

EDUCATION FOR HOMELESS CHILDREN

Definitions

The term homeless children and youth means individuals who lack a fixed, regular, and adequate nighttime residence and includes: *(42 United States Code [42 U.S.C.] Section 11434a; EC Section 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; or are abandoned in hospitals
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 they are living in conditions described above
5. Unaccompanied youth who are not in the physical custody of a parent or guardian

The term school of origin means the school that the homeless student attended when permanently housed or the school in which he/she was last enrolled. If the school the homeless student 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 district liaison shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin. *(42 U.S.C. Section 11432[g][3][I]; EC Section 48852.7)*

When determining the best interest in making educational and school placement decisions for a homeless student, 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. Section 11432[g][3][B]; EC Sections 48850, 48853)*

Cutten Elementary School District

District Liaison

The Superintendent designates the following staff person as the district liaison for homeless students: (42 U.S.C. Section 11432[g][6][A])

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The district's liaison for homeless students shall: (42 U.S.C. Section 11432[g][6][A];
EC Section 48852.5)

1. Ensure that homeless students are identified by school personnel and through coordinated activities with other entities and agencies
2. Ensure that homeless students enroll in, and have a full and equal opportunity to succeed in, district schools
3. Ensure that homeless families and students 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 homeless students in district schools that provide services to homeless children and at places where they receive services, such as schools, family shelters, and hunger relief agencies (soup kitchens)
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 Section 48918.1, assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion
9. When notified pursuant to EC Section 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 homeless student to obtain records necessary for his/her enrollment into or transfer out of district schools, including immunization, medical, and academic records

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Enrollment

The district shall make placement decisions for homeless students based on the student's best interest. *(42 U.S.C. Section 11432[g][3][B]; EC Section 48852.7)*

When making a placement decision for a homeless student, the 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 homeless student lives with his/her homeless parent/guardian or has been temporarily placed elsewhere.

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

In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless his/her 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 he/she:

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is 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 district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if he/she is an unaccompanied youth, in obtaining the necessary immunizations or records for the student.

If the student is placed at a school other than his/her school of origin or the school requested by his/her parent/guardian, the 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 his/her school of origin for the duration of the homelessness. *(42 U.S.C. Section 11432; EC Section 48852.7)*

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To ensure that the homeless student has the benefit of matriculating with his/her peers in accordance with the established feeder patterns, the following shall apply: *(EC Section 48852.7)*

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: *(EC Section 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 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. Section 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 district liaison's contact information
2. A description of the district'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 to the county office of education and, if necessary, to the California Department of Education (CDE)

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

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

1. Inform them that they may provide written and/or oral documentation to support their position

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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 the parent/guardian/unaccompanied youth chooses to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education (COE).

If the parent/guardian/unaccompanied youth chooses to appeal the COE's placement decision, the COE homeless liaison shall forward all written documentation and related paperwork to the CDE.

Transportation

The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian requests that such transportation be provided. If the student moves outside of district boundaries but continues to attend his/her school of origin within this district, the 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. *(42 U.S.C. Section 11432[g][6][A])*

The district 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. *(EC Section 48852.7)*

Eligibility for Extracurricular Activities

A homeless student who enrolls in any district school shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. *(42 U.S.C. Section 11432[g][1][F]; EC Section 48850[a][2])*

Notification and Complaints

Information regarding the educational rights of homeless students, as specified in *EC* sections 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 Section 4622. *(EC sections 51225.1, 51225.2)*