

THINGS YOU SHOULD KNOW IF YOU ARE HOMELESS IN COLUMBUS

Legal Rights and Benefits Available to Homeless Persons



Community Shelter Board
Citizens Advisory Council

November 2003

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The Community Shelter Board's Citizens Advisory Council, a group of men and women who have experienced homelessness firsthand, charged the Community Shelter Board staff to develop a guide to legal rights and benefits available to persons experiencing homelessness. The mission of the Council is to give guidance and feedback based on personal experience to the Community Shelter Board in order to improve services and reduce the number of homeless people in Columbus, Ohio.

With the guidance of the Council, the following people and organizations contributed to the development of this Guide:

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- Information and materials from the Ohio State Bar Association, Ohio State Legal Services Association, the Ohio Department of Job & Family Services, the Ohio Attorney General's Office, National Law Center on Homelessness and Poverty, Women's Law Initiative, and the Columbus City Attorney's Office.

This Guide offers information related to benefits you may be eligible for and your rights and responsibilities, not legal advice. Every effort has been made to ensure the accuracy of the information and to clearly explain your options. This guide is not intended, however, to provide legal advice on the application of federal, state or local laws to your individual circumstances. Please refer to the contacts listed in the Guide for additional information or guidance.

**Citizens Advisory Council
Community Shelter Board**

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SHELTER & SUPPORT SERVICES

The Community Shelter Board (CSB) believes that homelessness is not acceptable for any person in Columbus. It is our mission to help families and individuals resolve their housing crisis through the services of our partner agencies. It is our vision to work together with the community to reduce and eventually end homelessness in our city.

Client Rights

The Community Shelter Board (CSB) has developed standards, which all CSB-funded shelters in Columbus and Franklin County must follow. If you need to stay in a shelter and the shelter is full, you have the right to be referred to another shelter or other temporary accommodation. Shelter space cannot be withheld due to inability to pay for services. You are not required to engage in any religious practice as a condition of receiving shelter or support services.

You have the right to discuss your need for support services with shelter staff. Shelter staff will help you find housing, and refer you to other support services you may need, including health care, mental health and recovery services, and employment services.

The shelter must have a written document outlining your rights, which is posted, read and made known to you upon admission. Rights include, but are not limited to, the following:

- Clients have the right to be treated with dignity and respect;
- Clients have the right to privacy, the right to be treated with cultural sensitivity;
- Clients have the right to self-determination in identifying and setting goals;
- Services should be provided to clients only in the context of a professional relationship based on valid, informed consent;
- Clients should be clearly informed, in understandable language, about the purpose of the services being delivered, including clients who are not literate or are limited-English proficient;
- Clients have the right to confidentiality and information about when confidential information will be disclosed, to whom and for what purpose, as well as the right to deny disclosure;
- Clients have the right to reasonable access to records concerning their shelter stay.

Due Process

The shelter must follow appropriate due process when handling grievances and terminating clients for reasons other than successful completion of the program. Persons requesting shelter and clients staying in shelters have the right to file a compliant and/or appeal a shelter's decision to deny or terminate a shelter stay.

For Further Information and Assistance

Most shelters have a "Clients Rights Officer" (CRO) or other staff member responsible for reviewing complaints or hearing appeals. If filing a complaint or appeal, ask a shelter staff member for the contact information of the CRO or appropriate staff supervisor.

If your concerns are not adequately addressed by the shelter or program, you may contact the Community Shelter Board(614) 221-9195 for additional assistance or information.

CIVIL RIGHTS & LAW ENFORCEMENT

Staying in Public Places

You have the right to stay where you wish, as long as it is public property or you have permission to use private property. You may walk, stand, sit, or lie down in public places, as long as there are no specific rules that prohibit doing so. Most stores, businesses, and offices have rules that prohibit staying there for no obvious reason, which is also called loitering. Some shelters also have rules against loitering.

Loitering is illegal if it is for the purpose of soliciting sexual activity for hire. Soliciting is defined as beckoning to, stopping or attempting to stop another person either on foot or in a motor vehicle, engaging or attempting to engage another in conversation, or interfering with the free passage of another.

Staying on Private Property

You may stay on private land or remain in a private building if you have permission of the owner. Otherwise, you may not trespass, and must obey posted signs prohibiting trespassing, or limiting the use of land or buildings to certain persons, hours, modes, or purposes.

