

EDUCATION FOR STUDENTS WHO ARE HOMELESS

Definitions

Students who are homeless means students who lack a fixed, regular, and adequate nighttime residence and includes: (Education Code 48852.7; 42 USC 11434a)

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals

(cf. 6173.1 - Education for Foster Youth)

2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings

3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings

4. Children who are migrants who qualify as homeless because they are living in conditions described in items #1-3 above

Youth who are unaccompanied includes youth who are not in the physical custody of a parent or guardian. (20 USC 11434a)

School of origin means the school that the student who is homeless attended when permanently housed or the school in which he/she was last enrolled, including a preschool. If the school the student who is homeless attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that he/she attended within the preceding 15 months and with which he/she is connected, the Yolo County Office of Education liaison shall determine, in consultation with and with the agreement of the student who is homeless and the person holding the right to make educational decisions for the student, and in the best interests of the student who is homeless, which school shall be deemed the school of origin. (Education Code 48852.7; 42 USC 11432)

Best interest means that, in making educational and school placement decisions for a student who is homeless, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all County Office students. (Education Code 48850, 48853; 42 USC 11432)

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EDUCATION FOR STUDENTS WHO ARE HOMELESS (continued)

County Office Liaison

The Yolo County Superintendent of Schools designates the following staff person as the County Office liaison for students who are homeless: (42 USC 11432)

Program Specialist II- Foster Youth Services Coordinator; Homeless Education; Tobacco Use Prevention Education Coordinator

Santa Anita Ct. Suite 100
Woodland, CA 95776

(530) 668-6700

The County Office's liaison for students who are homeless shall: (Education Code 48852.5; 42 USC 11432)

1. Ensure that students who are homeless are identified by school personnel through outreach and coordination activities with other entities and agencies

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 3553 - Free and Reduced-Price Meals)

2. Ensure that students who are homeless are enrolled in, and have a full and equal opportunity to succeed in, County Office schools

3. Ensure that families and children and youth who are homeless have access to and receive educational services for which they are eligible, including services through Head Start and Early Head Start programs, early intervention services under Part C of the federal Individuals with Disabilities Education Act, and other preschool programs administered by the County Office

(cf. 5148.3 - Preschool/Early Childhood Education)

4. Ensure that families and students who are homeless receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services

(cf. 5141.6 - School Health Services)

5. Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children

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(cf. 5145.6 - Parental Notifications)

6. Disseminate notice of the educational rights of students who are homeless in locations frequented by parents/guardians of children and youth who are homeless and by youth who are unaccompanied, including schools, family shelters, public libraries, and hunger relief agencies (soup kitchens). The rights shall be presented in a manner and form understandable to the parents/guardians of students who are homeless and youth who are unaccompanied.

7. Mediate enrollment disputes in accordance with law and the section "Resolving Enrollment Disputes" below

8. Fully inform parents/guardians of students who are homeless and youth who are unaccompanied of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice

(cf. 3541 - Transportation Routes and Services)

9. Ensure that school personnel providing services to students who are homeless receive professional development and other support

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

10. Ensure that youth who are unaccompanied are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students under 20 USC 1087vv and that they may receive assistance from the County Office liaison to receive verification of their independent student status for purposes of applying for federal student aid pursuant to 20 USC 1090

11. Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to students who are homeless, including the provision of comprehensive data to the state coordinator as required by law

In addition, when notified pursuant to Education Code 48918.1, the County Office liaison shall assist, facilitate, or represent a student who is homeless who is undergoing a disciplinary proceeding that could result in his/her expulsion. When notified pursuant to Education Code 48915.5, the County Office liaison shall participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability.

(cf. 5144.1 - Suspension and Expulsion/Due Process)

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EDUCATION FOR STUDENTS WHO ARE HOMELESS (continued)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159 - Individualized Education Program)

The County Superintendent or designee shall inform children and youth, their parents/guardians, school personnel, service providers, and advocates working with families who are homeless of the duties of the County Office's liaison. He/she shall also provide the name and contact information of the County Office's liaison to the California Department of Education (CDE) for publishing on the CDE's web site. (42 USC 11432)

Enrollment

The County Office shall make placement decisions for students who are homeless based on the student's best interest. (42 USC 11432)

In determining the best interest of the student, the County Office shall consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the student's parent/guardian or, in the case of a youth who is unaccompanied, the youth. (42 USC 11432)

Such factors may include, but are not limited to, the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

However, placement decisions shall not be based on whether a student who is homeless lives with his/her homeless parent/guardian or has been temporarily placed elsewhere. (42 USC 11432)

In the case of a youth who is unaccompanied, the liaison shall assist in placement or enrollment decisions, give priority to the views of the student, and provide notice to the student of his/her appeal rights. (42 USC 11432)

In determining a student's best interest, a student who is homeless shall, to the extent feasible, be placed in his/her school of origin, unless the student's parent/guardian or the youth who is unaccompanied requests otherwise. (Education Code 48852.7; 42 USC 11432)

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if he/she: (Education Code 48852.7; 42 USC 11432)

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1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

2. Does not have clothing normally required by the school, such as school uniforms

(cf. 5132 - Dress and Grooming)

3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and records of immunization and other required health records

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

(cf. 5125 - Student Records)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

4. Has missed application or enrollment deadlines during any period of homelessness

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other required health records, the principal or designee shall refer the parent/guardian to the County Office liaison for students who are homeless. The County Office liaison shall assist the parent/guardian, or the student if he/she is a youth who is unaccompanied, in obtaining the necessary immunizations, screenings, or records for the student. (42 USC 11432)

