3.1.2.** Living in motels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
 - 3.1.3.** Living in emergency or transitional shelters;
 - 3.1.4.** Abandoned in hospitals;
 - 3.1.5.** Awaiting foster care placement;
 - 3.1.6.** Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
 - 3.1.7.** Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
 - 3.1.8.** Migratory children that meet one or more of the above described conditions.

4. IMMEDIATE ENROLLMENT

- 4.1.** Under state and federal law, homeless students are entitled to immediate enrollment and full participation in school, even if they are unable to produce records normally required for enrollment, such as previous academic records, immunization records, medical records, proof of residency, guardianship records, birth certificate, or other required documents.
- 4.2.** Immediately after enrollment of a homeless student, the enrolling school shall contact the school last attended by the student to request relevant academic and other records.
- 4.3.** If the student needs to obtain immunization or other required health records, the school shall notify the District's homeless liaison, who shall assist in obtaining the necessary records.

5. SCHOOL PLACEMENT

- 5.1.** The term "school of origin" is defined in 42 U.S.C. § 11432(g)(3)(I) and means the school that a student attended when permanently housed or the school in which the student was last enrolled. When a student completes the final grade level served by the school of origin, the receiving school fed by the school of origin becomes the student's school of origin.
- 5.2.** Homeless students have the right to continue attending their school of origin until the end of the academic year in which they obtain permanent housing.

6. TRANSPORTATION

- 6.1.** Homeless students are entitled to transportation to their school of origin or to the school where they are to be enrolled.
- 6.2.** When a District student becomes homeless but continues living within the District, the District will provide for transportation to and from the student's school of origin. If the student's new living arrangements are outside the District, both districts shall agree upon the apportionment of

transportation costs, or if the districts are unable to agree, both districts will equally share the cost of transportation to and from the school of origin.

- 6.3. Reasonable transportation arrangements will be made in consultation with the parent/legal guardian or student.

7. DISPUTE RESOLUTION

- 7.1. Disputes arising under this policy must be resolved following procedures outlined in the McKinney-Vento Dispute Resolution form.
- 7.2. A student may attend the student's school of origin during a dispute under this policy, pending resolution of the dispute.
- 7.3. Dispute resolution will be carried out by the District's Homeless Liaison.

8. RECORDS

- 8.1. Any record ordinarily kept by the school, including immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student shall be maintained as follows:
- 8.1.1. so that the records involved are available, in a timely fashion, when the student enters a new school or school district; and
- 8.1.2. in a manner consistent with Nebo School District Policy JO, *Student Data and Privacy*.

9. QUESTIONS

- 9.1. Questions about this policy may be directed to the District Homeless Liaison at (801) 354-7400.

EXHIBITS

None

REFERENCES

[McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §11431, et seq.](#)

Nebo School District Policy EF, Child Nutrition

Nebo School District Policy JN, Student Fees

FORMS

Nebo School District McKinney-Vento Housing Questionnaire

Nebo School District McKinney-Vento Student Dispute Resolution

HISTORY

Revised 8 January 2025 – clarified transportation requirements; added provisions on immediate enrollment, fee waivers, free meals, and maintenance of records; made technical and formatting changes.

Revised 12 August 2009.
