

## **Admission of Homeless Students with a Record of Safe Schools Violations**

RSMo 167.020 defines a “homeless child/youth” as a person less than twenty-one years of age who lacks a fixed, regular and adequate nighttime residence, including a child or youth who:

- (1) Is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; is living in motels, hotels, or camping grounds due to lack of alternative adequate accommodations; is living in emergency or transitional shelters; is abandoned in hospitals; or is awaiting foster care placement;
- (2) Has 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;
- (3) Is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (4) Is a migratory child or youth who qualifies as homeless because the child or youth is living in circumstances described in subdivisions (1) to (3) of this subsection.

The same statute exempts homeless pupils from the proof of residency requirement when registering for enrollment. *A student who is “doubled up” (living with a relative or friend because of financial hardship) is classified as “homeless.”*

*The homeless status of a pupil may also impact how the prior discipline record is handled in the registration process.*

Statue 167.023 gives school boards the authorization to require the parent, guardian, or other person having control or charge of a child of school age to provide, upon enrollment, a sworn statement or affirmation indicating whether the student has been expelled from school attendance at any school, public or private, in this state or any other state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for willful infliction of injury to another person.

RSM0 167-171.4 states that any pupil attempting to enroll in a school district during a suspension or expulsion from another in-state or out-of-state school district, including a private, charter or parochial school or school district, a conference with the superintendent or the superintendent’s designee may be held at the request of the parent, court-appointed legal guardian, someone acting as a parent as defined by rule in the case of a special education student, or the pupil to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the district in which the pupil is enrolling. “Upon a determination by the superintendent or the superintendent’s designee that such conduct would have resulted in a suspension or expulsion in the district in which the pupil is enrolling or attempting to enroll, the school district may make such suspension or expulsion from another school or district effective in the district in which the pupil is enrolling or attempting to enroll.”

*While RSMo 167-171.4 may be used by a school district to deny enrollment to a person attempting to transfer enrollment from a school where they are currently under suspension or expulsion, a homeless person should be handled differently. Enrollment should not be denied for the homeless child/youth (McKinney-Vento Act). The pupil should be enrolled, then a hearing can be conducted regarding the suspension or expulsion from the previously attended school and the suspension or expulsion can be upheld for imposition by the newly entered school.*