

INSTRUCTION

Education for Homeless Children

Definitions

Homeless means students who lack a fixed, regular, and adequate nighttime residence and includes:

1. Children and youths 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 abandoned in hospitals;
2. Children and youths 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. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
4. Runaway, pushed out, unaccompanied youth or migratory children who qualify as homeless because the children are living in conditions described in 1-3 above.

Unaccompanied youth means a youth not in the physical custody of a parent or guardian.

School of selection means the school of origin, or the school of residence.

School of origin means the school that the student experiencing homelessness attended when permanently housed or the school in which he/she was last enrolled. If the school the student experiencing homelessness 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 LEA homeless liaison shall determine, in consultation with and with the agreement of the student experiencing homelessness and the person holding the right to make educational decisions for the student, and in the best interests of the student experiencing homelessness, which school shall be deemed the school of origin.

School of residence means any public school that students living in the same attendance area are eligible to attend.

Enrollment means attending classes and participating fully in school activities.

Best interest means that, in making educational and school placement decisions for a student experiencing homelessness, 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 LEA students.

El Dorado County Office of Education (EDCOE) Liaison

EDCOE's liaison for students experiencing homelessness shall ensure that:

1. Students experiencing homelessness are promptly identified by school personnel and through coordinated activities with other entities and agencies;
2. Students experiencing homelessness enroll in, and have a full and equal opportunity to succeed in, EDCOE schools;

3. Families and students experiencing homelessness receive educational services for which they are eligible;
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
5. Notice of the educational rights of children experiencing homelessness is disseminated at places where children receive services, such as schools, shelters, and soup kitchens;
6. Enrollment disputes are mediated in accordance with law, Superintendent policy, and administrative regulation;
7. Parents/guardians are fully informed of all transportation services;
8. Assist, facilitate, or represent a student experiencing homelessness who is undergoing a disciplinary proceeding that could result in his/her expulsion when notified;
9. Participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability when notified; and
10. Assist a student experiencing homelessness to obtain records necessary for his/her enrollment into or transfer out of County schools, including immunization, medical, and academic records.

Enrollment

Placement decisions for students experiencing homelessness shall be based on the student's best interest. In determining a student's best interest, a student experiencing homelessness shall, to the extent feasible, be placed in his/her school of origin, unless his/her parent/guardian requests otherwise.

When making a placement decision, 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.

The student may continue attending his/her school of origin for the duration of the homelessness and until the end of any academic year in which he/she moves into permanent housing.

To ensure that the student experiencing homelessness has the benefit of matriculating with his/her peers in accordance with the established feeder patterns, the following shall apply:

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 LEA, he/she shall be allowed to continue to the school designated for matriculation in that LEA.

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:

In the case of an unaccompanied youth, EDCOE's homeless 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.

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.

Once a placement decision has been made, the Superintendent or designee shall immediately enroll the student in the school of choice, even if:

1. The parent/guardian is unable to provide the school with the records normally required for enrollment.
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 liaison 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 liaison shall assist the parent/guardian in obtaining the necessary immunizations or records for the student.

Enrollment Dispute Resolution Process

If a dispute arises over school selection or enrollment in a particular school, the student shall be immediately admitted to the school in which enrollment is sought pending resolution of the dispute.

The parent/guardian shall be provided with a written explanation of the placement decision, including an explanation of the parent/guardian's right to appeal the decision. He/she shall also be referred to the homeless liaison. The liaison must ensure that the dispute resolution process is also followed for unaccompanied youth.

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 explanation may include:

1. The contact information for the EDCOE liaison
2. A description of EDCOE's decision,
3. Notice of the right to enroll in the school of choice pending resolution of the dispute,
4. Notice that enrollment includes full participation in all school activities, and notice of the right to appeal the decision to the Superintendent and, if the dispute remains unresolved, to the California Department of Education.

In working with a student's parents/guardians to resolve an enrollment dispute, the homeless 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 into 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.

The homeless liaison shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute.

The liaison shall provide the parent/guardian a copy of EDCOE's decision, dispute form, and a copy of the outcome of the dispute.

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

If the parent/guardian wishes to appeal EDCOE's placement decision, the EDCOE liaison shall forward all written documentation and related paperwork to the homeless liaison at the California Department of Education.

Transportation

The LEA shall provide transportation for a student experiencing homelessness to and from his/her school of origin when the student is residing within the LEA and the parent/guardian requests that such transportation be provided because it is a barrier to the student attending school every day and on time. If the student moves outside of the LEA boundaries, but continues to attend his/her school of origin within this LEA, the homeless liaison shall consult with the homeless liaison of the LEA in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. The LEA is obligated to provide transportation to students who continue attending their school of origin for the duration of homelessness, and until the end of the academic year in which the student becomes permanently housed.

