

**Rights and
Responsibilities:**
*Meeting the
Educational Needs
of Homeless
Children & Youth*

PRESENTATION AGENDA

Understanding Homelessness

Definition of Homeless

Local Educational Responsibilities

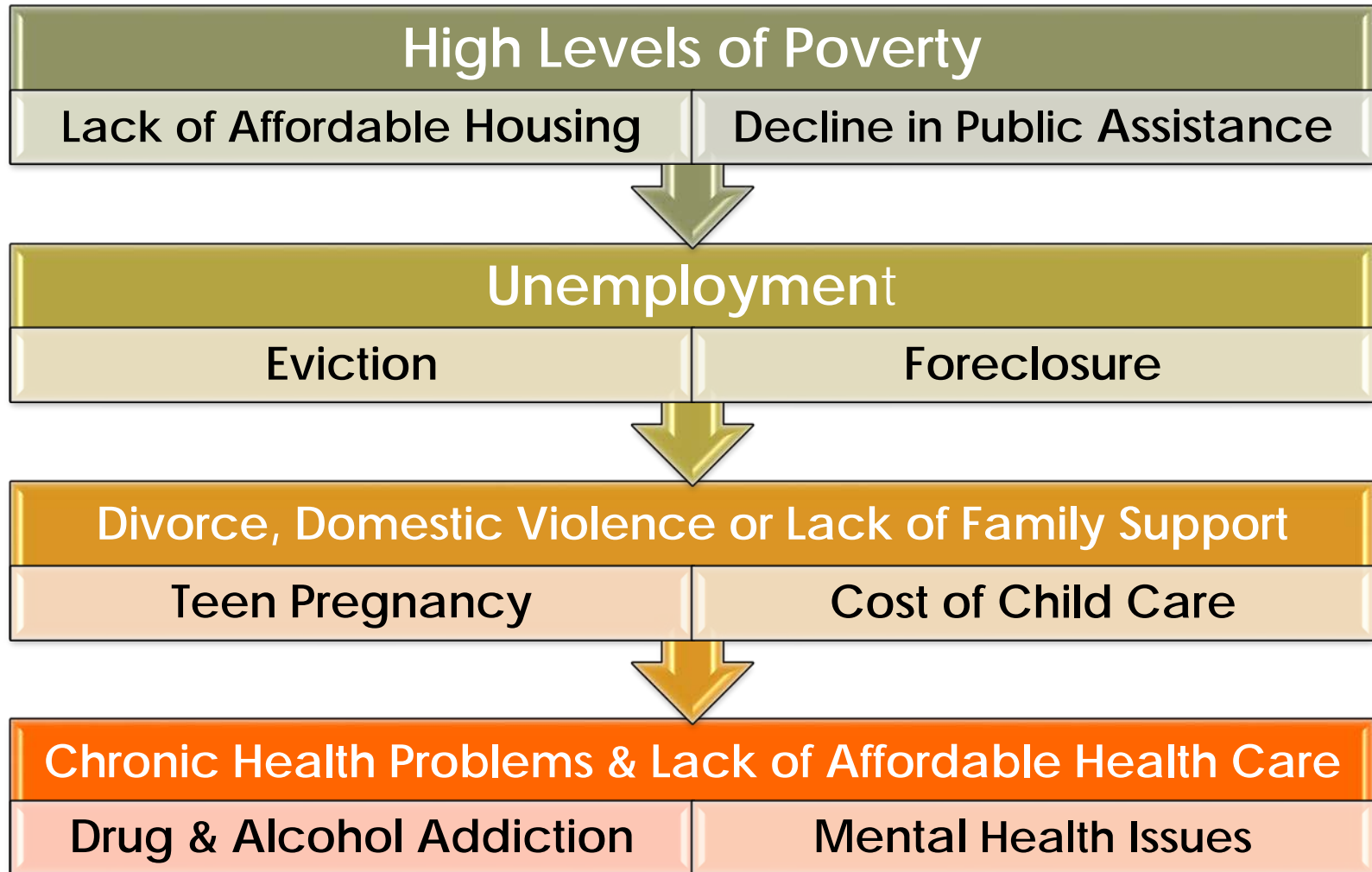
Homeless Students Rights

Access to Services

What do you think of when you hear the word homeless?