If you are asked to leave private property, you must do so. It is not a defense to claim that the land is public property. It is also not a defense if permission to stay on a piece of property was gained by deception.

Panhandling (Asking for Money)

You have the right to speak freely to whomever you choose, and it is legal to ask someone for spare change or money in a public place. In general, you are not permitted to ask for money in a place of business or an office building. Most stores, businesses, and offices have rules that prohibit soliciting money or panhandling.

It is not legal to be aggressive or intimidating while asking a person for money. You may not block someone's way, intimidate, harasses or coerce, or keep asking a person for money after they have conveyed or said no.

General Conduct

You are not permitted to drink alcohol in a public place (unless a permit to serve alcohol has been issued for an event), or in a car or other motor vehicle.

You are not permitted to use loud or offensive language, hinder or stop someone's movement, or stand in a group on the sidewalk so that other people cannot get past.

It is illegal to recklessly expose private areas of your body in a manner in which they are likely to be viewed by others.

If You Are Stopped By A Police Officer

Police officers are generally trying to protect your safety, and the safety of the community. Acting in a hostile manner toward a police officer will not help the situation in any way. Try to remain calm. Do not run from the police.

If an officer stops and questions you, you can ask if you are detained or free to go. If you are free to go, you have the right to leave. You do not have to talk with police or answer any questions. While you have the right to remain silent, it is advisable that you give your name and show your ID if asked. If you voluntarily talk with the police, you may be providing them with reason to detain or arrest you. If you begin to answer questions, you have the right to stop and to remain silent at any time.

During the course of a conversation, the police do not have to tell you why they want to talk to you, that they are conducting an investigation, or that they have reason to suspect you are involved in a crime. The police are also permitted to use various tactics to convince you to talk.

Detainment and Arrest

If you are being detained, you are not free to leave, but this does not mean you are charged with a crime. The police must have reasonable suspicion that you were involved in criminal activity before they detain you. If you are not free to go, ask the police why you are being detained, and remember their response, as this may help you in court. They do not have to tell you what their reasonable suspicion is, but in court they must be able to justify why they stopped you.

The police may only detain you for a reasonable amount of time for questioning and investigation. The police have the right to arrest you without a warrant if they witness you committing a misdemeanor or felony act. If you have been ticketed before and did not go to court pay the fine, the police may arrest you.

If you are under arrest, you still have the right to not answer questions.

Resisting Arrest

It is illegal to recklessly or by force knowingly resist either your or another person's arrest. The penalties are higher if you cause harm to a law enforcement officer or if you use a weapon to resist.

Search and Seizure

If you are being detained, the police have the right to search you. This is a "pat-down." A pat-down is only allowed if the police have reasonable suspicion that you have committed a crime and you have a weapon. They are only allowed to feel around for that weapon. They cannot go through your pockets, your bag, or your possessions.

Once you are officially arrested, the police have the right to thoroughly search you, your bag, or anything in your immediate control. The police can also search you at anytime if you consent to the search. Many things can be construed as consent so it is important to say respectfully but loudly so witnesses can hear, "I do not consent to this search."

Use of Force

Officers are only allowed to use reasonable force when arresting someone. This force should not continue after the person has been taken into custody. If the suspect offers no resistance, then the officers cannot use force. Police can use deadly force to make an arrest, but only if the suspect threatens the officer with a weapon, or to protect the life of a third person.

Obstructing Official Business

You may not prevent the police from conducting their official business.

PUBLIC BENEFITS

DISABILITY ASSISTANCE (DA)

DA is a program that offers cash and help with the costs of health care. (Some people who get DA only get help with the costs of health care). The most cash one person can usually get on DA is \$115 a month. You may be able to get DA cash and medical help if you are disabled, pregnant, under the age of 18, elderly age 60 or over, or living in an alcohol or drug treatment center.

For more information and to apply for DA, call the Franklin County Department of Job and Family Services at (614) 462-4000.

EARNED INCOME TAX CREDIT (EITC)

The Earned Income Tax Credit (EITC) is a refundable Federal income tax credit for low-income working individuals and families. The credit lessens the amount of Federal tax owed and can result in a refund check. When the EITC exceeds the amount of taxes owed, it results in a tax refund to those who claim and qualify for the credit. Income and family size determine the amount of the EITC.

