

Education for Homeless Children and Youth

The County Superintendent of Schools ensures that students who are experiencing homelessness/unhoused have access to comparable services and support as well as the same free and appropriate public education provided to other students in the Solano County Office of Education's (SCOE) programs. SCOE shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students.

Students who are experiencing homelessness/unhoused shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.

The County Superintendent or designee shall ensure that placement decisions for students who are experiencing homelessness/unhoused are based on the student's best interest as defined by law and SCOE policy.

When there are at least 15 students who are experiencing homelessness/unhoused in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of students who are experiencing homelessness/unhoused. (California Education Code [EC] sections 52052, 52060)

At least annually, the County Superintendent or designee shall report to the Board on outcomes for homeless students, which may include, but are not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, SCOE shall revise its strategies as needed to better support the education of students who are experiencing homelessness/unhoused.

Definitions

Homeless students (students who are experiencing homelessness/unhoused)- individuals who lack a fixed, regular, and adequate nighttime residence and includes: (42 USC 11434a; EC §48852.7)

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; are abandoned in hospitals; or are awaiting foster care placement
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. Migratory children who qualify as homeless because the children are living in conditions described in (1)-(3) above
5. Unaccompanied youth - a youth not in the physical custody of a parent or guardian. (20 USC 11434(a)).

School of origin – the school the student who is experiencing homelessness/unhoused attended when permanently housed or the school in which they were last enrolled, including a preschool. If the school the student who is experiencing homelessness/unhoused attended when permanently housed is different from the school in which they were last enrolled, or if there is some other school that they attended within the preceding 15 months and with which they are connected, the district liaison shall determine, in consultation with and with the agreement of the student who is experiencing homelessness/unhoused and the person holding the right to make educational decisions for the student, and in the best interests of the student who is homeless/unhoused, which school shall be deemed the school of origin. (42 U.S.C. §11432[g][3][I]; EC §48852.7)

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Best interest - When determining the best interest in making educational and school placement decisions for a student who is experiencing homelessness/unhoused, 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 district students. (42 U.S.C. §11432[g][3][B]; EC §§48850, 48853)

SCOE Liaison (42 U.S.C. §11432[g][6][A]; EC §48852.5)

The County Superintendent designates the following staff position as SCOE's liaison for homeless students:

Program Coordinator, Educational Liaison,
Student & Program Support (707) 399-4812
Golden Hills Education Center, 2460 Clay Bank Road, Fairfield, CA 94533

The SCOE liaison for homeless students shall:

1. Ensure that students who are experiencing homelessness/unhoused are identified by school personnel and through coordinated activities with other entities and agencies.
2. Ensure that students who are experiencing homelessness/unhoused enroll in and have a full and equal opportunity to succeed in, district schools.
3. Ensure that families and students who are experiencing homelessness/unhoused receive educational services for which they are eligible.
4. 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.
5. Disseminate notice of the educational rights of students who are experiencing homelessness/unhoused in district schools that provide services to students who are experiencing homelessness/unhoused and at places where they receive services, such as schools, family shelters, and hunger relief agencies (soup kitchens). The rights shall be presented in a manner and form understandable to the parents/guardians of students experiencing homelessness/unhoused and unaccompanied youth.
6. Mediate enrollment disputes in accordance with law, board policy, and administrative regulation.
7. Fully inform parents/guardians of all transportation services.
8. When notified pursuant to EC §48918.1, assist, facilitate, or represent a student who is experiencing homelessness/unhoused and who is undergoing a disciplinary proceeding that could result in their expulsion.
9. When notified pursuant to EC §48915.5, participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability.
10. Assist a student who is experiencing homelessness/unhoused to obtain records necessary for their enrollment into or transfer out of district schools, including immunization, medical, and academic records.

Transportation (42 U.S.C. §11432[g][6][A]; EC §48852.7)

For students who are experiencing homelessness/unhoused enrolled in a SCOE program, SCOE shall provide transportation for a student who is experiencing homelessness/unhoused to and from their school of origin when the student is residing within the county and the parent/guardian requests that such

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transportation be provided. If the student moves outside of the county boundaries but continues to attend their school of origin within this county, the County Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation.

SCOE 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 homeless student has an individualized education program that includes transportation as a necessary related service for the student.

Immediate Enrollment (42 U.S.C §11432[g][3][B]; EC §48852.7)

Placement decisions for homeless students shall be based on the student's best interest.

When making a placement decision for a homeless student, the County Superintendent or designee may consider 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 experiencing homelessness/unhoused lives with their homeless parent/guardian or has been temporarily placed elsewhere.

In the case of an unaccompanied youth, the SCOE liaison shall assist in placement or enrollment decisions, consider the views of the student, and provide notice to the student of their appeal rights.

In determining a student's best interest, a student who is experiencing homelessness/unhoused shall, to the extent feasible, be placed in their school of origin, unless their parent/guardian requests otherwise.

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 they:

1. Have outstanding fees, fines, textbooks, or other items or monies due to the school last attended.
2. Do not have clothing normally required by the school, such as school uniforms.
3. Are unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, records or other proof of immunization history.

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 medical records, the principal or designee shall refer the parent/guardian to the SCOE liaison for students who are experiencing homelessness/unhoused. The SCOE liaison shall assist the parent/guardian, or the student if they are an unaccompanied youth, in obtaining the necessary immunizations or records for the student.

