

## II. Homeless Pupils

ISBE considers the school enrollment, attendance and success of homeless children and youth throughout Illinois a high priority. When responding to residency questions, districts need to think about whether the pupil at issue may be “homeless” as such term is defined under Federal (the McKinney-Vento Act, 42 U.S.C. 11431) and Illinois (the Illinois Education for Homeless Children Act, 105 ILCS 45/1-1, or “IEHCA”) laws. Under both Illinois and federal law, school districts have an affirmative duty to identify homeless families within the district. Each school district’s homelessness liaison must be involved to provide assistance to families who may be homeless, so that they are aware of their right to enroll their child(ren) in school.

Homeless pupils include, but are not limited to, children or youth sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (commonly referred to as being “doubled up”) and pupils who are otherwise not residing in a fixed, regular and adequate nighttime residence. A homeless pupil must be immediately enrolled in any of the following:

- (a) the school in which he or she was enrolled when permanently housed (also known as the “school of origin”);
- (b) the school in which he or she was last enrolled; or
- (c) any public school that non-homeless students who live in the attendance area in which the homeless pupil is living are eligible to attend.

School districts can best assist homeless families by:

- Insuring that school forms, brochures, web sites, handbooks, and instructional materials reflect accurate information about homelessness and residency rights, and are easily accessible.
- Training all staff, board members, and administrators responsible for school enrollment on Illinois and federal residency and homeless laws.
- Insuring that the homeless education liaison is involved any time a child’s residency is questioned, before a residency hearing has occurred or the child is disenrolled.
- Collaborating with local free and low-cost legal services programs to insure that school district personnel are educated and that parents are provided with assistance.

There is no specific time limit on how long a child or youth can be considered homeless. Whether a child or youth meets the definition of being homeless depends on their living situation and individual circumstances. As already noted, if a pupil is (or that pupil or his or her parent or guardian claim the pupil is) homeless, districts must immediately enroll the pupil and also arrange for transportation and other services as appropriate.

If a district disputes that a pupil is homeless, the district must not engage in residency proceedings, but in dispute resolution procedures as dictated by McKinney-Vento and the IEHCA. The ISBE Homelessness Policy is available online at:

<http://www.isbe.net/homeless/pdf/policy.pdf>.

Please contact Peggy Dunn, State Homeless Coordinator at (217)782-2948 with questions about homeless pupils.