



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 7.2

**Meeting Date:** February 4, 2021

**Subject:** Public Hearing: Second Reading of Revised Board Policy 6173,  
Education for Homeless Children

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

**Division:** Legal Services

**Recommendation:** Approve revision to Board Policy 6173.

**Background/Rationale:** Section 11432(g)(1)(I-J) of the McKinney-Vento Homeless Assistance Act as reauthorized by the Every Student Succeeds Act (ESSA) states that LEAs are required to have developed, reviewed, and revised policies to remove barriers to the identification, enrollment, and retention of homeless children and youths. As provided by a letter from the California Department of Education, revisions to the policies concerning education for homeless children are necessary. No prior updates to BP 6173 have occurred since its adoption in 2007. Such updates and enactment include language in the CSBA Gamut model policies. The District plans to adopt AR 6173, which includes language in the CSBA Gamut model regulations.

**Documents Attached:**

1. Executive Summary
2. BP 6173 (Redlines)
3. November 30, 2020 Letter from the California Department of Education
4. AR 6173

<p><b>Estimated Time of Presentation:</b> 5 Minutes <b>Submitted by:</b> Raoul Bozio, In House Counsel <b>Approved by:</b> Jorge A. Aguilar, Superintendent</p>
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# Board of Education Executive Summary

## Legal Department

Revision to Board Policy (BP) 6173 and Adoption of Administrative Regulation (AR) 6173: Education for Homeless Children  
February 4, 2021



### I. Overview/History of Department or Program

Section 11432(g)(1)(I-J) of the McKinney-Vento Homeless Assistance Act, as reauthorized by the Every Student Succeeds Act (ESSA), states that LEAs are required to have developed, reviewed, and revised policies to remove barriers to the identification, enrollment, and retention of homeless children and youths.

The current version of Board Policy 6173 was adopted in 2007 and has not yet since been revised. The proposed revisions to Board Policy 6173 are based on the updates provided by the California School Boards Association (CSBA). Further, the revised board policy now complies with the language reauthorized by the ESSA. For example, the McKinney-Vento Act includes, among other things, requirements focused on removing enrollment barriers. Accordingly, the revised board policy reflects that each homeless student shall be provided comparable services offered to other students in the school, like transportation and school nutrition programs.

The District plans upon the adoption of Board Policy 6173 to adopt the enclosed administrative regulation concerning education for homeless children. AR 6173 is based on the updates provided by the CSBA and follows the McKinney-Vento Act. For example, the District liaison has duties specified in 42 U.S.C. 11432 to assist in identifying and supporting homeless students to succeed in school and AR 6173 outlines such responsibilities, including concerning enrollment and transportation issues and resources to be provided to each homeless student. AR 6173 furthermore addresses staff training requirements and the detailed rights for which homeless students are entitled to under the law, including but not limited to enrollment (including consideration of remaining at the homeless student's school of origin), transportation, transfer of credits, and applicability of graduation requirements.

### II. Driving Governance:

Pursuant to 42 U.S. Code section 11432, LEAs are required to “[s]ubmit . . . a plan to provide for the education of homeless children and youths.” Plans must include the following:

- (I) A demonstration that the State educational agency and local educational agencies in the State have developed, and shall review and revise, policies to remove barriers to the identification of homeless children and youths, and the enrollment and retention of homeless children and youths in schools in the State, including barriers to enrollment and retention due to outstanding fees or fines, or absences.
- (J) Assurances that the following will be carried out:
  - (i) The State educational agency and local educational agencies in the State will adopt policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless.

# Board of Education Executive Summary

## Legal Department

Revision to Board Policy (BP) 6173 and Adoption of Administrative Regulation (AR) 6173: Education for Homeless Children  
February 4, 2021



(ii) The local educational agencies will designate an appropriate staff person, able to carry out the duties described in paragraph (6)(A), who may also be a coordinator for other Federal programs, as a local educational agency liaison for homeless children and youths.

(iii) The State and the local educational agencies in the State will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school (as determined under paragraph (3)), in accordance with the following, as applicable:

- (i) If the child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.
- (ii) If the child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing the child's or youth's education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

(iv) The State and the local educational agencies in the State will adopt policies and practices to ensure participation by liaisons described in clause (ii) in professional development and other technical assistance activities provided pursuant to paragraphs (5) and (6) of subsection (f), as determined appropriate by the Office of the Coordinator.

### III. Budget:

The proposed policy is intended to create practices that ensure homeless children have access to the same free and appropriate public education provided to other students within the District.

