



Homeless Education Legislation

Legislation	What the law says....	In relation to school....
SB 177 (EC §§48850, 48852.5)	<ul style="list-style-type: none"> Requires immediate enrollment of homeless students Homeless students meet residency requirements for interscholastic sports immediately upon enrollment Ensure that child abuse/neglect reporting requirements do not create barrier (homelessness alone is not neglect) Requires LEA homeless liaisons to ensure public notice of the educational rights of homeless students are distributed in schools 	<ul style="list-style-type: none"> Must enroll even if documents not available Student is able to compete and participate without violating CIF or extracurricular rules Schools shall not report students solely based on homeless status Schools post the MV posters distributed by Student Services
AB 982 (EC §8263)	<ul style="list-style-type: none"> Establishes a priority for federal and state subsidized child care development services to homeless students identified by homeless liaisons of school districts and Head Start programs. 	<ul style="list-style-type: none"> Make appropriate referrals for families experiencing homelessness that may need child care services.
AB 1068 (EC §§49073, 49076)	<ul style="list-style-type: none"> Unaccompanied youth age 14 and over have the right to access their school records Caregivers who use the California's caregiver authorization affidavit to enroll a student and fill out items 1-4 on the form Prevents schools from releasing directory information (name, address, phone number, e-mail, photos) of homeless students unless a parent or eligible student consents 	<ul style="list-style-type: none"> Students who are unaccompanied can request own pupil records Caregivers can do the same Parents of homeless students have to "opt-in" to have directory information released
AB 309 (WIC §§18901, 18904.25)	<ul style="list-style-type: none"> CalFresh Supplemental Nutrition Assistance Program (SNAP) clarifies that there is no minimum age requirement for unaccompanied homeless youth to apply 	<ul style="list-style-type: none"> Refer unaccompanied homeless youth to apply for CalFresh for food assistance
AB 652 (PC §11165.15)	<ul style="list-style-type: none"> Clarifies that child/youth's homelessness or being classified as unaccompanied youth is not in itself a sufficient basis for reporting child abuse/neglect 	<ul style="list-style-type: none"> Schools should not make a child abuse report solely on the fact that student is an unaccompanied homeless youth
AB 1806 (EC §§48915.5, 48918.1, 51225.1, 51225.2)	<ul style="list-style-type: none"> Homeless Liaison is required to be invited to the IEP manifestation determination meeting <i>if</i>: meeting is regarding a homeless student with exceptional needs (Special ed); and LEA is proposing a placement change; and, the proposed placement change is due to an act for which a decision to recommend expulsion is at the discretion of the principal or the LEA's superintendent. LEA must provide homeless liaisons notice of expulsion hearing <i>if</i>: the hearing is regarding a homeless student; and, the decision to recommend expulsion is discretionary. LEA <i>may</i> provide homeless liaisons notice of expulsion hearings <i>if</i>: the hearing is regarding a homeless student; and, the recommendation of expulsion is required. The above notices must be given at least 10 calendar days prior to the expulsion hearing. 	<ul style="list-style-type: none"> Schools must invite the Homeless Liaison to the IEP manifestation of determination if there is a possibility of change in school as a consequence of District Discipline Committee (DDC). If homeless liaison cannot attend, the meeting can still take place as long as an invitation was extended. The homeless liaison needs to be notified within 10 days of DDC date if the student is a homeless youth and the decision to expel is a possibility. If the recommendation of an expulsion is required, it is not required to notify the homeless liaison.