If the student is placed at a school other than his/her school of origin or the school requested by his/her parent/guardian or a youth who is unaccompanied, the County Superintendent or designee shall provide the parent/guardian or the youth who is unaccompanied with a written explanation of the decision along with a statement regarding the right to appeal the placement decision. (42 USC 11432)

The student may continue attending his/her school of origin for the duration of the homelessness. (Education Code 48852.7; 42 USC 11432)

To ensure that the student who is homeless has the benefit of matriculating with his/her peers in accordance with the established feeder patterns, the following shall apply: (Education Code 48852.7; 42 USC 11432)

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1. If the student is transitioning between grade levels, he/she shall be allowed to continue in the same attendance area.
2. If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, he/she shall be allowed to continue to the school designated for matriculation in that district.

If the student's status changes before the end of the school year so that he/she is no longer homeless, he/she shall be allowed to stay in the school of origin: (Education Code 48852.7)

1. Through the duration of the school year if he/she is in grades K-8
2. Through graduation if he/she is in high school

Resolving Enrollment Disputes

If a dispute arises over student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the County Office liaison, who shall carry out the dispute resolution process as expeditiously as possible. (42 USC 11432)

The parent/guardian or youth who is unaccompanied shall be provided with a written explanation of any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or youth who is unaccompanied to appeal such decisions. (42 USC 11432)

The written explanation shall include:

1. A description of the action proposed or refused by the school
2. An explanation of why the action is proposed or refused
3. A description of any other options the school considered and the reasons that any other options were rejected
4. A description of any other factors relevant to the school's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources
5. Appropriate timelines to ensure any relevant deadlines are not missed
6. Contact information for the County Office liaison and state coordinator, and a brief description of their roles

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The written explanation shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand.

The County Office liaison may use an informal process as an alternative to formal dispute resolution procedures, provided that the parents/guardians or youth who are unaccompanied have access to the more formal process if informal resolution is not successful in resolving the matter.

In working with a student's parents/guardians or youth who are unaccompanied to resolve an enrollment dispute, the County Office liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position
2. Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records

If a parent/guardian or youth who is unaccompanied disagrees with the liaison's enrollment decision, he/she may appeal the decision to the County Superintendent. The County Superintendent shall make a determination within five working days.

If the parent/guardian chooses to appeal the school's placement decision, the County Office liaison shall forward all written documentation and related paperwork to the homeless liaison at the County Office of Education.

Pending final resolution of the dispute, including all available appeals, the student shall be immediately enrolled in the school in which enrollment is sought and shall be allowed to attend classes and participate fully in school activities. (42 USC 11432, 11434a)

Transportation

The County Office shall provide transportation for a student who is homeless to and from his/her school of origin when the student is residing within the County Office and the parent/guardian, or the County Office liaison in the case of a youth who is unaccompanied, requests that such transportation be provided. If the student moves outside of County Office boundaries, but continues to attend his/her school of origin within this County Office, the County Superintendent

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or designee shall consult with the County Superintendent in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

(cf. 3250 - Transportation Fees)

(cf. 3541 - Transportation Routes and Services)

The County Office shall not be obligated to provide transportation to students who continue attending their school of origin after they cease to be homeless, unless the formerly student who is homeless has an individualized education program that includes transportation as a necessary related service for the student. (Education Code 48852.7)

Transfer of Coursework and Credits

When a student who is homeless transfers into a County Office school, the County Office shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the student to retake the course. (Education Code 51225.2)

If the student who is homeless did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the County Office may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the County Office finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a student who is homeless in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the County Office's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the County Office prevent a student who is homeless from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

(cf. 6143 - Courses of Study)

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Applicability of Graduation Requirements

To obtain a high school diploma, a student who is homeless shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Yolo County Governing Board.

(cf. 6146.1 - High School Graduation Requirements)

However, when a student who is homeless who has completed his/her second year of high school transfers into the County Office from another school, he/she shall be exempted from all program-adopted coursework and other program-established graduation requirements, unless the County Office makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the student who is homeless' transfer, the County Superintendent or designee shall notify the student, the person holding the right to make educational decisions for him/her, and the County Office liaison for students who are homeless of the availability of the exemption and whether the student qualifies for it. If the County Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer homeless. (Education Code 51225.1)

To determine whether a student who is homeless is in his/her third or fourth year of high school, the County Office shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The County Superintendent or designee shall notify any student who is homeless who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The County Office shall not require or request a student who is homeless to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a student who is homeless, the person holding the right to make educational decisions for the student, or the County Office liaison on behalf of the student. (Education Code 51225.1)

If a student who is homeless is exempted from local graduation requirements, the exemption shall continue to apply after the student is no longer homeless or if he/she transfers to another school or school district. (Education Code 51225.1)

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If the County Superintendent or designee determines that a student who is homeless is reasonably able to complete program graduation requirements within his/her fifth year of high school, he/she shall: (Education Code 51225.1)

1. Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the program's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the student who is homeless about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student who is homeless or with the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the program's graduation requirements

Eligibility for Extracurricular Activities

A student who is homeless who enrolls in any County Office school shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Notification and Complaints

Information regarding the educational rights of students who are homeless, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint that the County Office has not complied with requirements regarding the education of students who are homeless, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the County Office's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)