

CAPISTRANO UNIFIED SCHOOL DISTRICT  
**BOARD REPORT**

To: Board of Trustees

From: Susan Holliday, Chief Administrative Officer, Education and Support Services

Prepared by: Stacy Yogi, Executive Director, State and Federal Programs

Date: February 17, 2021

Board Item: First Reading - Board Policy 6176, Education of Homeless Children and Youth

---

**HISTORY**

Board Policy 6176, *Education of Homeless Children and Youth*, was adopted on October 12, 2003.

**BACKGROUND INFORMATION**

The Every Student Succeeds Act (ESSA) was released in 2016 and new guidance was provided to serve and support students in homeless situations.

**CURRENT CONSIDERATIONS**

Board Policy 6176 has been revised to reflect ESSA guidance and bring the policy in alignment with current law. Revisions include adding language about comparable services, notice of educational rights, designation of a homeless liaison, educational records and Family Educational Rights and Privacy Act (FERPA), and coordination with other agencies, entities and local educational agencies.

**FINANCIAL IMPLICATIONS**

There is no financial impact.

**STAFF RECOMMENDATION**

Following discussion, it is recommended the Board of Trustees approve Board Policy 6176, *Education of Homeless Children and Youth*.

**PREPARED BY:** Stacy Yogi, Executive Director, State and Federal Programs

**APPROVED BY:** Susan Holliday, Chief Administrative Officer, Education and Support Services

**EDUCATION OF HOMELESS CHILDREN AND YOUTH**

The Governing Board recognizes its obligation to ensure that homeless children have access to the same free and appropriate public education provided to other children within the district. The district shall provide homeless students with access to education and other services necessary for these students to meet the same challenging ~~performance-academic~~ standards as other students. Each homeless student shall be provided services comparable to the services offered to other students in the district including, but not limited to, transportation, educational programming for which the student otherwise meets eligibility (e.g., Title I, special education), career and technical education programs, and school nutrition programs. Students shall not be segregated into a separate school or program based on their status as homeless, nor shall homeless students be stigmatized in any way.

The Superintendent or designee shall ensure that the public notice of the educational rights of homeless children is disseminated in District schools as required by law. The Superintendent or designee shall identify and remove any barriers to the identification and enrollment of homeless students and to the retention of homeless students due to the absences or outstanding fees or fines.

The Superintendent or designee shall designate an appropriate staff person to serve as the 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. District liaisons and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in fulfilling their duties and roles.

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.

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.

~~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. The student may continue attending the school of origin for the duration of the homelessness and until the end of any academic year in which the student moves into permanent housing. If a dispute arises over school selection or enrollment in a particular school, the student shall be immediately admitted, pending resolution of the dispute, to the school in which enrollment is sought.~~

**EDUCATION OF HOMELESS CHILDREN AND YOUTH** (continued)

~~The district shall provide transportation for a homeless student to and from a district 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 this district's school of origin, 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.~~

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

*Legal Reference:*

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

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~~

~~UNITED STATES CODE, TITLE 42~~

~~11431-11435 McKinney-Vento Homeless Assistance Act~~

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

**EDUCATION OF HOMELESS CHILDREN AND YOUTH** (continued)

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

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 Youths Program, Non-Regulatory Guidance, July 2016

WEB SITES

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CACChildWelfareCouncil.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

Adopted: October 12, 2003

**CAPISTRANO UNIFIED SCHOOL DISTRICT**

San Juan Capistrano, California