

Homeless Children and Youth

In accordance with federal law, the Waterford Board of Education (the “Board”) and the Waterford Public Schools (the “District”) does not permit discrimination against, segregation of, or stigmatization of homeless children and youth. The following sets forth procedures to implement the requirements of law with respect to homeless children and youth. In the event of conflict between federal and/or state law and these regulations with respect to homeless children and youth, the provisions of law shall control.

I. Definitions:

- A. **Enroll and Enrollment:** includes attending classes and participating fully in school activities.
- B. **Homeless Children and Youth:** means children and youth twenty-one years of age and younger who lack a fixed, regular, and adequate nighttime residence, including children and youth who:
 1. Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar situation.
 2. Are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations.
 3. Are living in emergency or transitional shelters.
 4. Are abandoned in hospitals.
 5. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a sleeping accommodation for human beings.
 6. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
 7. Are migratory children living in the above described circumstances.
- C. **School of Origin:** means the school that a homeless child or youth attended when permanently housed or the school in which the homeless child was last enrolled. School of origin may include preschool administered by the District and, when a homeless child or youth completes the final grade level served by the school of origin, also includes the designated receiving school at the next grade level for all feeder schools.
- D. **Unaccompanied Youth:** means a homeless child or youth not in the physical custody of a parent or guardian.

II. Homeless Liaison:

- A. The District’s Homeless Liaison is the Director of Special Services.
- B. The duties of the District’s Homeless Liaison include:
 1. Ensuring that homeless children and youth are identified by school personnel and through outreach and coordination with other entities and agencies.
 2. Ensuring that homeless children and youth enroll in and have full equal opportunity to succeed in the District’s schools, including ensuring that such homeless children and youth have opportunities to meet the same challenging

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academic standards as other children and youths.

3. Ensuring that homeless families, children and youths receive educational services through Head Start and Even Start, early intervention services under Part C of the Individuals with Disabilities Education Act and preschool programs administered by the District.
4. Ensuring that parents and guardians of homeless children and youth and unaccompanied youth are informed of educational and related opportunities available to homeless children and youth including extra-curricular activities, and that parents and guardians of homeless children and youth are provided with meaningful opportunities to participate in the education of their children.
5. Ensuring that parents and guardians of homeless children and youth and unaccompanied youth receive referrals to health care services, dental services, mental health services, and substance abuse services, housing services and other appropriate services.
6. Ensuring that public notice of the educational rights of homeless children under the McKinney-Vento Act is disseminated in locations frequented by parents, guardians, and unaccompanied youth in a manner and form that is understandable to them.
7. Ensuring that enrollment disputes are mediated in accordance with the McKinney-Vento Act, including carrying out the initial dispute resolution process and ensuring that homeless students are immediately enrolled pending resolution of any enrollment dispute.
8. Ensuring that parent(s)/guardian(s) of homeless children and youth and unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing those services.
9. Assisting homeless children and youth in enrolling in school and accessing school services and removing barriers to enrollment and retention due to outstanding fees, fines or absences.
10. Ensuring that students who are English learners/multilingual learners are not deterred or discouraged from applying and/or accessing special academic programs and offerings, including advanced courses and programs, because they are English learners/multilingual learners or because they have interrupted formal schooling due to work-related mobility.
11. Informing parent(s)/guardian(s) of homeless children and youth and unaccompanied youth, school personnel, and others of the rights of such students.
12. Assisting homeless children and youth who do not have immunizations or immunization/medical records to obtain necessary immunizations or immunization/medical records.
13. Assisting unaccompanied youth in placement/enrollment decisions, including considering the unaccompanied youth's wishes in those decisions, and providing notice to the unaccompanied youth of their right to appeal such decisions.
14. Ensuring that high school age homeless children and youth receive assistance from counselors to advise such youths on preparation and readiness for college,

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including informing such children and youths of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the district to receive verification of this status for purposes of the Free Application for Federal Student Aid (FAFSA).