Possible Causes of Homelessness



Barriers to Homeless Education

- Enrollment requirements
- High mobility
- Lack of transportation
- Lack of school supplies, clothing, etc.
- Poor health, fatigue, hunger, anxiety/trauma



Barriers to Homeless Education

- Lack of awareness
- Prejudice and misunderstanding
- For unaccompanied youth
 - Lack of parent/guardian
 - Need for employment
 - Credit/ partial credit accrual policies
 - Authority Involvement



Impact on Education

- Homeless students are twice as likely to repeat a grade in school, be expelled or suspended.¹
- Within a single year, **97 % of children who are homeless move up to three times** and 40 % attend two different schools.
- With each change in schools, a student is set back academically by an average of four to six months.
- **Less than one out of four homeless youth graduate from high school!**²



¹ "America's Youngest Outcasts" , www.homelesschildrenamerica.org; 2009

² The National Center on Family Homelessness, The Cost of Homelessness, December 2012

Impact on Medical Health

Homeless children are more likely to experience health related problems as opposed to their housed peers.

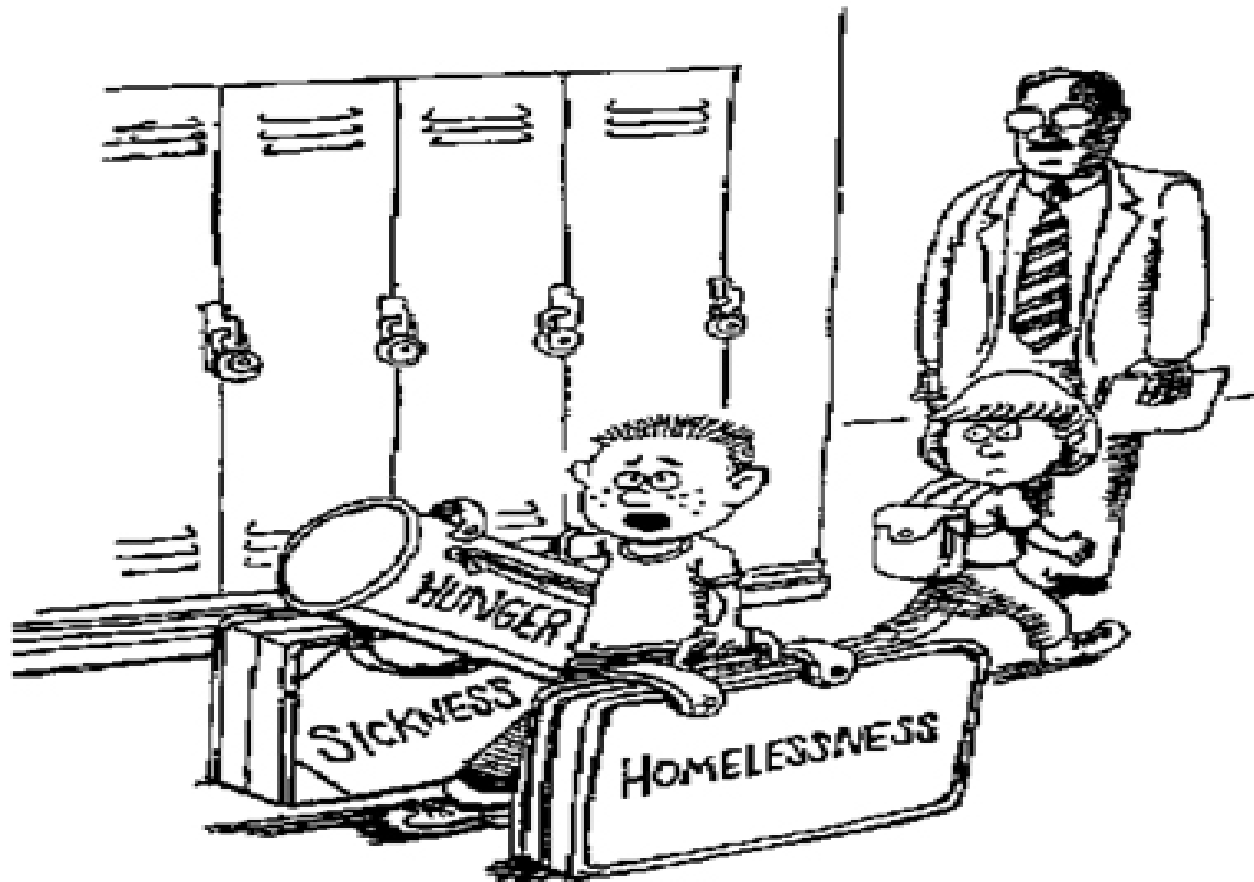
- Two times more likely to experience **childhood illnesses** as other children
- Four times more likely to need **special care at birth**
- Two times more likely to have **ear infections**
- Five times more likely to have **diarrhea and stomach problems**
- Four times as likely to be **asthmatic**
- Two times as likely to be **hospitalized**
- Higher incidences of **lice and scabies**
- Higher rates of elevated **blood lead levels**

