

REGULATION 6173: EDUCATION FOR HOMELESS CHILDREN

Comparison Chart

Section: Instruction

SUMMARY OF UPDATE

Summary of Update: Regulation updated to add email address to the district liaison's contact information since the California Department of Education (CDE) collects email addresses as part of the consolidated application process. Regulation also updated to reflect (1) **NEW LAW (SB 400, 2021)** which requires CDE to provide training materials to district liaisons for the purpose of providing required professional development and support to school personnel who provide services to homeless students; (2) CDE's recommendation regarding how dispute resolution information may be provided to parents/guardians or unaccompanied youth when the student involved is an English learner, including in the native language of the individual or through an interpreter; and (3) **NEW LAW (AB 27, 2021)** which requires districts to create a web page or post on the district website a list of district liaisons, contact information for such liaisons, and specific information on homelessness, including, but not limited to, information regarding the educational rights and resources available to persons experiencing homelessness.

PARA	Section	Sub-Section	June 18, 2019 CURRENT VERSION	March 2022 REVISED VERSION	CSBA MODIFICATIONS and/or NOTES
			Definitions	No change	CSBA NOTE: The following administrative regulation is mandated pursuant to 42 USC 11432; see section on "Transportation" below.
1			Homeless students mean students who lack a fixed, regular, and adequate nighttime residence and includes:	No change	CSBA NOTE: The federal McKinney-Vento Homeless Assistance Act (42 USC 11434a) and Education Code 48859, as amended by AB 27 (Ch. 394, Statutes of 2021), define "homeless children and youths" as provided below. Foster youth who are living in emergency or transitional shelters are within the definition of homeless students but youth who are awaiting foster care placement are not. See BP/AR 6173.1 - Education for Foster Youth for state law regarding foster children.
	1		Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative	No change	

		adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals		
	2	Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings	No change	
	3	Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings	No change	
	4	Migratory children who qualify as homeless because the children are living in conditions described in (1) - (3) above	No change	
	2	Unaccompanied youth includes youth who are not in the physical custody of a parent or guardian.	Unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian.	
	3	School of origin means the school that the homeless student attended when permanently housed or the school in which he/she was last enrolled, including a preschool. If the school the homeless student attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that he/she attended within the preceding 15 months and with which he/she is connected, the district liaison shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin.	School of origin means the school that the homeless student attended when permanently housed or the school in which the student was last enrolled, including a preschool. If the school the homeless student attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the student attended within the preceding 15 months and with which the student is connected, the district liaison for homeless students shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin.	CSBA NOTE: The following definition of "school of origin" generally reflects Education Code 48852.7, which exceeds the definition in 42 USC 11432 and is consistent with the state definition of "school of origin" that applies to foster youth. However, 42 USC 11432 includes preschools in the definition as provided below.

4		Best interest means that, in making educational and school placement decisions for a homeless student, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students.	No change	CSBA NOTE: Education Code 48850 expresses legislative intent that the "best interest" of a homeless student or foster youth includes educational stability as well as placement in the least restrictive educational program, as provided below. Education Code 48853 further provides that the placement of a foster youth must consider the student's access to academic resources, services, and extracurricular and enrichment activities. For consistency with the definition of "best interest" applicable to foster youth (see AR 6173.1 - Education for Foster Youth), the following definition also reflects Education Code 48853.
		<u>District Liaison</u>	No change	
1		The Superintendent designates the following staff person as the district liaison for homeless students:	No change	CSBA NOTE: Pursuant to 42 USC 11432, districts are required to designate an appropriate staff person, who may also be a coordinator for other federal programs, as a district liaison for homeless students. The district should fill in the blanks below with the title or position, address, email address, and phone number of the district liaison.
2		Assistant Superintendent, Educational Services PO. Box 847, Yermo, CA 92398 (760) 254-2916 ext. 1157	Jeff Youskievicz Assistant Superintendent, Educational Services 35320 Daggett-Yermo Rd. PO. Box 847 Yermo, CA 92398 jyouskievicz@svusdk12.net (760) 254-2916 ext. 1157	
3		The district's liaison for homeless students shall ensure that:	The district's liaison for homeless students shall:	
	1	Ensure that homeless students are identified by school personnel and through outreach	No change	

		and coordinated activities with other entities and agencies		
	2	Ensure that homeless students enroll in, and have a full and equal opportunity to succeed in, district schools	Ensure that homeless students are enrolled in, and have a full and equal opportunity to succeed in, district schools	
	3	Ensure that homeless families and children and youth have access to and receive educational services for which they are eligible, including services through Head Start and Early Head Start programs, early intervention services under Part C of the federal Individuals with Disabilities Education Act, and other preschool programs administered by the district	No change	
	4	Ensure that homeless families and students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services	No change	
	5	Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children	No change	
	6	Disseminate notice of the educational rights of homeless children in locations frequented by parents/guardians of homeless children and youth and by unaccompanied youth, including schools, family shelters, public libraries, and hunger relief agencies (soup kitchens). The rights shall be presented in a manner and form understandable to the parents/guardians of homeless students and unaccompanied youth.	Disseminate public notice of the educational rights of homeless students in locations frequented by parents/guardians of homeless children and youth and by unaccompanied youth, including schools, shelters, public libraries, and hunger relief agencies (soup kitchens). The rights shall be presented in a manner and form understandable to the parents/guardians of homeless students and unaccompanied youth.	