For more information and to see if you qualify for the EITC, go to the IRS Taxpayer Assistance Center, 200 N. High St., Room 101, Mon/Tue/Thu/Fri - 8 a.m.-4:30 p.m., Wed - 8:30 a.m.-4:30 p.m., or call (614) 280-8691.

FOOD STAMPS

The Food Stamp program provides eligible persons with low income or no income with an electronic card that lets them buy food at participating grocery stores. The card is called the Ohio Direction Card. To see if you are eligible for Food Stamps, the county will look at your income and expenses. If you receive Ohio Works First benefits or Supplemental Security Insurance (SSI) benefits, you can have any amount of assets and still get Food Stamps. You do not have to have children in the household to get Food Stamp benefits. You do not have to get Ohio Works First to get Food Stamp benefits. You do not have to have a permanent address to get Food Stamps.

For more information or to apply for Food Stamps, call the Franklin County Department of Job and Family Services at (614) 462-4000. If you get Social Security or SSI, you can apply at the Social Security office. If you ask for an application, the agency must allow you to apply for Food Stamp benefits even if they do not think you are eligible for Food Stamp benefits.

MEDICAID

Medicaid is a state and federally funded program that provides health care to low income and medically at-risk people of all ages. Medicaid provides health care coverage to a number of different groups of people who meet certain financial requirements, including families, children, the elderly, blind and disabled.

For more information or to apply for Medicaid, call the Franklin County Department of Job and Family Services at (614) 462-4000.

OHIO WORKS FIRST (OWF)

Ohio Works First (OWF) is Ohio's Temporary Assistance to Needy Families (TANF) program which provides time-limited cash assistance to eligible families. The emphasis of OWF is self-sufficiency, personal responsibility and employment. To be eligible a family must meet the following requirements:

- family must contain a minor child, or a pregnant woman
- children must reside with a parent, specified relative, legal guardian or legal custodian;
- unmarried minor parents and pregnant minors must live with a parent, legal guardian, specified relative, legal custodian, or in an approved adult-supervised living arrangement;
- adults and minor heads of household are required to participate in work activities.

For more information or to apply for OWF, call the Franklin County Department of Job and Family Services at (614) 462-4000.

PREVENTION, RETENTION & CONTINGENCY

PRC is meant to prevent families from being on Ohio Works First cash assistance (Prevention), help families keep their job (Retention) and help families in an emergency (Contingency). PRC is generally a one-time payment or voucher—not on-going cash assistance. The PRC program is for families that have at least one child who is under the age of 18 or a member of the family who is pregnant. If you are looking for employment or are already working, PRC can help with short-term needs that are job-related. Some examples of these needs are transportation to and from work, getting your car repaired, buying tools, taking a class or getting a license that is needed for a job. In an emergency, PRC can also help families with rent or house payments, utility bills, or medical bills.

For more information or to apply for PRC, call the Franklin County Department of Job and Family Services at (614) 462-4000.

SOCIAL SECURITY (SSI & SSDI)

Social Security Disability Insurance (SSDI)

SSDI pays benefits to disabled workers and their families. To be eligible for SSDI, you must be disabled and must have worked a minimum amount of work covered under Social Security. (The required amount of work varies depending on your age at the time you became disabled.)

Supplemental Security Income (SSI)

SSI provides monthly income to people who are age 65 or older, or are blind or disabled, and have limited income and financial resources. You can be eligible for SSI even if you have never worked in employment covered under Social

Security. No SSI benefits are paid to family members, only to the disabled person.

To apply for SSI or SSDI or for more information, call 1-800-772-1213 for an appointment. The Social Security Administration recommends that you complete a Supplemental Security Income benefit application with the assistance of a SSA employee. If you believe you may be eligible, you should apply as soon as possible to avoid any loss of benefits.

UNEMPLOYMENT COMPENSATION

Unemployment compensation is an insurance program that provides benefits to help unemployed workers, who are unemployed through no fault of their own, while they look for work. With offices located throughout the state of Ohio, the Ohio Department of Job and Family Services (ODJFS) processes requests for unemployment compensation benefits and helps individuals find employment. An individual

should file an application as soon as he/she becomes unemployed. Applicants typically file in the first calendar week after losing a job. Waiting more than a full week to file the application postpones the beginning of benefits.