15. Ensuring collaboration with community and school personnel responsible for providing education and related support services to homeless children and youth.
16. Collaborating with and participating in professional development and technical assistance activities offered by the State Office of the coordinator for the Education of Homeless Children and Youth.
17. Ensuring that school personnel providing services to homeless children and youth receive professional development and other technical assistance activities regarding the McKinney-Vento Act.
18. Ensuring that unaccompanied youth are enrolled in school and that procedures are implemented to identify and remove barriers that prevent them from receiving credit for full or partial coursework satisfactorily completed at a prior school, in accordance with state, local, and school policies.
19. Ensuring that information about enrollment, classes, and other educational programs and activities is made accessible to parents and guardians who have limited English proficiency.
20. With appropriate training, affirming that a child or youth who is eligible for and participating in a program provided by the District, or the immediate family of such a child or youth is eligible for homeless assistance programs administered under Title IV of the McKinney-Vento Act.

III. Enrollment of Homeless Children and Youth

A. Enrollment of homeless children and youth may not be denied or delayed due to the lack of any document normally required for enrollment. However, administrators shall require the parent/guardian or unaccompanied youth to provide contact information prior to enrollment.

B. To facilitate enrollment, administrators:

1. May permit parents/guardians of homeless children and youth and unaccompanied youth to sign affidavits of residency to replace typical proof of residency.
2. May permit unaccompanied youth to enroll with affidavits to replace typical proof of guardianship.
3. Shall refer parent/guardian/unaccompanied youth to the District's Homeless Liaison who will assist in obtaining immunizations.
4. Shall contact previous schools for records and assistance with placement decisions.
5. Shall maintain records so that the records are available in a timely fashion when the student enters a new school or school district.

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IV. School Selection:

A. Standards for School Selection:

1. The District is required to make a determination as to the best interests of a homeless child or youth in making a determination as to the appropriate school of placement.
2. In making such a determination, the District is required to keep a homeless child or youth in the child's or youth's school of origin for the duration of homelessness when a homeless child or youth becomes homeless between academic years or during an academic year, or for the remainder of the academic year if the homeless child or youth becomes permanently housed during an academic year, to the extent feasible, unless it is against the wishes of the parent or guardian or unaccompanied youth. Otherwise, the homeless child or youth shall be enrolled in a public school that non-homeless students who live in the area where the homeless child or youth is actually living are eligible to attend.
3. The District must presume that keeping the homeless child or youth in the school of origin is in the child's or youth's best interest unless doing so is contrary to the request of the child's or youth's parent or guardian, or in the case of an unaccompanied youth, the unaccompanied youth. In considering the child's or youth's best interest, the District must consider student-centered factors related to the child's or youth's best interest, giving priority to the request of the parent or guardian or unaccompanied youth.

B. Procedures for Review of School Selection Recommendation:

1. The Principal or designee of the school in which enrollment is sought shall review an enrollment request in accordance with the standards discussed above and shall make an initial recommendation regarding same.
2. The Superintendent or designee shall review the matter and consult with the District's Homeless Liaison concerning same. If the Superintendent or designee agrees with the recommendation of the Principal or designee and a dispute remains between the District and the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth about a school selection and/or enrollment decision, the Superintendent or designee shall provide the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with a written explanation of the District's decision regarding this matter and the right to appeal such decision to the Board.

C. Dispute Resolution Process:

1. The District's Homeless Liaison shall be responsible for promoting objective and expeditious dispute resolutions and adherence to these administrative regulations.
2. If the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth disputes the school placement decision or enrollment, the District must

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immediately enroll the homeless child or youth in the school in which enrollment is sought, pending resolution of the dispute. The homeless child or youth shall also have the right to all appropriate educational services, including transportation to and from the school in which enrollment is sought, while the dispute is pending.

