

Child Accounting Guidelines



**Pennsylvania's
Homeless Children's Initiative**

February 2011

The “**Education for Homeless Youth 42 U.S.C. §11431**” Basic Education Circular (BEC) provides definitions for homeless children and youth who lack a fixed, regular, and adequate nighttime residence.

Homeless children are entitled to a Free Appropriate Public Education (FAPE), from either the school district in which their person or the shelter is located or the school district of origin.

According to the No Child Left Behind Act of 2001, the term “school of origin” means the school the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled. Sec. 722(g)(3)(G).

- The parent has a choice in deciding whether the child is educated in the school of origin or in the school within the attendance area where they are living. This would depend upon feasibility and best interest of the child, e.g., age, safety, siblings, special needs, the commute, and how much time is left in the school year, etc.
- Homeless families are not required to prove residency regarding school enrollment. However, the Homeless Act does not prohibit a local education agency from requiring a parent or guardian of a homeless child to submit contact information.
- A child who has been identified as homeless shall continue to be considered homeless until it is reported to the local education agency (LEA) that the child is no longer homeless or until the LEA proves non-homelessness through investigation. In cases when the student becomes permanently housed during the academic year and continues in the school of origin, which is not in the district of new residence, the educating district will continue to educate the formerly homeless student, if requested by the student’s parent or guardian, until the end of the academic year and should maintain the homeless student on its roll as a non-resident student. The educating district should advise the new district of residence of its financial responsibility for this student and send a tuition bill.
- The burden of proof for establishing non-homelessness is on the LEA. Usually this responsibility rests with the home and school visitor, pupil personnel specialist, social worker, principal, vice-principal, or the Local Educational Homeless Liaison in every LEA. *The State Coordinator for the PA Homeless Children’s Initiative Program at PDE can offer technical assistance on this matter.*

“CHILD ACCOUNTING PROCEDURES”

1. Homeless students educated by the school district of origin shall be reported and reimbursed as resident students. (These students may or may not be living in a shelter, facility or institution.)
2. Homeless students living in a motel, hotel, car, campground, etc. or doubling-up sharing housing with a resident family and educated by the school district where they are temporarily living shall be reported and reimbursed as resident students. (These students are not living in a shelter, facility or institution.)
3. Homeless students living in a shelter, facility or institution and educated by the school district where they are temporarily living shall be reported as non-resident students.
 - a. If the original school district acknowledges residency on the PDE-4605, *“Determination of District of Residence for Students in Facilities or Institutions in Accordance with Section 1306 of School Code,”* the educating school district (host school district) will bill the resident school district.
 - b. If the original school district disclaims residency on the PDE-4605, the educating school district should report the student as “1306 ward of the state.” The educating school district will be reimbursed by the Commonwealth an amount equal to the educating school district’s tuition rate.

NOTE: Reasons why school districts must properly identify homeless students within their internal systems: (1) Homeless students are entitled to utilize the free/reduced lunch program. (2) Homeless students are eligible for services under the federal McKinney-Vento Homeless Assistance Amendments to the Elementary & Secondary Education Act. (3) Homeless students must be reported by grade level for Pennsylvania System of School Assessment (PSSA) purposes.

The following are different scenarios regarding homelessness:

A. Parent(s) and child move in with another family (doubled-up) in another school district outside the geographical area of the school district of origin (Allentown to Pittsburgh). Which school district is responsible for educating the child and what about multiple occupancy?

In this situation, since it would not be feasible to transport the child to the school district of origin, the school district where the family is living doubled-up would be responsible for the education. Since the child is not in a shelter, facility or institution, the child shall be reported as a resident.

B. Parent(s) and child remove themselves (evicted, fire, flood, loss of job, etc.) from their place of residence, and move into a neighboring school district's shelter. Which school district is responsible for educating the child?

Parent(s) has a choice between the school district of origin (resident school district/school district attended when permanently housed), or the school district for the attendance area of the shelter. If the school district of origin is chosen (feasible, best interest), the child should be reported as a resident of the school district of origin.

If the school district for the attendance area of the shelter is chosen, this educating school district should send a PDE-4605 to the school district of origin. If the PDE-4605 is disclaimed and a school district of residence cannot be determined, the child should be considered a "1306 ward of the state."

C. Parent(s) and child remove themselves (evicted, fire, flood, loss of a job, domestic abuse) from their Pennsylvania residence, and move into an out-of-state shelter. Is the Pennsylvania school district responsible for paying an out-of-state school district that is educating the child?

No. The Pennsylvania school district is not responsible for paying an out-of-state school district tuition nor can the Pennsylvania school district ask for tuition reimbursement from another state without a previously written agreement. This can only occur through an interstate agreement between the states. States need to have agreements in place before they can expect reimbursements. Pennsylvania does not have any interstate agreements with any other states.

D. Parent(s) and child live in District A. Child moves to District B to live with aunt and uncle who have signed a 1302 affidavit. Conditions in aunt and uncle's home become unsuitable for the child. The child runs away and ends up in an institution in District C. Which school district is responsible for educating the child? Which school district is financially responsible?

Parent(s) has choice between District B (school district in which child was considered a 1302 resident) or District C (the school for the attendance area of the shelter). If District B is chosen, the child should be reported as a resident of District B. If District C is chosen, this school district should send a PDE-4605 to District A (school district of residence of parent(s)/guardian). District A would be financially responsible, if the parent(s)/guardian still resides there.

NOTE: Signing a 1302 affidavit does not establish legal guardianship.

E. Does the McKinney-Vento Act apply to charter schools?

Yes. A Pennsylvania charter school must follow the Act's requirements for local educational agencies, including designating a liaison, identifying homeless students, ensuring immediate enrollment, honoring the right for students to remain in the school of origin, and providing transportation.

The school must enroll him or her as long as other students living in the same area would be eligible to attend the school. If the charter school has particular, skills-related entrance requirements, the student must meet those criteria (for example, a fine arts charter school with requirements related to artistic ability). However, enrollment deadlines must be waived for students experiencing homelessness.

If the student is enrolled in a brick and mortar charter school, the school district of origin will remain financial responsibility for the education of the student.

If the student is enrolled in a *cyber* charter school, Section 1302 of the Public School Code of 1949, provides that a child shall be considered a resident of the school district in which his or her parent(s) or guardian resides. In interpreting Section 1302, the Pennsylvania Supreme Court defined residence as "a factual place of abode evidenced by a person's physical presence in a particular place."

General guidance in establishing homelessness, in addition to information provided in the BEC. **Four key questions** can help resolve most cases.

- 1. Was there an event?**
- 2. Is the current living arrangement due to a lack of housing?**
- 3. Is this situation temporary?**
- 4. Is the parent in control of the event?**

After homelessness is decided upon, remember to keep reasonableness, best interest, feasibility, and foresight in mind, when discussing school placement.

FOR FURTHER INFORMATION:

Specific Homeless questions should be referred to:

Education for Homeless Children and Youth Program
Division of Student and Safe School Services
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126-0333
Phone: (717) 783-6468

Child Accounting questions should be referred to:

Bureau of Budget and Fiscal Management
Division of Subsidy Data and Administration
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126-0333
Phone: (717) 787-5423

Transportation questions should be referred to:

Bureau of Budget and Fiscal Management
Division of Subsidy Data and Administration
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126-0333
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