For more information or to apply, call the Franklin County Department of Job and Family Services at (614) 462-4000, or call the Telephone Registration Center toll free at 1-877-644-6562 (1-877-OHIO-JOB) 8:30 a.m. - 4:00 p.m., Monday - Friday (except holidays).

VETERANS BENEFITS

VA Disability Compensation

Disability Compensation is a benefit paid to a veteran because of injuries or diseases that happened while on active duty, or were made worse by active military service. The benefits are tax-free. The amount of basic benefit paid varies, depending on how disabled you are. You may be eligible for Disability Compensation if you have a service-related disability and you were discharged under honorable or other than dishonorable conditions.

For more information or to apply, contact:

Franklin County Veterans Service Commission
Veterans Memorial
250 West Broad Street
Columbus, OH 43215
phone: (614) 462-2500

Related benefits for Veterans that you should know about...

- Priority Medical Care
- Vocational Rehabilitation
- Clothing Allowance
- Service-Disabled Veterans Insurance
- Grants for Specially Adapted Housing
- Automobile Grant & Adaptive Equipment
- Federal Employment Preference
- State/Local Veterans Benefits
- Military Exchange & Commissary Privileges

For more information, call (614) 462-2500 or toll-free 1-800-827-1000.

FAIR HOUSING & LANDLORD/TENANT LAWS

You have an equal right to housing regardless of your race, color, national origin, religion, sex, disability, or because you are pregnant or have children under the age of 18. It is illegal for a landlord to deny you an apartment because of race, color, national origin, religion, sex, physical or mental disability or because you are pregnant or have children under the age of 18. A landlord may not ask if an applicant or tenant has a disability, or if he or she is "capable of independent living." For families with children, if the landlord says that children are not allowed in the apartment, ask to see a copy of the building rules that prohibit children. There may be some exceptions to this rule where government funding has permitted the exclusion of children in order to better serve some populations (elderly, disabled).

If a landlord refuses to offer you a lease, even though you have the rent and deposit required and an acceptable rental history, ask the landlord why the lease is being refused. If you suspect you are being discriminated against, you can file a complaint. A landlord or owner can reject an application or evict a tenant only for being unable to meet the obligations that apply to all tenants (paying rent, complying with reasonable rules, etc.) or for directly threatening the health or safety of other individuals.

Where to Call for Discrimination Claims

If you suspect that you are being discriminated against, you may contact the Columbus Urban League at (614) 257-6300, or the U.S. Department of Housing and Urban Development, Fair Housing and Equal Opportunity Division, at (614) 469-5737, x 8172.

LANDLORD/TENANT LAWS

What is a Rental Agreement?

A rental agreement or lease is a written or an oral contract between persons. A properly written agreement will eliminate most of the misunderstandings and problems that commonly arise between a landlord and a tenant. A written rental agreement benefits and protects both parties, and is a good way to do business. The written agreement may create a tenancy from week to week, month to month or year to year. This will typically depend on how often a tenant pays rent.

Ordinarily, the landlord prepares a rental agreement. For this reason, any doubtful or confusing terms are decided against the landlord and in favor of the tenant. A landlord may not limit or escape their own legal responsibility by using contract clauses in a rental agreement to shift blame to the tenant. If such a clause appears in any rental agreement, it cannot be used against the tenant. Any clause that is contrary to Ohio's Landlord Tenant law cannot be enforced against the tenant.

What are my Rights as a Tenant?

A tenant is any person who occupies or possesses the residential property of another under a rental agreement. As long as you, the tenant, do what the rental agreement and/or the law requires you to do, you have the right to occupy the property until the lease expires.

1. You have the right to complain to a government agency about your landlord's violation of housing laws or regulations that affect health and safety.
2. You have the right to complain to your landlord if he or she fails to perform any legal duties. If

you complain and the landlord retaliates against you by increasing rent, decreasing services or seeking to evict you for taking such action, the landlord has violated the law. There are legal remedies to stop or punish retaliation.