AB 1806 Cont. regarding exemption (EC §51225.1)	<ul style="list-style-type: none"> LEA shall exempt a homeless student from all coursework and other requirements adopted by the LEA that are in addition to the statewide coursework <i>if</i>: LEA does not make a finding that the student is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the 4th year; and, student transfers between schools any time after the completion of the 2nd year of high school (can be based on # of credits earned by student to the date of transfer <i>or</i> the length of school enrollment). Student must meet the definition of homeless at the time the student transfers between the schools Homeless student who is eligible for exemption is entitled to remain in attendance at the school and shall not be: <ul style="list-style-type: none"> - required to accept the exemption - denied enrollment in, or the ability to complete, courses that the homeless student is eligible for, including courses necessary to attend an institution of high education, regardless of whether those courses are required for statewide graduation requirements. Once exempted, an LEA cannot revoke the exemption Within 30 days of exemption, if the student qualifies, the LEA shall notify the following regarding the availability of exemption: <ul style="list-style-type: none"> - Homeless student, holder of the homeless student's educational rights, 	<ul style="list-style-type: none"> Homeless high school students who change schools after the completion of 2nd year may qualify for graduation with state minimum high school graduation requirements. Students do not have to take exemption and cannot be forced, nor can they be denied from taking A-G classes. Once the exemption is granted it is valid even if student moves to a different school or district or moves into permanent housing. The district will provide a list of students who are homeless and have changed schools after the completion of his/her 2nd high school year in the beginning of the academic year; however, the school sites (counselors, registrars, etc.) are responsible for making sure to check homeless status (as well as foster youth status) when they get a new 11th or 12th grader thereafter and meet with the student accordingly within 30 calendar days from enrollment. In the communication of the exemption



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	<p>and the homeless liaison.</p> <ul style="list-style-type: none"> LEA shall notify the exempted student and the educational rights holder regarding: <ul style="list-style-type: none"> - How any of the waived requirements will affect the ability for the student to gain admission to a postsecondary education institute; and provide information about the transfer opportunities available through the California Community Colleges An LEA, educational rights holder, or homeless liaison cannot require or request a homeless student to transfer schools in order to qualify for an exemption under AB 1806 If student was not told about the exemption option when the student was homeless, the student can still be eligible even after the student is permanently housed. If the student was homeless and eligible for the exemption, but declined it, and then later while still homeless, decides to accept the exemption, the student would still be eligible for the exemption. If an LEA determines that the homeless student is reasonably able to complete the LEA's graduation requirements within the student's 5th year of high school, then the LEA shall do all of the following: <ul style="list-style-type: none"> - Inform the homeless student of his/her options to remain in school for a 5th year - Inform the homeless student and the educational rights holder of how remaining in a school for a 5th year will affect the student's ability to gain admission to post-secondary - provide information about transfer opportunities available through the CA community colleges - permit the student to stay for a 5th year with the agreement from the student if he/she is 18 years or older or from education rights holder if student is under 18. 	<p>option, students need to receive information about how the exemption affects their path to higher education (will no longer meet A-G).</p> <ul style="list-style-type: none"> Students cannot be transferred to another school with the purpose of qualifying for the exemption. Students who qualify for the exemption can also have the option to stay for a 5th year.
<p>AB 1806 Cont. Regarding partial credits</p> <p>(EC §51225.2)</p>	<ul style="list-style-type: none"> LEA shall accept completed coursework from a homeless student while the homeless student was attending another public school, juvenile court school, or a non-public school. LEA shall issue full or partial credits for the coursework completed, even if the homeless student did not complete the entire course LEA shall accept credits for the same or equivalent course LEA shall not require a homeless student to retake a course if the homeless student has satisfactorily completed the entire course LEA shall not require the homeless student to retake the portion already completed unless the LEA in consulting with educational rights holder, finds that student is able to complete the requirements in time to graduate or student has partial credit and needs to complete the course. Homeless student shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to CSU or UC. 	<ul style="list-style-type: none"> Much like working with foster youth, we are required to honor homeless student's partial credits when entering our schools and assigning partial credits when leaving our schools. We cannot force the homeless student to retake a course (for example for A-G) already partially completed unless on consult with the educational rights holder, the student has time to complete it. We cannot prevent a homeless student from taking or retaking courses needed to meet UC/CSU eligibility requirements.
<p>AB 1166</p> <p>(EC §51225.1)</p>	<ul style="list-style-type: none"> If the district fails to notify a homeless student of the ability to be exempt from local graduation requirements, the student is still eligible for the exemption even after no longer homeless. If a homeless student is exempted from local graduation requirements, the exemption continues to apply after the student is no longer homeless or if the student transfers to another school/district . 	<ul style="list-style-type: none"> Ensure homeless students are aware of the exemption (see AB 1806, above). Honor exemptions from other schools/districts.
<p>AB 379</p> <p>(EC §§48853, 48853.5, 49069.5, 51225.1, 51225.2)</p>	<ul style="list-style-type: none"> If a homeless student is not notified of the exemption from local graduation requirements, or the exemption is not honored, or the student is not given credit or partial credit after transferring to a new school, the student/parent may file a Uniform Complaint Procedures (UCP) complaint. 	<ul style="list-style-type: none"> District needs to include this language in UCP policy. Ensure students experiencing homelessness receive information, as applicable, regarding the exemption from local graduation requirements and receive credit/partial credit for coursework completed. Ensure partial credit and credit information is timely transferred to the new school/district.
