

MODESTO CITY SCHOOLS

Board Policy

BP 6173

INSTRUCTION

Education for Children in a Transitional Living Situation/Homeless Children

The Governing Board believes that the identification of students in a transitional living situation is critical to improving the educational outcomes of such students and ensuring that students in a transitional living situation have access to the same free and appropriate public education provided to other students within the District. The District shall provide students in a transitional living situation with access to education and other services necessary for such students to meet the same challenging academic standards as other students.

The Superintendent or designee shall regularly review and recommend updates to District policies to ensure removal of any barriers to the education of students in a transitional living situation and unaccompanied youth. Any such review shall address identification, enrollment, and retention of such students, including those barriers that are due to absences or outstanding fees or fines. (42 USC 11432)

When there are at least 15 students in a transitional living situation 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 students in a transitional living situation. (Education Code 52052, 52060)

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

To ensure easy identification of students in a transitional living situation, the Superintendent or designee shall annually administer a housing questionnaire developed by the California Department of Education (CDE) to all parents/guardians of students and all unaccompanied youths. (Education Code 48851)

If the primary language of a student's parent/guardian or an unaccompanied youth is not English, either the housing questionnaire shall be made available in the primary language of the student's parent/guardian or the unaccompanied youth pursuant to

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Education Code 48985, or an appropriate translation of the housing questionnaire shall be provided upon request of a student's parent/guardian or an unaccompanied youth. (Education Code 48851)

In addition, the Superintendent or designee shall ensure that the District liaison's contact information and other information on transitional living, including, but not limited to, information regarding the educational rights and resources available to persons experiencing a transitional living situation, are posted on the District and school web sites as specified in the accompanying administrative regulation. (Education Code 48852.6)

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

Each student in a transitional living situation 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)

Students in a transitional living situation shall not be segregated into a separate school or program based on their status as students in a transitional living situation and shall not be stigmatized in any way. However, the Superintendent or designee may separate students in a transitional living situation on school grounds as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of students in a transitional living situation. (42 USC 11432, 11433)

Information about a student's transitional 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)

The Superintendent or designee shall coordinate with other agencies and entities to ensure that children and youth in a transitional living situation are promptly

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identified, ensure that students in a transitional living situation 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. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to children and youth in a transitional living situation, 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 students in a transitional living situation and services for students with disabilities (Education Code 48852.5; 42 USC11432)

At least annually, District liaisons and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of students in a transitional living situation. Such terms related to transitional living, the signs of transitional living, the steps that should be taken once a potential student in a transitional living situation is identified, and how to connect students in a transitional living situation with appropriate housing and service providers. (Education code 48852.5; 42 USC 11432)

The Superintendent or designee shall report to CDE the number of children and youth in a transitional living situation and unaccompanied youths enrolled in the District as identified from the housing questionnaire described above. (Education Code 48851)

At least annually, the Superintendent or designee shall report to the Board on the identification of and outcomes for students in a transitional living situation, which may include, but are not limited to, the housing questionnaire responses, 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 more effectively identify and better support the education of students in a transitional living situation.

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Legal Reference:

EDUCATION CODE

39807.5 Payment of transportation costs by parents

48850 Academic achievement of students in foster care and homeless children

48850-48859 Education of homeless and foster youth

*48851 Identification of homeless children and youths and unaccompanied youths; housing
Questionnaire*

48851.5 Local educational agency liaison for homeless children and youths

48852.5 Notice of educational rights of homeless students

48852.6 Information regarding homelessness

48852.7 Education of homeless students; immediate enrollment

48859 Definitions

48915.5 Recommended expulsion, homeless student with disabilities

48918.1 Notice of recommended expulsion

48985 Notices to parents in language other than English

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 of 1974

6311 State plan

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

2021-22 Federal Program Monitoring Instrument, May 2021

Homeless Education Dispute Resolution Process, March 2020

NATIONAL CENTER FOR HOMELESS EDUCATION PUBLICATIONS

Homeless Liaison Toolkit, 2020

U.S. DEPARTMENT OF EDUCATION GUIDANCE

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

WEB SITES

CSBA District and County Office of Education Legal Services: <https://legalservices.csba.org/>

California State University: <https://www.calstate.edu/>

University of California: <https://www.universityofcalifornia.edu/>

California Homelessness Law Center: <https://homelesslaw.org/>

*U.S. Department of Education – Education for Homeless Children and Youth Grants for State
and Local Activities: <https://www2.ed.gov/programs/homeless/index.html>*

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Management Resources (cont.):

California Community Colleges: <https://www.cccco.edu/>

California Interscholastic Federation: <https://www.cifstate.org/>

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

National Center for Homeless Education at SERVE: <https://nche.ed.gov/>

National Law Center on Homelessness and Poverty:

<https://www.laaonline.org/organization/6994/national-law-center-homelessness-poverty-nlchp/>

U.S. Department of Education: <https://www.ed.gov/>

California Child Welfare Council: <https://www.ed.gov/>

Cross References (cf.):

0410 – Nondiscrimination in District Programs And Activities

0415 – Equity

0460 - Local Control and Accountability Plan (N/A)

0470 – COVID-19 Mitigation Plan (N/A)

0500 – Accountability

1113 – District And School Web Sites

1312.3 – Uniform Complaint Procedures

1400 – Relations Between Other Governmental Agencies And The Schools (N/A)

3250 – Transportation Fees (N/A)

3260 – Fees And Charges

3515.4 – Recovery For Property Loss Or Damage

3541 – Transportation Routes And Services (N/A)

3550 – food Service/Child Nutrition Program

3553 – Free And Reduced Price Meals

4112.9 – Employee Notification

4131/4231/4331 – Staff Development

4312.9 – Employee Notifications (N/A)

4331 – Staff Development(N/A)

5111 - Admission

5111.1 - District Residency

5113.1 – Chronic Absence And Truancy

5113.11 – Attendance Supervision

5125 – Student Records

5125.1 – Release Of Directory Information

5125.2 – Withholding Grades, Diploma Or Transcripts

5132 – Dress and Grooming

5141.22 – Infectious Diseases

5141.26 – Tuberculosis Testing

5141.31 – Immunization

5141.32 – Health Screening For School Entry

5141.6 – School Health Services (N/A)

5141.6 – Aid for Students in Need

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Cross References (cf) (cont.):

5144.1 – Suspension And Expulsion / Due Process
5144.2 – Suspension And Expulsion / Due Process (Students With Disabilities)
5145.6 – Parental Notifications
5148.2 – Before / After School Programs
5148.3 – Preschool / Early Childhood Education
6011 – Academic Standards
6120 – Response To Instruction And Intervention (N/A)
6143 – Courses of Study
6145 – Extracurricular And Cocurricular Activities
6145.2 – Athletic Competition
6146.1 – High School Graduation Requirement
6146.3 – Reciprocity Of Academic Credit
6159 – Individualized Education Program
6159.1 – Procedural Safeguards And Complaints For Special Education
6159.3 – Appointment Of Surrogate Parent For Special Education Students
6162.51 – State Academic Achievement Tests
6164.2 – Guidance / Counseling Services
6164.5 – Student Success Teams
6171 – Title I Programs
6172 – Gifted And Talented Student Program (N/A)
6173.1 – Education For Foster Youth
6174 – Education for English Learners
6177 – Summer Learning Programs (N/A)
6178 – Career Technical Education
6179 – Supplemental Instruction
6190 – Evaluation Of The Instructional Program (N/A)

ADOPTED: February 7, 2005 (formerly BP 6170)

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