3. You have the right to join with other tenants to bargain with your landlord about the terms of the rental agreement.
4. You have a right of privacy, which the landlord must respect. The landlord may enter your apartment after reasonable notice (at least 24 hours) for a reasonable purpose.
5. If the landlord has received a written complaint from you about the premises, you have the right to have repairs made within 30 days or less (depending on the severity of the housing conditions) for conditions that significantly affect health and safety. In the case of actual emergency, your repairs can be required to be made immediately. The landlord's failure to make repairs may be addressed through the courts by placing rent payments in escrow.
6. Your furnishings or possessions may not be seized by the landlord for the purpose of recovering rent payments, nor may a landlord lock you out of the premises or shut off the utilities.

What are my Obligations as a Tenant?

As a tenant, you must meet the following obligations:

1. Comply with the standards of all housing codes that affect health and safety.
2. Refrain from and prevent family, friends or guests from damaging the rental premises.
3. Keep the premises safe and clean.
4. Keep plumbing fixtures in the unit as clean as their condition permits.
5. Dispose of all garbage in a safe and sanitary manner.
6. Operate all electrical and plumbing fixtures properly.
7. Cause no disturbance and forbid family, friends and guests to disturb your neighbors.
8. Allow your landlord reasonable access (upon 24 hours notice) to the unit to inspect, make repairs, or show the property to prospective buyers or renters.
9. See that controlled substances (such as drugs) are not illegally used on the property.
10. Permit landlord to access your rental unit in the event of an emergency that threatens the health or safety of your other tenants.

What are the Obligations of the Landlord?

The landlord has certain obligations whether or not they are written into a rental agreement. A landlord must do the following:

1. Comply with the standards of all housing and health codes that affect health and safety.
2. Make all repairs and keep the rental premises in a livable condition.
3. Keep all common areas of the premises in a safe and sanitary condition.
4. Maintain in good working condition all electrical, plumbing, heating & air conditioning systems & fixtures and/or appliances that the landlord supplies.
5. When four or more units are in the same building, the landlord must provide and maintain trash receptacles and remove all trash.
6. Supply running water, reasonable amounts of hot water and reasonable heat at all times. The tenant may be required to pay any or all utility bills for his or her unit (apartment or house). The landlord may terminate the lease of a tenant illegally using or permitting the use of controlled substances on the property.
7. Not abuse their right to enter the property for legitimate reasons; if this right is abused, the landlord has invaded the tenant's privacy.
8. Not attempt to evict a tenant without a court order by changing the locks, terminating utility service or removing the tenant's belongings.

A landlord may be liable to a person who is injured in an area the landlord controls or as a result of failure to maintain and repair certain basic items as required by law or the lease. If there is a written rental agreement the landlord is required to give the tenant their name and address and the name and address of their agent, if any. If there is an oral rental agreement, the landlord is required to furnish the same information in writing to the tenant when the tenant moves in.

Where to call with Landlord/Tenant Questions?

The Legal Aid Society of Columbus answers questions for tenants on its hotline, if the caller is financially eligible. The hotline number is (614) 241-2001 or toll free at 1-888-246-4420.

CREDIT, LENDING, RENT-TO-OWN, & EMPLOYMENT

YOUR CREDIT HISTORY

Credit Checks

Landlords have the right to check your credit history before offering a lease for an apartment. These reports are often referred to as “FABCO reports” in Columbus. The reports check credit and loan history, arrest records, and whether you’ve had previous evictions or collections. You may be denied a lease for an apartment if you do not have an acceptable rental or credit history, or outstanding debts to creditors such as previous landlords, credit card companies, electric, gas or water utility companies, etc.

If a landlord states that you do not have an acceptable credit history, you have the right to see a copy of the credit history report from the credit reporting company the landlord used to verify the reason why you have been denied a lease, at no cost to you. You can challenge reports that are not accurate.

Repairing Your Credit and Where to Call for Assistance

There are ways you can improve your credit record. Start by contacting your creditors when you realize that you are unable to make payments. If you need help working out a payment plan and a budget, or want assistance with repairing your credit history, contact Consumer Credit Counseling at (614) 621-4293. Legal Aid also helps some who need assistance repairing their credit record and can be contacted at 241-2001 or 1-888-246-4430.

PAYDAY LENDING—BE CAREFUL!!!

When Nancy needed \$200 to pay bills, she borrowed it from a payday lender who charged her a fee of \$38 for a two-week loan. On her next payday, she still couldn't meet her expenses and returned to the payday lender. She had to pay the \$38 charge again to extend or "roll over" her loan for an additional two weeks. As the weeks went by, she returned to that lender 11 more times and saw the fees mount up. After six months, she had paid almost \$500 in fees and still owed the original \$200!