### IV. Goals, Objectives and Measures:

Pursuant to the District's core beliefs under Board Policy 0100, the District believes "ALL STUDENTS WILL LEARN AT HIGH LEVELS when instruction meets their needs." As such, the goal is for the District to establish sound policy that ensures homeless children are provided with access to education and other services necessary for them to meet the same challenging academic standards as other students.

# Board of Education Executive Summary

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Revision to Board Policy (BP) 6173 and Adoption of Administrative Regulation (AR) 6173: Education for Homeless Children  
February 4, 2021



### **V. Major Initiatives:**

This homeless children policy is critical to prepare students to succeed and to fully meet their instructional needs.

### **VI. Results:**

Approval of revision to Board Policy 6173 and adopt Administrative Regulation 6173. Ensure compliance with the McKinney-Vento Homeless Assistance Act.

### **VII. Lessons Learned/Next Steps:**

Next Steps following adoption of revised Board Policy 6173 concerning homeless children include adopting Administrative Regulation 6173. Information and correspondences concerning this matter have previously been shared with the District. Further updates will be provided as necessary.

Sacramento City USD  
Board Policy  
BP 6173  
Instruction

#### Education For Homeless Children

The Governing Board ~~recognizes its obligation will to~~ ensure that homeless students have access to the same, free, and appropriate public education provided to ~~all~~ other students within the district. -The district shall provide homeless students with access to education and other services necessary, ~~including full access to before and after school and extra-curricular activities,~~ for ~~these students~~ them to meet the same challenging ~~performance~~ academic standards as other students.

(cf. 6011 - Academic Standards)

~~The~~ Students shall not be segregated into a separate school or program based on their status as Superintendent or designee shall identify and remove any barriers to the identification and enrollment of homeless, nor shall students and to the retention of homeless students due to absences or outstanding fees or fines. (42 USC 11432)

(cf. 3250 - Transportation Fees) ~~be stigmatized~~  
(cf. 3260 - Fees and Charges)  
(cf. 5113.1 - Chronic Absence and Truancy)

When there are at least 15 homeless students in any way 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 52052, 52060)

(cf. 3553 - Free 0460 - Local Control and Reduced Price Meals) Accountability Plan)

The Superintendent or designee shall designate an appropriate staff person to serve as a liaison for homeless children and youths. The district liaison shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting homeless students to succeed in school.

In order to identify district students who are homeless, the Superintendent or designee shall may give a housing questionnaire to all parents/guardians during school registration, make referral forms readily available, include the district liaison's contact information on the district and school web sites, provide materials in a language easily understood by families and students, provide school staff with professional development on the definition and signs of homelessness, and contact appropriate local agencies to coordinate referrals for homeless children and youth and unaccompanied youth.

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(cf. 1113 - District and School Web Sites)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Information about a homeless student's living situation shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act and shall not be deemed to be directory information as defined in 20 USC 1232g. (42 USC 11432)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

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

Each

~~(cf. 5111.13 - Residency for Homeless Children)~~

~~Transportation-homeless student 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. (42 USC 11432)~~

~~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. 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 USC 11432)~~

~~(cf. 3550 - Food Service/Child Nutrition Program)~~  
~~(cf. 3553 - Free and Reduced Price Meals)~~  
~~3250 - Transportation Fees)~~  
~~(cf. 3541 - Transportation Routes and 5148.2 - Before/After School Programs)~~  
~~(cf. 5148.3 - Preschool/Early Childhood Education)~~  
~~(cf. 6159 - Individualized Education Program)~~  
~~(cf. 6164.2 - Guidance/Counseling Services)~~

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 Educational rights of homeless and foster youth  
48852.5 Notice of educational rights of homeless students  
48852.7 Enrollment of homeless students  
48915.5 Recommended expulsion, homeless student with disabilities  
48918.1 Notice of recommended expulsion  
51225.1-51225.3 Graduation requirements  
52052 Accountability; numerically significant student subgroups  
52060-52077 Local control and accountability plan  
CODE OF REGULATIONS, TITLE 5  
4600-4670 Uniform complaint procedures  
UNITED STATES CODE, TITLE 20  
1087vv Free Application for Federal Student Aid; definitions  
1232g Family Educational Rights and Privacy Act  
6311 Title I state plan; state and local educational agency report cards  
UNITED STATES CODE, TITLE 42  
11431-11435 McKinney-Vento Homeless Assistance Act  
12705 Cranston-Gonzalez National Affordable Housing Act; state and local strategies

