



# Laws Impacting the Education of Housing insecure Students

## School of Origin, Enrollment, Childcare Subsidy

### **SB 445 EC§ 48852.7, 48859 School of Origin**

- 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.
- If the student's homeless status changes to permanent housing status before the end of the academic year, then either of the following apply:
  - 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:
  - 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 student 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:
  - 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.

### **SB 177 EC §48850, 48852.5 Enrollment**

- Requires immediate enrollment of homeless students, even if documents are not available.
- Homeless students meet residency requirements for interscholastic sports immediately upon enrollment and can participate without violating CIF rules.
- Ensure that child abuse/neglect reporting requirements do not create barrier. Schools shall not report solely based on homeless status.
- Requires LEA homeless liaisons to ensure public notice of the educational rights of homeless students are distributed in schools.

### **AB 982 EC §8263 5 CCR §18083, 18090 Childcare Subsidy**

- Families who are identified as homeless by a legal, medical, or social services agency, McKinney-Vento homeless liaison, Head Start program, shelter, or written statement from a parent describing the family's current homeless living situation, are automatically eligible for a childcare subsidy.





# Laws Impacting the Education of Housing insecure Students

## Unaccompanied, College Campus Housing,

### **AB 1068 EC §49073, 49076 Unaccompanied Youth**

- 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 can also access records.
- Prevents schools from releasing directory information (name, address, phone number, email, photos) of homeless students unless a parent or eligible student consents.

### **CA Family Code § 6924 Consent**

- A youth 12 years old or older may consent to residential shelter services if the youth is mature enough to participate intelligently in the services, and either would present a danger of serious physical or mental harm to self or to others without the services, or is the alleged victim of incest or child abuse.

### **AB 309 WIC §18901,18904.25 Nutrition**

- CalFresh Supplemental Nutrition Assistance Program (SNAP) clarifies that there is no minimum age requirement for unaccompanied homeless youth to apply.

### **AB 652 PC §11165.15 Reporting**

- Clarifies that a child/youth's homelessness or being identified as unaccompanied is not in itself a sufficient basis for reporting child abuse or neglect.

### **SB 252 EC§ 48412, 51421, 51421.5 Fee Waiver/Verification**

- 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.

### **AB 1228 EC§ 66019.3, 76010, 90001.5, 92660 College Campus Housing**

- 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.

### **AB 801 EC§ 67003.5, 66025.9, 76300 Post-Secondary Designee**

- Each post-secondary educational institution must designate a staff member to serve as the Homeless and Foster Student Liaison, responsible for informing students about financial aid and other assistance available to them and assisting them to apply for and receive federal and state financial aid and available services.
- The University of California, California State University, and each community college that offers priority class enrollment shall grant priority enrollment to current and former homeless youth and foster youth.
- Homeless students are exempt from paying community college student fees.



# Laws Impacting the Education of Housing insecure Students

## Graduation Exemption , Partial Credit, Expulsion

### AB 1166 EC§ 51225.1 Exemption Guidelines

- 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 .

### AB 379 EC§ 48853,48853.5,49069.5, 51225.1,51225.2 Exemption Policy

- 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.
- Districts should include this language in their UCP policy.

### AB 1806 – Graduation EC §51225.1 Exemption Guidelines

- Notification to the student, person holding the right to make educational decisions, and district liaison of the availability of the exemption and whether the student qualifies. Notification is required within 30 calendar days of the date that a homeless student may qualify for the exemption transfer into a school.
- Inform the student of the option to remain in school for a fifth year to complete the additional coursework, permit the student to stay in school for a fifth year to complete the additional coursework, not require the student to accept the exemption, and not require or request the student to graduate before the end of the fourth year of high school.
- Notify the student and the person holding the right to make educational decisions for the student how any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and provide information about transfer opportunities available through the California Community Colleges.
- Exempt an eligible student at any time, not revoke the exemption, not require or request a student to transfer schools in order to qualify for the exemption.
- Requires school districts and county offices of education to accept coursework satisfactorily completed by a homeless student even if the entire course was not completed and requires the issuance of full or partial credit for the coursework completed.
- Prohibits school districts and county offices of education from requiring homeless students to retake a course if the student has satisfactorily completed the entire course and prohibits the student to be required to retake any portion of the course that the student satisfactorily completed.
- Requires a homeless student to be enrolled in the same or equivalent course when partial credit is awarded and prohibits a homeless student from being prevented from retaking a course to meet eligibility for admission to postsecondary educational institutions.

### AB 1806 – Expulsion EC §48915.5, 48918.1, 51225.1, 51225.2 Hearings and Notice

- Homeless Liaison is required to be invited to the IEP manifestation determination meeting if:
  - 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 if the hearing is regarding a homeless student; and, the decision to recommend expulsion is discretionary.
- LEA may provide homeless liaisons notice of expulsion hearings if 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.