What You Should Know

Check cashers, pawn shops, gas stations, Internet companies and others make small, short-term, and very high-interest-rate loans that go by a variety of names: "payday loans," "cash advance loans," "check advance loans," postdated check loans," or "deferred-deposit check loans." Most often, you write a personal check payable to the lender for the amount you wish to borrow plus a fee. The check is dated for your next payday or another day within the next couple of weeks when you have to repay the loan. At that time you usually have three options: let the lender deposit your check automatically, pay the lender in cash equal to the amount of the check, or roll over the loan and pay the fee again.

While payday lenders make it easy to get the cash you need, try to avoid them. Their convenience comes at a very high price. The typical fee for a \$100 two-week payday loan is \$15. When figured over a year, that's a 391% annual percentage rate (APR). Compare that to the 18% APR of the average credit card.

Alternatives to Payday Loans

Contact your creditors to see if they will give you more time to pay your bills. That way you can pay them

when you have the funds available. Borrow from a friend or family member. If a loan is unavoidable, shop around. Although payday loans may be the only option for certain borrowers with poor credit, you may be able to find a bank or credit union that will approve a small loan with a reasonable interest rate. Compare both the APR and the dollar amount of the finance charge. Consider getting overdraft protection on your bank account. You will avoid returned check fees and have a cushion in financial emergencies. If you own a credit card, try taking a small cash advance.

Where to Call for Assistance

If you need help preparing a budget, you can contact Consumer Credit Counseling at (614) 621-4293.

RENT-TO-OWN? BE CAREFUL

Need to furnish your home or apartment but do not have the cash or credit to do so? You may be tempted to get the items you need at a rent-to-own store, but the rent-to-own industry makes huge profits renting property such as furniture, electronics, and appliances, mostly to lower income people.

The total cost of purchasing merchandise through a rent-to-own transaction is much higher than retail store prices & you are often pressured to rent more than you can afford.

Rent-to-own stores have a "home" atmosphere, which is only a marketing strategy. The sales person may stress the low weekly & monthly rates & product features rather than what the item really costs. Before entering into a rent-to-own transaction, know your rights and what you can afford.

You Have a Right to Know:

- If the property is new, used, or previously leased.
- The total amount of any initial payment, including down payment, delivery charge, or any trade-in allowance.
- The amount of all other charges not included in the lease payment. These should be individually itemized.
- Who is liable for loss, damage in excess of normal wear and tear, or destruction of the leased property.
- How delinquency charges, reinstatement fees, or delivery charges for reinstatement will be determined.
- The terms for terminating the lease.
- Who is responsible for maintaining or servicing the leased property.
- The cash price and the amount and number of payments, including when they are due.
- If there is a manufacturer's warranty at the end of the lease and if it will be transferred to you.

The Rent-to-own Dealer Cannot Require You to:

- Purchase insurance for the leased property from their store or a company associated with their firm.
- Sign an authorization allowing the company to commit a "breach of the peace" to repossess the property.
- Pay a penalty for termination of the agreement for returning the property.
- Pay a fee for in-home collection of the payment unless the fee is disclosed to you and you agree to pay it.

You are entitled to a total of three grace periods in a year of not less than two days if you pay weekly installments, and not less than five days if you pay monthly installments, before you are considered in default of the lease Agreement.

Where to Call for Assistance

If you have a problem with a rent-to-own transaction that you cannot resolve, contact the Attorney General's toll-free Consumer Protection Line at 1-800-282-0510 of the Legal Aid Society of Columbus Hotline at 241-2001 or 1-888-246-4420.

FAMILY ISSUES: CHILDREN & SCHOOLS; DOMESTIC VIOLENCE

HOMELESS CHILDREN AND SCHOOLS

What is the McKinney-Vento Act?

The McKinney-Vento Act is a federal law, passed in 1987 to help people experiencing homelessness. Part of the law protects the rights of children and youth who are homeless to go to school. In December 2001, Congress changed the law to give more rights to children, youth and families who are homeless. Your children have the right to attend school, even though your family is homeless. This includes families who are staying out-of-doors, in a car, a shelter, or a transitional apartment.