Management Resources:

CALIFORNIA CHILD WELFARE COUNCIL PUBLICATIONS  
Partial Credit Model Policy and Practice Recommendations  
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
Homeless Education Dispute Resolution Process, January 30, 2007  
NATIONAL CENTER FOR HOMELESS EDUCATION PUBLICATIONS  
Homeless Liaison Toolkit, 2013  
U.S. DEPARTMENT OF EDUCATION GUIDANCE  
Dear Colleague Letter, July 27, 2016

Education for Homeless Children and ~~Youth~~Youths Program, Non-Regulatory Guidance, July ~~2004~~2016

WEB SITES

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CAChildWelfareCouncil.aspx>

California Department of Education, Homeless Children and Youth Education:  
<http://www.cde.ca.gov/sp/hs/cy>

National Center for Homeless Education at SERVE: <http://www.serve.org/nche>

National Law Center on Homelessness and Poverty: <http://www.nlchp.org>

U.S. Department of Education: <http://www.ed.gov/programs/homeless/index.html>

Policy SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

adopted: October 18, 2007 Sacramento, California

revised: [February 4, 2021](#)— [Sacramento, California](#)





**CALIFORNIA DEPARTMENT  
OF EDUCATION**

**TONY THURMOND**  
STATE SUPERINTENDENT OF  
PUBLIC INSTRUCTION

1430 N STREET, SACRAMENTO, CA 95814-5901 • 916-319-0800 • WWW.CDE.CA.GOV

November 30, 2020

Dear Selected Homeless Education Liaisons:

**HOMELESS EDUCATION BOARD POLICY**

According to your 2019–20 Homeless Education Policy, Requirements, and Implementation page within the Spring Release Consolidated Application and Reporting System (CARS), your local educational agency (LEA) has indicated that it does not have either a written board-approved homeless education board policy or the homeless education board policy was approved before 2016. Section 11432(g)(1)(I-J) of the [McKinney-Vento Homeless Assistance Act](https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter119/subchapter6/partB&edition=prelim) (<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter119/subchapter6/partB&edition=prelim>) as reauthorized by the Every Student Succeeds Act (ESSA) states that LEAs are required to have developed, reviewed, and revised policies to remove barriers to the identification, enrollment, and retention of homeless children and youths.

Please take this opportunity to develop a new homeless education board policy or review and revise your current homeless education policy. A homeless education sample board policy and administrative regulations is attached. The sample provided includes ESSA reauthorization language, as well as language aligned to state laws. When your LEA completes this requirement, please make sure that your LEA indicates the new approval date on the 2020–21 CARS' Homeless Education Policy, Requirements, and Implementation page which is part of the Spring Release.

If you feel that this letter was received in error and your LEAs has developed or updated a homeless education board policy after 2016, please work with the LEA personnel that completes the CARS. It is important to note that we are using the self-reported data from the 2019–20 CARS Spring Release. To understand more about CARS, please visit their website at <https://www.cde.ca.gov/fq/aa/co/cars.asp>.

November 30, 2020

Page 2

If you have any questions regarding this subject, please contact the CDE's Integrated Student Support and Programs Office by phone at 866-856-8214 or by email at [HomelessED@cde.ca.gov](mailto:HomelessED@cde.ca.gov).

Sincerely,

Mindi Parsons, Administrator  
Integrated Student Support and Programs Office

MP:mp

Attachment

Sacramento City USD  
Administrative Regulation  
AR 6173  
Instruction

Education For Homeless Children

Definitions

Homeless students means students who lack a fixed, regular, and adequate nighttime residence and includes: (Education Code 48852.7; 42 USC 11434a)

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

(cf. 6173.1 - Education for Foster Youth)

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 in items #1-3 above

Unaccompanied youth includes youth who are not in the physical custody of a parent or guardian. (20 USC 11434a)

School of origin means the school that the homeless student attended when permanently housed or the school in which he/she was last enrolled, including a preschool. 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. (Education Code 48852.7; 42 USC 11432)

Best interest means that, 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. (Education Code 48850, 48853; 42 USC 11432)

#### District Liaison

The Superintendent designates the following staff person as the district liaison for homeless students: (42 USC 11432)

Homeless Program Coordinator  
Parker Family Resource Center & Homeless Services Office (PFRC)  
2930 21<sup>st</sup> Avenue  
Sacramento, CA 95820  
916-277-6892

