

AB 1806: PUPIL SERVICES-HOMELESS CHILDREN OR YOUTH

This Assembly Bill was signed into law on September 29th, 2014. It extends some of the protections that were recently issued to foster youth, to homeless youth as well. There are new mandates with regards to partial credit, exemption from LAUSD graduation requirements, and expulsion recommendations for homeless youth. Below are some important highlights of this new law.

Partial Credit Issuance
If a homeless student moves during the middle of the semester, the student shall be issued partial credit for coursework completed.
When partial credit is issued for a specific course, the student shall be enrolled in the same/equivalent course, so they may continue and complete the entire course.
Prohibits requiring students to retake a course if it was satisfactorily completed.
However, homeless students cannot be <i>prevented</i> from retaking a course in order to meet CSU or UC eligibility requirements.
Prohibits requiring students to retake the portion of the course that they already completed, unless the student is reasonably able to complete the requirements in time to graduate from high school. (This determination shall be made in consultation with the student and his/her parent/guardian.)
Exemption from Graduation Requirements
Exempts a homeless student who transfers schools any time after the completion of the student's 2 nd year of high school, from coursework/requirements that are <i>in addition to</i> statewide requirements (unless the student is reasonably able to complete the requirements by the end of their 4 th year of high school).
To determine eligibility for this exemption, for students in their 3 rd or 4 th year of high school, the district may use <i>either</i> the number of credits the student has earned by the date they transferred high schools, <i>or</i> the length of time the student has been enrolled in high school.
Within 30 days of the date that the student may qualify for this exemption, the student (and parent/guardian, if the student is under 18) shall be notified, along with the LEA Homeless Liaison.
If a homeless student is exempt from LEA graduation requirements before the end of his/her 4 th year in high school, and the student would otherwise be entitled to remain in school, LEA cannot <i>require or request</i> that the student graduate before the end of 4 th year of high school.
If the student graduates with reduced requirements, LEA shall inform the student of how this will affect admission to postsecondary schools.
The district shall take specified actions if the student is reasonably able to complete LEA's graduation requirements within the student's 5 th year of high school. These actions include: <ul style="list-style-type: none"> ○ Notifying the student of their option to remain in school for a 5th year. ○ How staying the 5th year will affect postsecondary school admission. ○ Informing the student of transfer opportunities through the CA Community Colleges.
Students who are eligible for the exemption <i>shall not be required</i> to accept the exemption or be denied enrollment.
If a student previously declined the exemption, the student can request the exemption at a <i>later time</i> .
Once accepted, the exemption cannot be revoked.
LEA cannot require a homeless student to transfer high schools in order to qualify for the exemption. Students and/or parent/guardians cannot request to transfer high schools in order to qualify for the exemption.
Expulsion Recommendations
In cases where an expulsion recommendation is at the <i>discretion of the principal</i> , the LEA Homeless Liaison shall be notified at least 10 days prior to the expulsion hearing.
In cases where an expulsion recommendation is <i>mandatory</i> , the LEA Homeless Liaison may be notified at least 10 days prior to the expulsion hearing.
In cases where an expulsion recommendation is at the <i>discretion of the principal</i> and the student has an IEP, the LEA Homeless Liaison shall be invited to the IEP where a manifestation determination is made.

Expulsion EC 48915.5 and EC 48918.1 (*similar to foster care bill AB 1909*)

- Requires school districts to provide notice to the district's liaison for homeless students at least 10 calendar days prior to a hearing when the decision to expel a homeless student is discretionary.
- Authorizes school districts to provide notice to the district's liaison for homeless students at least 10 calendar days prior to a hearing when the decision to expel a homeless student is mandatory.
- Requires school districts to invite the district's liaison for homeless students to the individualized education program team meeting that makes a manifestation determination prior to the expulsion of a student with exceptional needs and who is homeless.
- All notices may be made using the most cost-effective method possible, which may include but is not limited to, email or telephone call.

Clarifying Information:

- Verified with the state homeless liaison at CDE and with the National Association for the Education of Homeless Children and Youth (NAEHYC) for the purposes of this law, when an unaccompanied youth (e.g. a youth who is not residing with a parent or guardian) is considered to meet the exemption requirements, various stakeholders could potentially be part of the process since an education rights holder may not be involved.
 - If the youth enrolled him/herself, the unaccompanied youth would make the decision.
 - If there actually is an educational decision-maker (i.e. parent gave someone an educational power of attorney) that education rights holder would be part of the process.
 - If a homeless youth was enrolled via a caregiver affidavit, that person would be involved in the decision-making discussion.
 - The liaison may be part of the decision-making discussion as well.
- If a student was homeless and eligible but was not informed, the student will continue to be eligible after they are housed.
- Once a homeless student is granted the exemption, the school has to continue to apply the exemption even if the student becomes housed.
- If a student was homeless and eligible for the exemption but declined it, and continues to be homeless and he/she decides to accept the exemption, the student will still qualify for it.
- If a student was homeless and eligible for the exemption but declined it, and then becomes housed and wants the exemption, the student no longer qualifies for it because the student no longer meets the criteria.

Implementation Suggestions:

- Look at how the LEA is implementing these components for foster youth and implement for homeless youth in a similar manner.
- Changes may need to be made to forms, board policy and administrative regulations, parent handbook, etc. Changes will also require training to district and secondary school administration, homeless liaison, teachers, grade counselors, records clerks, etc.
- Utilize the Partial Credit Model Policy and Practice Recommendations presented by the Child Welfare Council, et al., for foster youth and adjust these practices to accommodate homeless youth.
- Transition plans for the student will help to support further academic success.
- Review all the pros and cons of doing this with the student; what will they gain and what will be lost as far as access for the student. – e.g. special education status, A-G requirements, etc.