3. If necessary, the District's Homeless Liaison shall assist parent(s) or guardian(s) of a homeless child or youth or unaccompanied youth with completion of the necessary appeal paperwork required to file for an appeal to the Board and provide the parent(s) or guardian(s) of a homeless child or youth or an unaccompanied youth with a copy of Connecticut General Statutes Section 10-186(b).
4. Not later than ten (10) days after receipt of an appeal to the Board by a parent(s) or guardian(s) of a homeless child or youth or unaccompanied youth, the District shall hold a hearing before the Board concerning such appeal, and such hearing shall be conducted in accordance with Connecticut General Statutes Section 10-186(b).
5. If the Board finds in favor of the Superintendent or designee, a parent or guardian of a homeless child or youth or unaccompanied youth may appeal the Board's decision to the State Board of Education within twenty (20) days of receipt of the Board's written decision, in accordance with Connecticut General Statutes Section 10-186(b). If necessary, the District's Homeless Liaison shall assist a parent or guardian of a homeless child or youth or unaccompanied youth with filing the necessary appeal paperwork to the State Board of Education. The homeless child or youth or unaccompanied youth shall remain in the child's or youth's school of origin pending resolution of the dispute, including all available appeals.

V. Services:

A. Homeless children and youth shall be provided with services comparable to those offered to other students in the selected school including:

1. Title I services or similar state or local programs, educational programs for students with disabilities, and preschool programs.
2. Language assistance services for students who have limited English proficiency to enable students who are English learners/multilingual learners to meaningfully participate in the educational programs.
3. Transportation services.
4. Vocational and technical education.
5. Programs for gifted and talented students.
6. School nutrition programs.
7. Before and after school programs.

B. The District shall coordinate with local social service agencies, other service providers, housing assistance providers and other school districts to ensure that homeless children and youth have access and reasonable proximity to available

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education and support services.

VI. Transportation:

- A.** The District shall provide transportation comparable to that available to other students.
- B.** Transportation shall be provided, at a parent or guardian or unaccompanied youth's request, to and from the school of origin for a homeless child or youth. Transportation shall be provided for the entire time the child or youth is homeless and until the end of any academic year in which they move into permanent housing. Transportation to the school of origin shall also be provided during pending disputes. The District's Homeless Liaison shall request transportation to and from the school of origin for an unaccompanied youth. Parents and unaccompanied youth shall be informed of this right to transportation before they select a school for attendance.
- C. To comply with these requirements:**
 - 1.** Parents/guardians, schools, and the District's Homeless Liaison shall use the district transportation form to process transportation requests.
 - 2.** If the homeless child or youth is living and attending school in this District, the District shall arrange transportation.
 - 3.** If the homeless child or youth is living in this District but attending school in another or attending school in this District and living in another, the District will follow the inter-district transportation agreement to determine responsibility and costs for such transportation. If there is no inter-district transportation agreement, the District shall confer with the other school district's Homeless Liaison to determine an apportionment of the responsibility and costs.
 - 4.** If no mutually agreeable arrangement can be reached, then the District shall:
 - a)** arrange transportation immediately.
 - b)** bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth.
 - c)** ensure that such disputes do not interfere with the homeless child or youth attending school.

VII. Records:

An unaccompanied youth, as defined in section I.D above, is entitled to knowledge of and access to all educational, medical, or similar records in the cumulative record of such unaccompanied youth maintained by this District.

VIII. Contact Information:

- A.** Local Contact: for further information, contact

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Director of Special Services
860-440-1892

B. State Contact: for further information or technical assistance, contact

Louis Tallarita, State Coordinator
Connecticut Department of Education
450 Columbus Boulevard
Hartford, CT 06103
(860) 807-2058
Louis.Tallarita@ct.gov

Legal References :

State Law:

Connecticut General Statutes §10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission. Transfers.

Connecticut General Statutes §10-253 School privileges for children in certain placements, non-resident children and children in temporary shelters.

Federal Law:

The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 et seq., as amended by Every Student Succeeds Act, Pub. L. 114-95.

United States Department of Education, Office for Civil Rights, *Protecting Access to Education for Unaccompanied Children* (June 2023).

United States Department of Education, Office for Civil Rights, *Protecting Access to Education for Migratory Children* (June 2023).

ADOPTED: September 24, 2020

REVISED: February 22, 2024

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APPENDIX A: LETTER GRANTING APPROVAL OF ENROLLMENT

[Date]

[Name of Parent]

[Address]

Re: [Student Name] [Student D.O.B.]