<p>SB 445</p> <p>(EC</p>	<ul style="list-style-type: none"> Any change or subsequent change in residence once a student becomes homeless; the LEA shall allow the homeless child to continue at his/her school of origin through the duration of homelessness. 	<ul style="list-style-type: none"> Homeless youth can attend school of origin during the duration of homelessness despite changes in address.



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§§48852.7, 48859)	<ul style="list-style-type: none"> If the student's homeless status changes to permanent housing status before the end of the academic year the either of the following apply: <ul style="list-style-type: none"> - If the student is in high school, the LEA shall allow the formerly homeless student to continue his/her education in the school of origin through graduation - If the student is in kindergarten or any of grades 1-8, the LEA shall allow the formerly homeless child to continue his/her education in the school of origin through the duration of the school year To ensure the homeless student has the benefit of matriculating with his/her peers in accordance with the established feeder patterns of school districts the following apply: <ul style="list-style-type: none"> - If the student is transitioning between school grade levels, the LEA shall allow the student to continue in the school district of origin in the same attendance area - If the students is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, the LEA shall allow the homeless child to continue to the school designated for matriculation in the district of origin. - The new school shall immediately enroll the student even if the student has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or is unable to produce clothing or records normally required for enrollment. Definition of School or origin: <ul style="list-style-type: none"> - School that the homeless student attended when permanently housed of the school in which the homeless student was last enrolled. - If the school the student attended when permanently housed is different from the school in which the homeless child was last enrolled, or if there another school that the student attended with which the student is connected and had attended within the immediately preceding 15 months, the educational liaison through consultation with the educational rights holder and student shall determine school that shall be deemed the school of origin. 	<ul style="list-style-type: none"> If a homeless youth transitions into a permanent residence during the school year and is in high school, the student may continue at the high school of origin until graduation (<i>no transportation provided unless otherwise required</i>). If a homeless youth transitions into a permanent residence during the school year and is K-8, the student may continue at the school of origin through the remainder of year (without transportation support unless otherwise required) but then will have to submit a transfer request if the student desires to continue at same school for the following academic year. Student can continue at school of origin through transition between grade levels as well as for feeder school in which the school of origin would follow in the feeder pattern. If the student is out of district, the two districts shall assume shared transportation responsibilities or otherwise come to agreement. School of origin can be defined in several ways including a school that student attended in the past 15 months in which student feels most connected.
SB 252 (EC §§48412, 51421, 51421.5)	<ul style="list-style-type: none"> Establishes a fee waiver for students experiencing homelessness to take the California proficiency examination to earn a "Certificate of Proficiency." The homeless child/youth must be under 25 years old and able to verify homeless status, as specified. A school homeless liaison qualifies as a homeless services provider who can verify the homeless status of a student, pursuant to Health & Safety Code section 103577. 	<ul style="list-style-type: none"> Inform students experiencing homelessness who may be interested in the proficiency examination. Provide verification of homeless status, as needed.
AB 1228 (EC §§66019.3, 76010, 90001.5, 92660)	<ul style="list-style-type: none"> Establishes a priority for campus housing for homeless or formerly homeless youth attending California community colleges, CSU, or UC campuses. Subject to agreement by resolution, if a CC, CSU or UC campus maintains student housing facilities, the CC/CSU/UC will provide housing in facilities that are open for uninterrupted year-round occupation to current/former homeless youth at no extra cost during breaks. Requests a plan from CC/CSU/UC to be developed to ensure current and former homeless (and foster) youth can access housing resources during and between academic terms. 	<ul style="list-style-type: none"> Communicate this information to high school students and families experiencing homelessness.
AB 104 (EC §52052)	<ul style="list-style-type: none"> If a district has 15 or more students experiencing homelessness, the school/district shall demonstrate comparable improvement in academic achievement as measured by the API. 	<ul style="list-style-type: none"> District will need to include this language in the LCAP.
AB 1101 (EC §48204.2)	<ul style="list-style-type: none"> Requires school districts to have policies in place for investigating possible fraudulent addresses, particularly if private investigation services are used. 	<ul style="list-style-type: none"> Effective January 1, 2016, districts will be required to have specific guidelines in conducting investigation of possible fraudulent address use. The same district guidelines will be used re: suspicion of fraudulent address use for a homeless youth.