Transfer of Coursework and Credits

When a student experiencing homelessness transfers into an LEA, the LEA 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.

If the student experiencing homelessness 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 LEA 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 LEA 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 experiencing homelessness 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.

Partial credits shall be awarded and issued on the student's official transcripts per current policy of the LEA.

In no event shall the LEA prevent a student experiencing homelessness 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

To obtain a high school diploma, a student experiencing homelessness shall complete all courses required by Education Code 51225.3, and fulfill any additional graduation requirement prescribed by EDCOE.

However, when a student experiencing homelessness who has completed his/her second year of high school transfers into an LEA from another LEA or transfers between high schools within the same LEA, he/she shall be exempted from all EDCOE-adopted coursework and other LEA-established graduation requirements, unless the LEA 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 experiencing homelessness's transfer, the homeless liaison or designated school staff shall notify the student, the person holding the right to make educational decisions for him/her of the availability of the exemption and whether the student qualifies for it. If the homeless liaison or designated school staff 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 is in his/her third or fourth year of high school, the LEA 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.

The homeless liaison or designated school staff shall notify any student experiencing homelessness 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.

The LEA shall not require or request a homeless student 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 homeless student, the person holding the right to make educational decisions for the student, or by the Homeless Liaison on behalf of the student.

If a student experiencing homelessness 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 LEA or if the exemption was not properly offered within the first thirty (30) days at the school.

If the homeless liaison or designated school staff determines that a student experiencing homelessness is reasonably able to complete the LEA graduation requirements within his/her fifth year of high school, he/she shall:

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 LEA'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 experiencing homelessness about transfer opportunities available through the California Community Colleges.
3. Upon agreement with the student experiencing homelessness or, 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 LEA's graduation requirements.
4. If the student experiencing homelessness is unaccompanied, he or she may make this decision without the educational rights holder.

Certificates of Proficiency

The LEA's contractor or testing centers cannot charge a student experiencing homelessness under 25 years of age for a high school equivalency test.

Eligibility for Extracurricular Activities

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

Establishing Eligibility for Outside Programs

The homeless liaison is statutorily able to identify homeless families for various prioritizations or fee dismissal. These programs may include identification as homeless for subsidized childcare, access to free birth certificate and identification cards to sign or provide support documents, unaccompanied youth access to the college financial aid process, or high school equivalency exams.

Notification and Complaints

Information regarding the educational rights of students experiencing homelessness, 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.

Any complaint that the LEA has not complied with requirements regarding the education of students experiencing homelessness, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the LEA's Uniform Complaint procedures.

Legal References:

42 USC 11432; 11434(a)

Approved with SP 6173, September 2017

Reassigned from BP A/R 6173, approved with BP 6173 March 10, 2009

**El Dorado County Office of Education Superintendent Policy
Administrative Regulation**

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EXPLANATION OF ENROLLMENT DECISION

Instructions: The following form is to be used when the El Dorado County Office of Education (EDCOE) has denied a parent/guardian's enrollment request.

Date: _____ Name of person completing form: _____
Title: _____ Phone number: _____

In accordance with federal law (42 USC 11432), this notification is being provided to:

Name of parent/guardian: _____

Name of student(s): _____

Name of school requested: _____

EDCOE's placement decision (school): _____

After reviewing your request to enroll your child in the school listed above, your enrollment request has been denied. This determination was based upon:

You have the right to appeal this decision to the Superintendent. If you are not satisfied with the Superintendent's decision, you may appeal to the California Department of Education. EDCOE's homeless liaison can assist you with this appeal.

You also have the following rights:

- Pending resolution of this dispute, your child has the right to immediately enroll in the school you requested and to participate in school activities at that school.
- You may provide written or verbal documentation to support your position. You may use EDCOE's dispute resolution form. A copy of the dispute resolution form can be obtained from the EDCOE's liaison for homeless students.
- You may seek the assistance of advocates or attorneys to help you with this appeal.

**El Dorado County Office of Education Superintendent Policy
Administrative Regulation**

**Exhibit B
AR 6173**

INSTRUCTION

Education for Homeless Children

ENROLLMENT DISPUTE FORM

Instructions: This form is to be completed by a parent/guardian or student when a dispute regarding enrollment has arisen. As an alternative to completing this form, the information on this form may be shared verbally with EDCOE's liaison for homeless students.

Date submitted: _____

Name of person completing form: _____

Student's name: _____

Relation to student: _____

I may be contacted at the following:

Address: _____

Phone number: _____

Name of school requested: _____

I wish to appeal the enrollment decision made by:
_____ EDCOE liaison _____ Superintendent

Reason for the appeal: You may include an explanation to support your appeal in this space or provide your explanation verbally.

I have been provided with:

- _____ A written explanation of EDCOE's decision
- _____ Contact information for EDCOE's homeless liaison
- _____ Contact information for the CA Department of Education's homeless liaison