

Instruction

BP 6173 (a)

EDUCATION FOR HOMELESS CHILDREN

The Governing Board believes that the identification of students experiencing homelessness is critical to improving the educational outcomes of such students and ensuring that students experiencing homelessness have access to the same free and appropriate public education provided to other students within the district. The district 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.

When there are at least 15 students experiencing homelessness 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 experiencing homelessness. (Education Code 52052, 52060, 52064)

The Superintendent or designee shall review district policies at least once every three years and recommend updates to ensure removal of any barriers to the education of students experiencing homelessness and unaccompanied youth. Any such review shall address identification, enrollment, and retention of such students, including those barriers that are due to absences or outstanding fees or fines. (Education Code 48851.3, 42 USC 11432)

The Superintendent or designee shall designate an appropriate staff person to serve as a liaison for homeless children and youths. The district liaison for homeless students shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting students experiencing homelessness to succeed in school, and as specified in Education Code 48851.3 related to trainings for district staff providing assistance to students experiencing homelessness.

The Superintendent or designee shall ensure that each district school identifies all students experiencing homelessness and unaccompanied youths enrolled at the school. (Education Code 48851)

To ensure easy identification of students experiencing homelessness, the Superintendent or designee shall annually provide and administer a housing questionnaire developed by the California Department of Education (CDE) to all parents/guardians of students and all unaccompanied youths. (Education Code 48851)

If the primary language of a student's parent/guardian or an unaccompanied youth is not English, either the housing questionnaire shall be made available in the primary language of the student's parent/guardian or the unaccompanied youth pursuant to Education Code 48985, or an appropriate translation of the housing questionnaire shall be provided upon request of a student's parent/guardian or an unaccompanied youth. (Education Code 48851)

The Superintendent or designee shall report to CDE the number of students experiencing homelessness, including unaccompanied youths, enrolled in the district as identified from the housing questionnaire described above. (Education Code 48851)

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Additionally, the Superintendent or designee shall ensure that the district liaison's contact information and other information on homelessness, including, but not limited to, information regarding the educational rights and resources available to persons experiencing homelessness, are posted on the district and school websites as specified in the accompanying administrative regulation. (Education Code 48852.6)

The Superintendent or designee shall ensure that placement decisions for students experiencing homelessness are based on the student's best interest as defined in law and administrative regulation.

Each student experiencing homelessness shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and technical education programs, programs for gifted and talented students, and school nutrition programs. (Education Code 48850; 42 USC 11432)

Students experiencing homelessness shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way. However, the Superintendent or designee may separate students experiencing homelessness on school grounds as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs. (42 USC 11432, 11433)

The Superintendent or designee shall ensure that information and/or materials for students experiencing homelessness are provided in a manner and form understandable to the student's parents/guardians and to unaccompanied youths

Information about the living situation of a student experiencing homelessness shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act, shall not be deemed to be directory information as defined in 20 USC 1232g, and shall not be released without written consent. (42 USC 11432)

The Superintendent or designee shall coordinate with other agencies and entities to ensure that students experiencing homelessness are promptly identified, ensure that students experiencing homelessness have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to students experiencing homelessness, and, if applicable, transitional housing facilities. Additionally, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the

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district and with other involved local educational agencies, services for students experiencing homelessness and services for students with disabilities. (42 USC 11432)

At least annually, the district liaisons and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of students experiencing homelessness. Such professional development and technical assistance shall include, but are not limited to, training on the district's homeless education program policies, definitions of terms related to homelessness, recognition of signs that students are experiencing or are at risk of experiencing homelessness, the steps that should be taken once a potentially homeless student is identified, and how to connect students experiencing homelessness with appropriate housing and service providers. (Education Code 48851.3, 48852.5; 42 USC 11432)

At least annually, the Superintendent or designee shall report to the Board on the identification of and outcomes for students experiencing homelessness, which may include, but are not limited to, the housing questionnaire responses, 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, the district shall revise its strategies as needed to more effectively identify and support the education of students experiencing homelessness.

State

5 CCR 4600-4670: Uniform complaint procedures

Ed. Code 39807.5: Payment of transportation costs by parents

Ed. Code 48850: Academic achievement of students in foster care and homeless children

Ed. Code 48850-48859: Education of foster youth and homeless students

Ed. Code 48851: Identification of homeless children and youths and unaccompanied youths; housing questionnaire

Ed. Code 48851.3: Homeless education program policies; liaison responsibilities

Ed. Code 48851.5: Local educational agency liaison for homeless children and youths

Ed. Code 48852.3: Monitoring for compliance with chapter

Ed. Code 48852.5: Notice of educational rights of homeless students

Ed. Code 48852.6: Information regarding homelessness

Ed. Code 48852.7: Education of homeless students; immediate enrollment

Ed. Code 48859: Definitions

Ed. Code 48915.5: Recommended expulsion; foster youth with disabilities

Ed. Code 48918.1: Notice of recommended expulsion

Ed. Code 48985: Notices to parents/guardians in language other than English

Ed. Code 51225.1-51225.3: Graduation requirements

Ed. Code 52052: Accountability; numerically significant student subgroups

Ed. Code 52060-52077: Local control and accountability plan

Federal

20 USC 1087vv: Free Application for Federal Student Aid; definitions

20 USC 1232g: Family Educational Rights and Privacy Act (FERPA) of 1974

20 USC 1400-1482: Individuals with Disabilities Education Act

20 USC 6311: State plan

42 USC 11301-11435: McKinney-Vento Homeless Assistance Act

42 USC 12705: Cranston-Gonzalez National Affordable Housing Act; state and local strategies

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Management Resources

California Child Welfare Council Publication: Partial Credit Model Policy and Practice Recommendations

California Department of Education Publication: Federal Program Monitoring Instrument

California Department of Education Publication: Homeless Education Dispute Resolution Process, March 2020

National Center for Homeless Education Publication: Homeless Liaison Toolkit, 2020

U.S. Department of Education Guidance: Education for Homeless Children and Youths Program, Non-Regulatory Guidance, August 2018

Website: CSBA District and County Office of Education Legal Services

Website: California State University

Website: University of California

Website: California Department of Education, Homeless Children and Youth Education

Website: National Center for Homeless Education at SERVE

Website: National Homelessness Law Center

Website: U.S. Department of Education - Education for Homeless Children and Youths Grants for State and Local Activities

Website: California Community Colleges

Website: California Interscholastic Federation

Website: California Child Welfare Council

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ORCUTT UNION SCHOOL DISTRICT
Orcutt, California