If the student is placed at a school other than their school of origin or the school requested by their parent/guardian, the County Superintendent or designee shall provide the parent/guardian with a written explanation of the decision along with a statement regarding the parent/guardian's right to appeal the placement decision. The student may continue attending their school of origin for the duration of the homelessness. (42 U.S.C. §11432; EC §48852.7)

To ensure that the homeless student has the benefit of matriculating with their peers in accordance with the established feeder patterns, the following shall apply: (EC §48852.7)

1. If the student is transitioning between grade levels, they shall be allowed to continue in the same attendance area.

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2. If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, they 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 they are no longer homeless, they shall be allowed to stay in the school of origin: (EC §48852.7)

1. Through the duration of the school year if they are in grades K-8.
2. Through graduation if they are in high school.

Enrollment Dispute Resolution Process (42 USC §11432[g][3])

If a dispute arises over eligibility, school selection or enrollment in a particular school, the student shall be immediately admitted to the school in which enrollment is sought pending final resolution of the dispute, including all available appeals. (42 U.S.C. §11432[g][3])

The parent/guardian/unaccompanied youth shall be provided with a written explanation of the placement decision, which shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian/unaccompanied youth can understand. The written explanation shall include:

1. The SCOE liaison's contact information.
2. A description of SCOE's placement decision.
3. Notice of the student's right to enroll in the school of choice pending resolution of the dispute, including the right to fully participate in all school activities.
4. Notice of the parent/guardian/unaccompanied youth's right to appeal the decision, if necessary, to the California Department of Education (CDE).

The SCOE liaison shall work to resolve an enrollment dispute as expeditiously as possible after receiving notice of the dispute. (42 U.S.C. §11432[g][3][E])

In working with a student's parents/guardians to resolve an enrollment dispute, the SCOE liaison shall:

1. Inform them they may provide written and/or oral documentation to support their position.
2. Inform them they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved.
3. Provide them a simple form 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 the parent/guardian/unaccompanied youth choose to appeal the SCOE's placement decision, the SCOE liaison shall forward all written documentation and related paperwork to the CDE.

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

Transfer of Coursework and Credits (42 U.S.C. §11432[g][1][F]; EC §§49069.5, 51225.2)

When a student experiencing homelessness/unhoused transfers into a district school, the district 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.

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If the student did not complete the entire course, they shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that they did not complete at their previous school. However, the district 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 district 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 homeless student in any course, they shall be enrolled in the same or equivalent course, if applicable, so that they may continue and complete the entire course.

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 district's notification of the student's transfer, as required under EC §49069.5.

In no event shall the district prevent a student experiencing homelessness/unhoused from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.

Applicability of Graduation Requirements (EC §§51225.1, 51225.3)

To obtain a high school diploma, a student experiencing homelessness/unhoused shall complete all courses required by EC §51225.3 and fulfill any additional graduation requirements prescribed by the Governing Board.

However, when a student experiencing homelessness/unhoused has completed their second year of high school transfers into a SCOE program from another school district, or transfers between high schools within the district, they shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district 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 their fourth year of high school. Within 30 calendar days of the transfer of the student who is experiencing homelessness/unhoused, the County Superintendent or designee shall notify the student, the person holding the right to make educational decisions for them, and the SCOE liaison for students who are experiencing homelessness/unhoused 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.

To determine whether a student experiencing homelessness/unhoused is in their third or fourth year of high school, SCOE shall use either the number of credits they have earned as of the date of the transfer or the length of their school enrollment, whichever qualifies them for the exemption.

The County Superintendent or designee shall notify any student experiencing homelessness/unhoused who is granted an exemption and the person holding the right to make educational decisions for them 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.

SCOE shall not require or request a student who is experiencing homelessness/unhoused to transfer schools 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 experiencing homelessness/unhoused, the person holding the right to make educational decisions for the student, or the district liaison on behalf of the student.

If a student who is experiencing homelessness/unhoused is exempted from local graduation requirements, the exemption shall continue to apply after the student is no longer experiencing homelessness/unhoused or if they transfer to another school or school district.

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If the County Superintendent or designee determines that a student experiencing homelessness is reasonably able to complete district graduation requirements within their fifth year of high school, they shall:

Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for them, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect their ability to gain admission to a postsecondary educational institution

Provide information to the student who is experiencing homelessness/unhoused about transfer opportunities available through the California Community Colleges

Upon agreement with the student who is experiencing homelessness/unhoused or with the person holding the right to make educational decisions for them if they are under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

Eligibility for Extracurricular Activities (42 U.S.C. §11432[g][1][F]; EC §48850[a][2])

A student experiencing homelessness/unhoused who enrolls in any SCOE program shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.

Notification and Complaints (EC §§51225.1, 51225.2)

Information regarding the educational rights of students who are experiencing homelessness/unhoused, 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 California Code of Regulations (CCR) 4622 (EC §§51225.1, 51225.2).

Legal Reference:

EDUCATION CODE

- 1980-1986 County community schools
- 2558.2 Use of revenue limits to determine average daily attendance of homeless children
- 39807.5 Payment of transportation costs by parents
- 48850 – Extracurricular activities
- 48852.5 – Role of district liaison
- 48852.7 – School of origin
- 49069.5 -Transfer of official transcripts
- 51225.1- 51225.3 – Graduation requirements and notification of complaints

UNITED STATES CODE, TITLE 42

- 11431-11435 McKinney-Vento Homeless Assistance Act

Policy Cross-Reference:

- 1312.3 Uniform Complaint Procedures
- 1400 Relations between Other Governmental Agencies and Schools
- 3541 Transportation Routes and Services
- 5111.13 Residency for Homeless Youth
- 5121 Grades/Evaluation of Student Achievement/Credits Toward Advancement
- 5125 Student Records
- 5141.31 Immunizations
- 6173.1 Education of Foster Youth