Who at the School Can Help Families and Youth Experiencing Homelessness?

Every school district must have a person in charge of making sure students who are homeless can enroll and succeed in school. Joan Abbott-Motil is the Homeless Children Coordinator at the Columbus Public Schools. She can be reached at (614) 365-5140. Her position was set up to support and help students in homeless situations in the following ways:

- Make sure students are enrolled in school immediately, even if they do not have the papers they would normally need;
- Help families and youth get immunizations, immunization records or other medical records, if a student needs them to attend school;
- Tell parents and youth about all transportation services and help set up transportation to and from school;
- Make sure students get all of the school services they need; and
- Tell parents and guardians about all the programs and services the school has for their children.

Can Students Stay in the Same School After They Lose Their Housing?

YES. Children and youth in homeless situations have the right to stay in the school they went to before they lost their housing, or to stay at whatever school they were enrolled in last. These schools are called “schools of origin.” It is important for students to stay in their school of origin, so they do not fall behind in school and so they can keep the same teachers, friends and activities, until permanent housing is found.

Students can stay in their school of origin for the entire time they are homeless, even if they move to a different school district. If students move into permanent housing during the school year, they can still finish the year in the same school. Students have the right to stay at their school of origin whether or not they live with their parents.

A student will have to change schools only if it is not “feasible” for the student to stay at his or her school. For example, if the student moves so far away that it would be harmful for the child to travel that far to school, it may be best for the student to change schools.

What if a Student Needs Transportation to the School of Origin?

School districts must provide or arrange transportation for students in homeless situations to stay at their schools of origin, even if students move to a different city, county, or school district. If a student is living in the same school district as the school of origin, then that school district has to provide transportation. If the student moves across district lines, then both districts have to work together to provide transportation. The School Coordinator has to help set up transportation. The Coordinator should also work with local housing agencies to keep students near their schools.

Do Schools Have to Give Students in Homeless Situations All the Services They Need?

YES. Schools must make sure children and youth in homeless situations get all the educational and supplemental services they need. For example, students must have access to:

- Pre-school
- School Meal Programs
- Programs for language minorities
- Special education and other programs for students with disabilities
- Title I services
- Programs for gifted and talented students
- Vocational and technical education
- Before and after school programs

Are Schools Required to Enroll Homeless Children Immediately?

YES. Your children have the right to enroll in school immediately, even if they do not have required documents or supplies, such as school records, medical records, proof of residency, clothing or uniforms.

For Further Information or Assistance contact Joan Abbot-Motil, the Homeless Children Coordinator for the Columbus Public Schools, at (614) 365-5140. OR contact Angela Lariviere, Youth Empowerment Coordinator at the Coalition on Homelessness and Housing in Ohio, at (614) 280-1984.

DOMESTIC VIOLENCE

What is the Legal Definition of Domestic Violence in Ohio?

The law says that just about anything an abuser does to hurt or threaten you or your family is illegal and must be stopped. This includes everything from hitting, slapping, or kicking you to threatening you with a weapon, or threatening to hurt you or your children. The law specifically defines domestic violence as:

- Physical abuse
- Threats that put you in fear of immediate and serious harm (this means that there was clear and present danger of immediate physical harm).
- Any act with respect to a child that would result in that child being abused.

Protection Orders

As a victim of domestic violence or stalking, you have the right to get a **protection order** from a court of law demanding that the person harassing or abusing you stop doing so or be punished by the court. There are two kinds of protection orders in Ohio: a temporary protection order (TPO) and a civil protection order (CPO).

A **temporary protection order** can only be issued when criminal charges for domestic violence or stalking are filed against the person abusing or harassing you. This order will only last while the criminal case is before the court.

A **civil protection order** can be issued at any time (even when criminal charges have not been filed), can last up to five years, and is used when the abusive person is a member of your family or living with you.

Who is Eligible for a Protection Order?

A protection order protects you from abuse by:

- a spouse or an ex-spouse
- a parent or step-parent
- child or step-child
- other persons related to you by blood or marriage
- anyone who resides in your home or has resided in your home in the last five years (such as a boyfriend or girlfriend), but not a roommate.
- anyone with whom you have had a child (even if they never lived with you)

Generally the law does not cover people who are not living together or have not lived together, unless the two have a child in common. There have been certain cases where the law was applied to couples that never cohabited. Violation of a civil protection order can result in criminal charges.