Dear [Parent/Guardian]:

Thank you for discussing your current living situation with [staff member]. It is my understanding that you are residing at [address] due to [summarize situation]. In accordance with the McKinney-Vento Act, children who are considered homeless are entitled to receive services comparable to services offered to other students in that district.

This letter is to confirm that your child [student(s) name], may enroll at [school] and will be afforded all appropriate services the entire time they are homeless. As soon as permanent housing is obtained, please notify our office of your new address. Your child will have the option of remaining at [school] for the current academic year in which the permanent housing is obtained, but transportation would be your responsibility. Your child also has the right to choose to attend school in the district in which your permanent housing is obtained. If there are changes to your housing situation, please notify us at 860-444-5802.

Sincerely,

[Name]

Homeless Liaison / Director of Special Services

APPENDIX B: LETTER WHEN PERMANENT HOUSING HAS BEEN OBTAINED

[Date]

[Name of Parent]

[Address]

Re: [Student Name] [Student D.O.B.]

Dear [Parent/Guardian]:

Previously, you requested that your child[ren] remain enrolled in Waterford Public Schools due to a homeless situation covered under the McKinney-Vento Act. It is my understanding that your child[ren] now has a “fixed, regular and adequate nighttime residence” located at [address]. In accordance with the McKinney-Vento Act, your child[ren] may remain enrolled in Waterford Public Schools and will be afforded all appropriate services through the end of the current school year. For the [xxxx-xx] school year, you must enroll your child in the school district where you are residing.

Sincerely,

[Name]

Homeless Liaison / Director of Special Services

APPENDIX C: WRITTEN NOTIFICATION OF ENROLLMENT DENIAL

[Date]

[Name of Parent]

[Home Address]

Re: [Student Name] [Student D.O.B.]

Dear [Parent/Guardian]:

After reviewing your request to enroll [Student Name(s)], the enrollment request is denied. This determination is based upon the following factors: [describe factors for denial].

Under the McKinney-Vento Act, you have the right to appeal this decision by completing the form attached to this notice or by contacting my office at 860-444-5802.

Meanwhile, the student(s) listed above has the right to immediately enroll in the school of choice pending resolution of the dispute. You may provide written or verbal evidence to support your position. You may seek the assistance of advocates or attorneys at your own expense; however, you may qualify for free legal services. To inquire about free legal assistance, please call Statewide Legal Services at 1-800-453-3320. You may also contact the state coordinator for homeless education:

Louis Tallarita, State Coordinator
State Department of Education
25 Industrial Park Road
Middletown, CT 06457-1543
(860) 807-2058

A copy of the dispute resolution process under section 10-186 is attached to this notice.

Please contact my office if you have any questions.

Sincerely,

[Name]

Homeless Liaison / Director of Special Services

cc: [Superintendent of Schools in which enrollment is sought, if appropriate]

**APPENDIX D:
DISPUTE RESOLUTION PROCESS
UNDER CONNECTICUT GENERAL STATUTES SECTION 10-186**

(1) If any board of education denies such accommodations, the parent or guardian of any child who is denied schooling, or an emancipated minor or a pupil eighteen years of age or older who is denied schooling, or an agent or officer charged with the enforcement of the laws concerning attendance at school, may, in writing request a hearing by the board of education.

The board of education may

- (A) conduct the hearing,
- (B) designate a subcommittee of the board composed of three board members to conduct the hearing, or
- (C) establish a local impartial hearing board of one or more persons not members of the board of education to conduct the hearing.

The board, subcommittee or local impartial hearing board shall give such person a hearing within ten days after receipt of the written request, make a stenographic record or tape recording of the hearing and make a finding within ten days after the hearing. Hearings shall be conducted in accordance with the provisions of sections 4-176e to 4-180a, inclusive, and section 4-181a. Any child or emancipated minor eighteen years or older who is denied accommodations on the basis of residency may continue in attendance in the school district at the request of the parent or guardian of such child or emancipated minor or pupil eighteen years of age or older, pending a hearing pursuant to this subdivision. The party claiming ineligibility for school accommodations shall have the burden of proving such ineligibility by a preponderance of the evidence, except in cases of denial of schooling based on residency, the party denied schooling shall have the burden of proving residency by a preponderance of the evidence.