Impact on Mental Health

Homeless children suffer from stressors that negatively affect their psychosocial well-being as opposed to their housed peers.

- 74% worry about **where they will live**
- 58% worry that they will have **no place to sleep**
- 87% worry that **something will happen** to their family
- 25% have witnessed **acts of violence** within their family
- 1/5 of homeless children 3-6 years of age have emotional problems serious enough to require professional care
- **47% of homeless school age children have problems such as anxiety, depression;** compared to 18% of other children
- Less than 33% of homeless children receive mental health treatment

**“Could someone help me with these?
I’m late for math class.”**



McKinney-Vento Homeless Assistance Act

- In January 2002, President Bush signed into law the No Child Left Behind (NCLB) Act and re-authorized the McKinney-Vento Homeless Assistance Act for Homeless Children and Youth.
- All homeless school-aged children are entitled to the **same free and appropriate public education** that is provided to non-homeless students.
- **All schools are required to remove barriers to the enrollment, attendance, and academic success of homeless students.**

LEA Homeless Liaison Responsibilities

Enrollment

Identification

Equal
Access

Referrals

Public
Notice

Transportation

Educational
Rights

Parent
Involvement

Community
Outreach

Dispute
Resolution

Technical
Assistance

Training

Resources

Fixed, Regular and Adequate

- A **fixed** residence is one that is stationary, permanent and not subject to change.
- A **regular** residence is one that is used on a predictable, routine, consistent basis.
- An **adequate** residence is one that is sufficient for meeting both the physical and psychological needs typically met in home environments.

Definition of Homeless

The McKinney-Vento Act defines a "homeless" student as one between 0 to 22 years of age, who lacks a **fixed, regular, and adequate** nighttime residence, and may include

- ◉ Sharing the housing of others due to loss of housing, economic hardship, or similar reason ("doubling up")
- ◉ Living in motels, hotels, trailer parks, camping grounds due to the lack of adequate alternative accommodations
- ◉ Living in emergency or transitional shelters
- ◉ Awaiting foster care placement
- ◉ Living in a public or private place not designed for humans to live
- ◉ Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or a similar setting
- ◉ Abandoned, runaway or pushed-out youth or migratory children living in any of the above circumstances

Unaccompanied Youth

A youth who is not in the physical custody of a parent, guardian or caregiver and includes youth who have been abandoned, has been pushed out or is a runaway.

