

School Selection

FOR STUDENTS EXPERIENCING HOUSING INSECURITY



The Orange County Department of Education Homeless Outreach Promoting Educational Success (HOPES) Collaborative

The McKinney-Vento Education for Homeless Children and Youth Act defines a "homeless" student as one between 0-22 years of age, who lacks a fixed, regular and adequate night time stay, and includes students who are preschool age, as well as students who receive special education services.

(42 U.S.C. § 11431 et seq.; hereafter the McKinney-Vento Act)

School stability under the McKinney-Vento Act means a student's right to continue attending their school or origin regardless of their area of residency.

Definition of School of Origin

School stability under the McKinney-Vento Act means a student's right to continue attending their school of origin regardless of their area of residency.

S.B. 445 amended California Education Code section § 48852.7 to define school of origin and describe the rights of child/youth experiencing homelessness, which include:

- The school attended by a student experiencing homelessness (when permanently housed) or last enrolled
- A school attended in the **prior 15 months** which may not be the last enrollment but where the student feels a connection.

Any of these schools can be the "school of origin." Local Educational Agencies (LEA's) must presume that keeping a student experiencing homelessness in their school of origin is in their best interest.*

**Best Interest*

The best interest determination should be student-center and should consider the following factors: age of student, distance of the commute and the length of stay at the shelter or temporary location.

Right to Attend School of Origin

California Education Code § 48852.7 state that students experiencing homelessness can attend their school of origin (following the feeder pattern when transition between grade levels) for the duration of housing instability.

Even after becoming permanently housed:

- High school students can continue at school of origin until graduation.
- K-8 students can continue at school of origin until the end of the school year.

Right to Attend School of Residence

Students experiencing homelessness also have the choice to enroll in the local school in the attendance area where they are currently spending their nights.

McKinney-Vento Liaison are responsible for assisting unaccompanied youth in making the decision on which school to attend and enrolling in school.

Helpful Resource

NCHE Brief of School Selection
<https://nche.ed.gov/school-selection/>