(2) Any such parent, guardian, emancipated minor, pupil eighteen years of age or older, or agent or officer aggrieved by the finding shall, upon request, be provided with a transcript of the hearing within thirty days after such request and may take an appeal from the finding to the State Board of Education. A copy of each notice of appeal shall be filed simultaneously with the local or regional board of education and the State Board of Education. Any child, emancipated minor or pupil eighteen years of age or older who is denied accommodations by a board of education as the result of a determination by such board, may continue in attendance in the school district at the request of the parent or guardian of such child or such minor or pupil, pending a determination of such appeal. If an appeal is not taken to the State Board of Education within twenty days of the mailing of the finding to the aggrieved party, the decision of the board, subcommittee or local impartial hearing board shall be final. The local or regional board of education shall, within ten days after receipt of notice of an appeal, forward the record of the hearing to the State Board of Education. The State Board of Education shall, on receipt of a written request for a hearing made in accordance with the provisions of this subsection, establish an impartial hearing board of one or more persons to hold a public hearing in the local or regional school district in which the cause of the complaint arises. Members of the hearing board may be employees of the state Department of Education or may be qualified persons from outside the department. No member of the board of education under review nor any employee of such board of education shall be a member of the hearing board. Members of the hearing board, other than those employed by the

state of Connecticut, shall be paid reasonable fees and expenses as established by the State Board of Education within the limits of available appropriations. Such hearing board may examine witnesses and shall maintain a verbatim record of all formal sessions of the hearing. Either party to the hearing may request that the hearing board join all interested parties to the hearing, or the hearing board may join any interested party on its own motion. The hearing board shall have no authority to make a determination of the rights and responsibilities of a board of education if such board is not a party to the hearing. The hearing board may render a determination of actual residence of any child, emancipated minor or pupil eighteen years of age or older where residency is at issue.

(3) The hearing board shall render its decision within forty-five days after receipt of the notice of appeal except that an extension may be granted by the Commissioner of Education upon an application by a party or the hearing board describing circumstances related to the hearing which require an extension.

(4) If, after the hearing, the hearing board finds that any child is illegally or unreasonably denied schooling, the hearing board shall order the board of education under whose jurisdiction it has been found such child should be attending school to make arrangements to enable the child to attend public school. Except in the case of a residency determination, the finding of the local or regional board of education, subcommittee of such board or a local impartial hearing board shall be upheld unless it is determined by the hearing board that the finding was arbitrary, capricious or unreasonable. If such school officers fail to take action upon such order in any case in which such child is currently denied schooling and no suitable provision is made for such child within fifteen days after receipt of the order and in all other cases, within thirty days after receipt of the order, there shall be a forfeiture of the money appropriated by the state for the support of schools amounting to fifty dollars for each child for each day such child is denied schooling. If the hearing board makes a determination that the child was not a resident of the school district and therefore not entitled to school accommodations from such district, the board of education may assess tuition against the parent or guardian of the child or the emancipated minor or pupil eighteen years of age or older based on the following: One one-hundred-eightieth of the town's net current local educational expenditure, as defined in section 10-261, per pupil multiplied by the number of days of school attendance of the child in the district while not entitled to school accommodations provided by that district. The local board of education may seek to recover the amount of the assessment through available civil remedies.

**APPENDIX E:
NOTIFICATION OF DECISION TO
APPEAL EDUCATIONAL PLACEMENT**

This form is to be completed by the parent, guardian, caretaker, or unaccompanied youth when a dispute arises. If you need assistance in preparing this form, you may meet with the District Liaison, who can be reached at 860-444-5802.

Person completing form: _____

Relation to Student: _____

Contact Information: _____

I am requesting a Board of Education Hearing under Section 10-186 of the Connecticut General Statutes to appeal the enrollment decision made by [Name of District], [Name of School]. I have been provided with a written explanation of the District's decision, contact information for the District's homeless education liaison, and a copy of the Dispute Resolution Process under Connecticut General Statutes Section 10-186.

Name

Date

Optional. You may also include a written explanation to support your appeal in the space below or provide your explanation verbally to the Homeless Liaison.