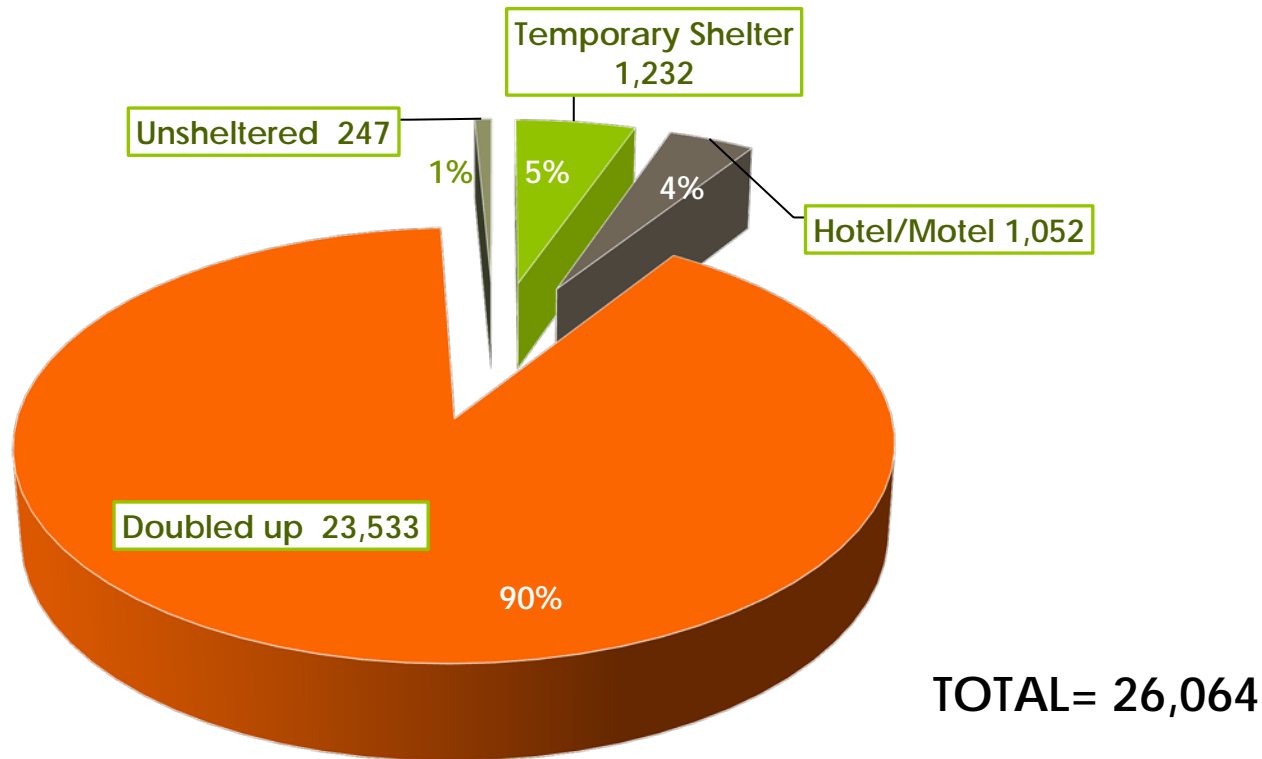
- Includes youth who have run away as well as those sent away.
 - Some students become homeless with their families, but end up on their own due to lack of space in temporary accommodations or shelter policies.
- LEAs cannot require adult caretakers to obtain guardianship of an unaccompanied youth.
- Liaison can assist with enrollment.



Unaccompanied Youth: Rights

- Enrollment without proof of guardianship
- Assistance from the local liaison in
 - selecting a school of attendance and enrolling
 - receiving transportation to the school of origin
 - resolving any disputes that arise
- Can initiate the dispute resolution process for himself/herself
- Student receives written notice in disputes
- **Unaccompanied youth age 14 and over** have the right to access and consent to disclose their school records **and extends these rights to all caregivers.**
- Eligible for CalFresh through the county welfare agency – no minimum age requirement.

Orange County Homeless Student Count By Nighttime Residence 2014-2015





School Selection

- Under the law, a student is eligible to :
 - Continue at their **School of Origin** (the school attended when permanently housed or the school in which they were last enrolled) for the duration of homelessness; OR
 - Enroll in any public school that students living in the same attendance area are eligible to attend (**School of Residence**)
- Once the student is permanently housed, he/she may remain at the school of origin until the end of the school year.
- Homeless students who are not attending their school of residence, *do not* have the right to attend the next matriculating school. The student *must* attend the school in the area in which he/she is temporarily residing.