The district's liaison for homeless students shall: (Education Code 48852.5; 42 USC 11432)

1. Ensure that homeless students are identified by school personnel through outreach and coordination activities with other entities and agencies

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 3553 - Free and Reduced-Price Meals)

2. Ensure that homeless students are enrolled in, and have a full and equal opportunity to succeed in, district schools

3. Ensure that homeless families and children and youth have access to and 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

(cf. 5148.3 - Preschool/Early Childhood Education)

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

(cf. 5141.6 - School Health 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

(cf. 5145.6 - Parental Notifications)

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 and the section "Resolving Enrollment Disputes" below

8. Fully inform parents/guardians of homeless students and unaccompanied youth of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice

(cf. 3541 - Transportation Routes and Services)

9. Ensure that school personnel providing services to homeless students receive professional development and other support

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

10. Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students under 20 USC 1087v and that they may receive assistance from the district liaison to receive verification of their independent student status for purposes of applying for federal student aid pursuant to 20 USC 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, including the provision of comprehensive data to the state coordinator as required by law

In addition, when notified pursuant to Education Code 48918.1, the district liaison shall assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion. When notified pursuant to Education Code 48915.5, the district liaison shall participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability.

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159 - Individualized Education Program)

The Superintendent or designee shall inform homeless children and youth, their parents/guardians, school personnel, service providers, and advocates working with homeless families of the duties of the district's liaison. He/she shall also provide the name and contact information of the district's liaison to the California Department of Education (CDE) for publishing on the CDE's web site. (42 USC 11432)

#### Enrollment

The district shall make placement decisions for homeless students based on the student's best interest. (42 USC 11432)

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 11432)

Such factors may include, but are not limited to, 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. (42 USC 11432)

In the case of an unaccompanied youth, the liaison shall assist in placement or enrollment decisions, give priority to the views of the student, and provide notice to the student of his/her appeal rights. (42 USC 11432)

In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless the student's parent/guardian or the unaccompanied youth requests otherwise. (Education Code 48852.7; 42 USC 11432)

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: (Education Code 48852.7; 42 USC 11432)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

2. Does not have clothing normally required by the school, such as school uniforms

(cf. 5132 - Dress and Grooming)

3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and records of immunization and other required health records

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

(cf. 5125 - Student Records)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

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

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 required health 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, screenings, or records for the student. (42 USC 11432)

If the student is placed at a school other than his/her school of origin or the school requested by his/her parent/guardian or an unaccompanied youth, the Superintendent or designee shall provide the parent/guardian or the unaccompanied youth with a written explanation of the decision along with a statement regarding the right to appeal the placement decision. (42 USC 11432)

The student may continue attending his/her school of origin for the duration of the homelessness. (Education Code 48852.7; 42 USC 11432)

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 48852.7; 42 USC 11432)

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: (Education Code 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 student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the district liaison, who shall carry out the dispute resolution process as expeditiously as possible. (42 USC 11432)

The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions. (42 USC 11432)

The written explanation shall include:

1. A description of the action proposed or refused by the district
2. An explanation of why the action is proposed or refused
3. A description of any other options the district considered and the reasons that any other options were rejected
4. A description of any other factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources
5. Appropriate timelines to ensure any relevant deadlines are not missed
6. Contact information for the district liaison and state coordinator, and a brief description of their roles

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 district 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.

In working with a student's parents/guardians or unaccompanied youth 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 a parent/guardian or unaccompanied youth disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within five working days.

If the parent/guardian 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.

Pending final resolution of the dispute, including all available appeals, the student shall be immediately enrolled in the school in which enrollment is sought and shall be allowed to attend classes and participate fully in school activities. (42 USC 11432, 11434a)

#### 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, or the district liaison in the case of an unaccompanied youth, 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 USC 11432)

(cf. 3250 - Transportation Fees)

(cf. 3541 - Transportation Routes and Services)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 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. (Education Code 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. (Education Code 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 student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 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 51225.2)

(cf. 6143 - Courses of Study)

#### Applicability of Graduation Requirements

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

(cf. 6146.1 - High School Graduation Requirements)

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 or 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 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. (Education Code 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 51225.1)

The Superintendent or 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 51225.1)

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 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 51225.1)

If the Superintendent or 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 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. (Education Code 48850)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

#### Notification and Complaints

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

Any complaint that the district has not complied with requirements regarding the education of homeless students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Adopted:  
February , 2021