Regulation 5100

APPENDIX F: NOTIFICATION OF HEARING REGARDING ENROLLMENT DISPUTE

[Date]

[Name of Parent]

[Address]

Re: [Student Name] [Student D.O.B.]

Dear [Name of Parent]:

You have requested a hearing before the Waterford Board of Education regarding the educational placement of your child(ren), [insert name(s) of student(s)] at [school(s)]. The Waterford Board of Education will conduct a hearing regarding your claim on [date] at [time]. The hearing will be held at the offices of the Waterford Board of Education, which are located on the second floor of the Waterford Town Hall at 15 Rope Ferry Road, Waterford, CT 06385.

The hearing will be conducted in accordance with the provisions of Section 10-186 of the Connecticut General Statutes, a copy of which is enclosed. The hearing will be conducted in executive session, and the Board of Education will make either a tape recording or a stenographic record of the hearing. You may be represented by counsel or by an advocate, at your expense, if you so desire; however, you may qualify for free legal services. To inquire about free legal assistance, please call Statewide Legal Services at 1-800-453-3320.

Please contact my office if you have any questions.

Sincerely,

[Name]

Homeless Liaison / Director of Special Services

cc: [Superintendent of Schools in which enrollment is sought, if appropriate]

**APPENDIX G: WATERFORD PUBLIC SCHOOLS STUDENT
RESIDENCY AFFIDAVIT**

(to be used when a student is homeless under the McKinney-Vento Act)

Name of Student: _____ Date of birth: _____

Name of Last School Attended: _____

Location of Last School Attended: _____

I, _____ (print name), declare and affirm as follows:

I am of legal age and believe in the obligations of an oath.

I am the parent/legal guardian/caregiver of _____ (name of student) who is of school age and is seeking admission to Waterford Public Schools.

Since _____ (date), _____ (name of student) has not had a permanent home.

The student is currently staying at _____ (may list multiple addresses, if applicable). They have been staying there since _____ (date)

This location is: (please check one)

a shelter a motel/hotel a campsite shared housing with other persons

other: _____

If the location is shared housing with other persons, please specify the reason why the student is living in such housing:

Prior to staying at this location, the student was staying at: _____ from _____ (date) to _____ (date)

I regularly receive mail at: _____

I am currently staying at the following address(es): _____

I plan to stay at this/these location(s) until: _____ (date)

I can be reached at the following phone number: _____

I can be reached for emergencies at _____

I authorize school district officials to contact _____ (case worker/shelter staff/other) at _____ to obtain further information in order to verify the information contained in this affidavit and in order to coordinate necessary services for the student.

I declare under penalty of perjury under the laws of Connecticut that the information provided is true and correct and of my own personal knowledge. I understand that giving false or otherwise untrue information on this form could result in a criminal charge or perjury being brought against me.

(Signature of Affiant)

Subscribed and sworn to, before me, this _____ day of _____, _____.

Notary Public

**APPENDIX H:
WATERFORD PUBLIC SCHOOLS**

AFFIDAVIT FOR MISSING ENROLLMENT DOCUMENTATION

I, _____, being duly sworn upon oath and based on my personal knowledge hereby state and affirm the following information regarding (student name) _____'s missing enrollment documentation for the

following:

- | | |
|--|---|
| <input type="checkbox"/> Proof of residency | <input type="checkbox"/> Immunization Record |
| <input type="checkbox"/> Proof of guardianship | <input type="checkbox"/> School Health Record |
| <input type="checkbox"/> Proof of identity | <input type="checkbox"/> School Records |
| <input type="checkbox"/> Birth Certificate | |

I am of legal age and believe in the obligations of an oath.

I am unable to present a copy of the document(s) requested above for the following reasons:

The name and location of the last school the student attended is: _____

I understand I must obtain the necessary immunization and health records and provide a copy to the District. I understand that the Homeless Liaison is available to assist me in obtaining any such immunization or health records. The Homeless Liaison is the Director of Special Services and can be reached at 860-444-5802.

(Signature of Affiant)

Subscribed and sworn to, before me, this ____ day of _____, _____.

Notary Public