

Students

EDUCATION FOR HOMELESS CHILDREN

The Governing Board desires to ensure that homeless students 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 them to meet the same challenging academic standards as other students.

Homeless students 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 Superintendent/designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

When there are at least 15 homeless students 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 homeless students. (Education Code sections 52052 and 52060)

At least annually, the Superintendent/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, the District shall revise its strategies as needed to better support the education of homeless students.

Definitions

The term homeless children and youth means individuals who lack a fixed, regular, and adequate nighttime residence and includes: (42 U.S.C. Section 11434a; Education Code 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.

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1. 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.
2. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
3. Migratory children who qualify as homeless because they are living in conditions described above.
4. 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); Education Code 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); Education Code Sections 48850 and 48853)

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))

Student Placement Manager
Chula Vista Elementary School District
84 East J Street, Chula Vista, California 91910
(619) 425-9600 ext. 181570

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The District's liaison for homeless students shall: (42 U.S.C. Section 11432(g)(6)(A); Education Code 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, 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 District.
4. Ensure that homeless families and students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate 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.
6. Disseminate notice of the educational rights of homeless students in locations frequented by parents/guardians of homeless children and youth and by unaccompanied youth, 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 homeless students and unaccompanied youth.
7. Mediate enrollment disputes in accordance with law, board policy, and administrative regulation.
8. Fully inform parents/guardians of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice.
9. Ensure that school personnel providing services to homeless students receive professional development and other support.

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10. Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards the state establishes for other students, and are informed of their status as independent students under 20 USC Section 1087vv and that they may receive assistance from the District liaison to receive verification of their independent student status for purposes of the Free Application for Federal Student Aid described in 20 USC Section 1090.
11. Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless students. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data required under the law.
12. When notified pursuant to Education Code Section 48918.1, assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion.
13. When notified pursuant to Education Code 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.
14. 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.

The District shall notify school personnel, homeless students, their parents/guardians, service providers, and advocates of the duties of the District liaisons and annually publish an updated list of the liaisons on the California Department of Education (CDE) website. (42 USC Section 11432)

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); Education Code Section 48852.7)

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In determining the best interest of the student, the District 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 an unaccompanied youth, the youth. (42 USC Section 11432)

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, give priorities to the views of the student, and provide notice to the student of his/her appeal rights. (42 USC Section 11432(g)(3)(B)(iv))

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

The Principal/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/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.

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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/designee shall provide the parent/guardian or an unaccompanied youth with a written explanation of the decision along with a statement regarding the parent/guardian or the unaccompanied youth'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; Education Code Section 48852.7)

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: (Education Code Section 48852.7)

If the student is transitioning between grade levels, he/she shall be allowed to continue in the same attendance area.

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 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. The matter shall be referred to the District liaison, who shall carry out the dispute resolution process as expeditiously as possible. (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:

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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.
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 SDCOE's placement decision, the SDCOE homeless liaison shall forward all written documentation and related paperwork to the CDE.

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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/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. (Education Code Section 48852.7)

Transfer of Coursework and Credits

When a homeless student 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. (42 U.S.C. Section 11432(g)(1)(F); Education Code Section 51225.2)

If the homeless student 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 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 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. (42 U.S.C. Section 11432(g)(1)(F); Education Code Section 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

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student's official transcript within two business days of the District's notification of the student's transfer, as required under Education Code Section 49069.5.

In no event shall the District prevent a homeless student 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 Section 51225.2)

Applicability of Graduation Requirements

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

However, when a homeless student who has completed his/her second year of high school transfers into the District from another school district or transfers between high schools within the District, he/she 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 his/her fourth year of high school. Within 30 calendar days of the homeless student's transfer, the Superintendent/designee shall notify the student, the person holding the right to make educational decisions for him/her, and the District liaison for homeless students of the availability of the exemption and whether the student qualifies for it. If the Superintendent/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 Section 51225.1)

To determine whether a homeless student is in his/her third or fourth year of high school, the District 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 Section 51225.1)

The Superintendent/designee shall notify any homeless student 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 Section 51225.1)

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The District 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 the District liaison on behalf of the student. (Education Code Section 51225.1)

If a homeless student 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 Section 51225.1)

If the Superintendent/designee determines that a homeless student is reasonably able to complete District graduation requirements within his/her fifth year of high school, he/she shall: (Education Code Section 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 District's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution.
2. Provide information to the homeless student about transfer opportunities available through the California Community Colleges.
3. Upon agreement with the homeless student 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 District's graduation requirements.

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); Education Code Section 48850(a)(2))

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Notification and Complaints

Information regarding the educational rights of homeless students, as specified in Education Code 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. (Education Code sections 51225.1, 51225.2)

Legal References:

EDUCATION CODE

1981 Enrollment of pupils

48850 Legislative intent as to educational and school placement opportunities and interscholastic sports and extracurricular activities for pupils in foster care and homeless pupils

48852.5 Local educational agency liaison

48852.7 Education of homeless child in school of origin

48853 Basis for all placement decisions

48915.5 Local educational agency liaison participation for homeless children and youth in change of placement due to expulsion

48918.1 Recommended expulsion of homeless child or youth

49069.5 Calculation of grades

51225.1 Local graduation requirements for pupil in foster care, homeless child or youth, former juvenile court school pupil, or child of military family

51225.2 Acceptance of coursework by pupil in foster care, homeless child or youth, former juvenile court school pupil, or child of military family

UNITED STATES CODE SERVICE

42 USCS Section 11432 Grants for state and local activities for the education of homeless children and youth

42 USCS Section 11434 Secretarial Responsibilities

Regulation

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CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California