

## REVISED ADMINISTRATIVE REGULATION

MBUSD

AR 6173 (a)

### INSTRUCTION

### EDUCATION FOR HOMELESS CHILDREN

#### Definitions

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

1. ~~Children and youths~~ **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; are abandoned in hospitals; or are awaiting foster care placement

(cf. 6173.1 - Education for Foster Youth)

2. ~~Children and youths~~ **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. ~~Children and youths~~ **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 ~~the children~~ **they** are living in conditions described in ~~items # (1)-(3)~~ **1-3** above

**5. Unaccompanied youth who are not in the physical custody of a parent or guardian**

School of origin means the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 USC 11432)

Best interest means, to the extent feasible, continuing a student's enrollment in the school of origin for the duration of his/her homelessness, except when doing so is contrary to the wishes of his/her parent/guardian. (42 USC 11432)

~~Unaccompanied youth means a youth not in the physical custody of a parent or guardian.~~  
(42 USC 11434(a))

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District Liaison

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

Executive Director of Student Services  
325 S. Peck Avenue  
Manhattan Beach, CA 90266  
310-318-7345

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

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

(cf. 1400 - Relations between Other Governmental Agencies and the Schools)  
(cf. 3553 - Free and Reduced-Price Meals)  
(cf. 5141.6 - Student Health and Social Services)

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 ~~are informed~~ 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 children ~~is disseminated at places~~ ***students in district schools that provide services to homeless children and at places*** where children receive services, such as schools, shelters, and ***hunger relief agencies*** (soup kitchens)

6. ***Mediate*** enrollment disputes ~~are mediated~~ in accordance with law, Board policy, and administrative regulation

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7. ***Fully inform*** parents/guardians ~~are fully informed~~ of all transportation services

(cf. 3250 - Transportation Fees)

(cf. 3541 - Transportation Routes and Services)

8. ***When notified pursuant to Education Code 48918.1, assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion***

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

9. ***When notified pursuant to Education Code 48915.5, participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability***

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

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***

Enrollment

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

***The student may continue attending his/her school of origin for the duration of the homelessness or, if the student moves into permanent housing, until the end of any academic year in which he/she moves into permanent housing. (42 USC 11432)***

***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. (42 USC 11432)***

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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.

*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)*

~~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. (42 USC 11432)~~

~~In the case of an unaccompanied youth, the district'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. (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, 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. (42 USC 11432)~~

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice, even if the parent/guardian is unable to provide the school with the records normally required for enrollment. (42 USC 11432)

*(cf. 5111.1 – District Residency)*

*(cf. 5111.13 – Residency for Homeless Children)*

*(cf. 5125 - Student Records)*

*(cf. 5141.31 - Immunizations)*

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's 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. (42 USC 11432)

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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 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. (42 USC 11432)*

**Resolving Enrollment Disputes 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. (42 USC 11432)

~~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 district liaison. (42 USC 11432)~~

*The parent/guardian shall be provided with a* ~~The written explanation of the placement decision, which~~ 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 contact information for the district liaison, a description of the district's decision, notice of the right to enroll in the school of choice pending resolution of the dispute, notice that enrollment includes full participation in all school activities, and notice of the right to appeal the decision to the county office of education and, if the dispute remains unresolved, to the California Department of Education. 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's right to appeal the decision to the county office of education and, if the dispute remains unresolved, to the California Department of Education*

The district liaison shall ~~carry out the dispute resolution process~~ *work to resolve an enrollment dispute* as expeditiously as possible after receiving notice of the dispute. (42 USC 11432)

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*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*

~~The liaison shall provide the parent/guardian a copy of the district'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. The Superintendent shall make a determination within five working days.

If the parent/guardian wishes 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.

**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*

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*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)*

*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)*

*Exemption from District Graduation RequirementsTo obtain a high school diploma, a homeless student shall pass the high school exit examination in English language arts and mathematics, complete all courses required by Education Code 51225.3, and fulfill any additional graduation requirement prescribed by the Governing Board.*

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6162.52 - High School Exit Examination)*

*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. (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*

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*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 by the district liaison on behalf of the student. (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, 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)*