For Further Information or Assistance with Protection Orders, contact the city attorney's office at (614) 645-7385, the county prosecutor at (614) 462-3555, or Legal Aid at (614) 241-2001.

For more Information and Support, CHOICES For Victims of Domestic Violence provides liaisons to offer victim advocacy, shelter information, and information relating to this agency's wide range of support programs. Call 614-645-4663.

RESOURCES & MORE INFORMATION

Housing Discrimination

Ohio Civil Rights Commission
Columbus Regional Office
1111 E. Broad Street, Suite 301
Columbus, OH 43205
(614) 466-5928

City of Columbus Community Relations Commission
City Hall, Room 101
90 W. Broad Street
Columbus, OH 43215
(614) 645-1993

Columbus City Attorney's Office
90 West Broad Street, Room 200
Columbus, OH 43215
(614) 645-6798

Columbus Urban League
788 Mount Vernon Avenue
Columbus, OH 43203
(614) 257-6300

Legal Aid Society of Columbus
40 W. Gay Street
Columbus, OH 43215
(614) 224-2001 or 1-888-246-4420

U.S. Department of Housing and Urban Development
Fair Housing and Equal Opportunity Division
200 N. High Street
Columbus, OH 43215
(614) 469-6694

Legal Assistance

Capital University Legal Clinic
303 E. Broad Street
Columbus, OH 43215
(614) 236-6245

Legal Aid Society of Columbus
40 W. Gay Street
Columbus, OH 43215
(614) 224-2001 or 1-888-246-4420

Public Benefits

Franklin County Department of Job and Family Services

East Opportunity Center
1055 Mount Vernon Avenue
Columbus, OH 43203
(614) 251-6380

South Opportunity Center
3723 South High Street
Columbus, OH 43207
(614) 492-6909

Northeast Opportunity Center
3443 Agler Road
Columbus, OH 43219
(614) 428-6708

North Opportunity Center
345 East 5th Avenue
Columbus, OH 43201
(614) 719-8607

West Opportunity Center
314 North Wilson Road
Columbus, OH 43204
(614) 308-1200

Legal Aid Society of Columbus
40 W. Gay Street
Columbus, OH 43215
(614) 224-2001 or 1-888-246-4420

Ohio Department of Job and Family Services
899 East Broad Street, 4th Floor
Columbus, OH 43215
(800) OHIO-JOB

Franklin County Veterans Service Commission
Veterans Memorial
250 West Broad Street
Columbus, OH 43205
(614) 462-2500

Social Security Administration
200 N. High Street, Room 225
Columbus, OH 43215
(614) 469-6850

Domestic Violence

CHOICES
614-645-4663

City Attorney's Domestic Violence Unit
275 South High Street, 7th Floor
Columbus, OH 43215
(614) 645-7483 (General/Intake)
(614) 645-6232 (Victim Services)
(614) 645-1597 (Legal Aid for Civil Protection Orders)

Franklin County Prosecutor
373 South High Street
Columbus, Ohio 43215
(614) 462-3555

Legal Aid Society of Columbus
40 W. Gay Street
Columbus, OH 43215
(614) 224-2001 or 1-888-246-4420

Education Assistance

Columbus Public Schools
Joan Abbott-Motil
Homeless Children Coordinator
(614) 365-5140
270 East State Street
Columbus, OH 43215

Columbus Board of Education
270 E. State Street
Columbus, OH 43215
(614) 365-5000

Budget & Credit Assistance

Consumer Credit Counseling
697 E. Broad Street
Columbus, OH 43215
(614) 621-4293

Attorney General's Office
Consumer Protection Section
30 E. Broad St., 14th Floor
Columbus, OH 43215-3428
1-800-282-0515 (toll-free Consumer Protection Line)

Legal Aid Society of Columbus
40 W. Gay Street
Columbus, OH 43215
(614) 224-2001 or 1-888-246-4420

NOTES



Community Shelter Board
115 West Main Street, LL
Columbus, Ohio 43215

Phone: (614) 221-9195
Fax: (614) 221-9199
Email: info@csb.org
Website: www.csb.org

Community Shelter Board
Citizens Advisory Council