Equal Access

- ◉ Free and Reduced Lunch
- ◉ Gifted and Talented
- ◉ Special Education
- ◉ Before and After School Programs
- ◉ Tutoring
- ◉ Participation in sports (incl. residency requirements)
- ◉ Open Enrollment
- ◉ Inter-district and Intra-district transfer permits

More on Access

- Homeless preschoolers may be prioritized for enrollment
- Homeless student must **OPT in** to be included in directory information.
- Undocumented students are eligible for McKinney-Vento services to the same extent as documented students; this would include undocumented unaccompanied homeless students
 - See *Plyler v. Doe* (457 U.S. 202 (1982)); USDOJ/USDOE *Dear Colleague Letter and Factsheet re: Information on the Rights of All Children to Enroll in School*, May 6, 2011.
- PLEASE NOTE: The fact that **a child is homeless** or is classified as an **unaccompanied minor is not, in and of itself**, a sufficient basis for reporting child abuse or neglect.

Services



Access to Higher Education

- The online application is free (www.fafsa.gov)
- Verification of homelessness can be provided by:
 - LEA homeless liaison
 - Shelter director
 - Financial aid administrator

Preschool and Homeless Students

- Mandate through 2008 reauthorization of **Head Start and to all state-funded pre-k programs**, including those funded and administered by state agencies outside of the public education system.
- Requires **equal access** to the same public preschool programs as their housed peers
- Requires **collaboration** with local preschool resources
- **Educate** preschool administration as to the rights of homeless children and families

IDEA and Homeless Students

These federal laws do not operate separately nor does one supersede another.

Students Receiving Special Education Services...

- ◉ **Immediately enroll** that student in interim placement.
- ◉ Ensure that the student will receive an **appropriate timely assessment**, provision, placement and service continuity.
- ◉ Contact the last school of attendance for **relevant records**.
- ◉ Part of the **Child Find** requirements within the IDEA.

Dispute Resolution

- If a dispute arises regarding school selection or enrollment, the school must **immediately enroll** the student pending the resolution of the dispute.
- The LEA must provide the parent with a **written explanation** of the enrollment decision as well as information regarding the LEA's appeal process per policy.
- The policy must **include information to appeal** to the county and the state.

More information available at
<http://www.cde.ca.gov/sp/hs/cy/>

Homeless Students and State Graduation Requirements

Allows:

- **Partial credits** for work that has been completed
- Homeless students who **TRANSFER** to a new high school **AFTER their second year or later** to graduate if they complete state graduation requirements **UNLESS** the district finds that the student is reasonably able to complete the additional coursework in time to graduate by the end of the student's fourth year of high school or offer a fifth year.

(AB 1806)

Homeless Students and State Graduation Requirements continued

- Requires **notification within 30 calendar days** of the date that a homeless student may qualify for the exemption transfers into a school and
- Notification of whether the student qualifies to:
 - student
 - educational rights holder
 - district liaison

(AB 1806)

Homeless Students and State Graduation Requirements continued

- Notify the student and the educational rights holder:
 - How will waived requirements **affect** the student's ability to **gain admission to a postsecondary** educational institution?
 - Provide information about transfer opportunities available through the California Community Colleges
- Exempt an eligible student at any time
- **Cannot revoke the exemption**
- **Shall not require** or request **a student to transfer school** in order to qualify for the exemption **or graduate early**

(AB 1806)

Partial Credits and Homeless Students

LEAs

- Must accept coursework satisfactorily completed
- Must issue full or partial credit for the coursework completed
- **Cannot require** homeless students **to retake a course** that has been satisfactorily completed
- Must enroll the student in the **same or equivalent course** and may not **prevent the student from retaking a course** to meet eligibility for admission to postsecondary educational institution

(AB 1806)

Questions?



CONTACT INFORMATION

Local Homeless Liaison

..... School District (district web site)
.....Name
.....Title
.....Email Address and #

- Orange County Department of Education www.ocde.us/mv
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- More information available at:
<http://www.cde.ca.gov/sp/hs/cy/>