7	Mediate enrollment disputes in accordance with law and the section "Resolving Enrollment Disputes" below	No change	
8	Fully inform parents/guardians of homeless students and unaccompanied youth of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice	No change	
9	Ensure that school personnel providing services to homeless students receive professional development and other support	Ensure that school personnel providing services to homeless students, including principals and other school leaders, attendance supervisors, teachers, enrollment personnel, and specialized instructional support personnel, receive professional development and other support	CSBA NOTE: Pursuant to Education Code 48852.5, as amended by SB 400 (Ch. 400, Statutes of 2021), the California Department of Education (CDE) is required to provide training materials to district liaisons for homeless students for the purpose of providing required professional development and support to school personnel who provide services to homeless students. The examples of school personnel listed below reflect CDE's 2021-22 Federal Program Monitoring Instrument.
10	Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students under 20 USC 1087vv and that they may receive assistance from the district liaison to receive verification of their independent student status for purposes of applying for federal student aid pursuant to 20 USC 1090	No change	
11	Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless	Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless	

		students, including the provision of comprehensive data to the state coordinator as required by law	students, including the collection and provision of comprehensive data to the state coordinator as required by law	
4		In addition, when notified pursuant to Education Code 48918.1, the district liaison shall assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion. When notified pursuant to Education Code 48915.5, the district liaison shall participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability.	In addition, when notified pursuant to Education Code 48918.1, the district liaison shall assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in the student's expulsion. When notified pursuant to Education Code 48915.5, the district liaison shall participate in an individualized education program (IEP) team meeting to make a manifestation determination regarding the behavior of a student with a disability.	CSBA NOTE: Pursuant to Education Code 48918.1, the district liaison must be notified at least 10 calendar days before the date of the expulsion hearing for a homeless student, when the student's alleged violation does not require a mandatory recommendation for expulsion, and may be notified for mandatory expulsions; see AR 5144.1 - Suspension and Expulsion/Due Process. When so notified, the district liaison is expected to assist the student and, as necessary, advocate on the student's behalf. Furthermore, pursuant to Education Code 48915.5, if the homeless student has also been identified as an individual with a disability and the district has proposed a change of placement due to an act for which decision to recommend expulsion is discretionary, the district liaison must be invited to participate in the individualized education program (IEP) team meeting that makes a manifestation determination pursuant to the Individuals with Disabilities Education Act (20 USC 1415(k)).
5		The Superintendent or designee shall inform homeless children and youth, their parents/guardians, school personnel, service providers, and advocates working with homeless families of the duties of the district's liaison. He/she shall also provide the name and contact information of the district's liaison to the California Department of	The Superintendent or designee shall inform homeless children and youth, their parents/guardians, school personnel, service providers, and advocates working with homeless families of the duties of the district's liaison. The Superintendent or designee shall also provide the name and contact information of the district's liaison to the	CSBA NOTE: 42 USC 11432 requires CDE to publish a list of district liaisons on its web site. CDE collects the name and contact information of district liaisons through the consolidated application process, along with information about district compliance with federal program requirements.

		Education (CDE) for publishing on the CDE's web site.	California Department of Education (CDE) for publishing on CDE's web site.	
		Enrollment	No change	
1		The district shall make placement decisions for homeless students shall be based on the student's best interest.	The district shall make placement decisions for homeless students based on the student's best interest.	
2		In determining the best interest of the student, the district shall consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the student's parent/guardian or, in the case of an unaccompanied youth, the youth.	No change	CSBA NOTE: 42 USC 11432 specifies factors that must be considered in determining a student's best interest, as provided.
3		Such factors may include, but are not limited to, the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.	No change	CSBA NOTE: The following optional paragraph presents examples of factors that may be considered in making placement decisions based on a student's "best interest," and may be revised to reflect district practice.
4		However, placement decisions shall not be based on whether a homeless student lives with his/her homeless parent/guardian or has been temporarily placed elsewhere.	However, placement decisions shall not be based on whether a homeless student lives with the student's homeless parent/guardian or has been temporarily placed elsewhere.	
5		In the case of an unaccompanied youth, the liaison shall assist in placement or enrollment decisions, give priority to the views of the student, and provide notice to the student of his/her appeal rights.	In the case of an unaccompanied youth, the district liaison shall assist in placement or enrollment decisions, give priority to the views of the student, and provide notice to the student of the right to appeal.	

6		In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless the student's parent/guardian or the unaccompanied youth requests otherwise.	In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in the school of origin, unless the student's parent/guardian or the unaccompanied youth requests otherwise.	
7		Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if he/she:	Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if the student:	CSBA NOTE: Education Code 48852.7 and 42 USC 11432 require schools to immediately enroll homeless students as specified below. In its "Non-Regulatory Guidance Education for Homeless Children and Youths Program," the USDOE recommends that the district take steps to facilitate immediate enrollment such as accepting school records directly from families, establishing school-based immunization clinics, and training staff on the legal requirements for immediate enrollment. See AR 5111.1 - District Residency.
	1	Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended	No change	
	2	Does not have clothing normally required by the school, such as school uniforms	No change	
	3	Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and records of immunization and other required health records	No change	
	4	Has missed application or enrollment deadlines during any period of homelessness	No change	
8		The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other required health records, the principal or	The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other required health records, the principal or	

		designee shall refer the parent/guardian to the district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if he/she is an unaccompanied youth, in obtaining the necessary immunizations, screenings, or records for the student.	designee shall immediately refer the parent/guardian to the district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if the student is an unaccompanied youth, in obtaining the necessary immunizations, screenings, or records for the student.	
9		If the student is placed at a school other than his/her school of origin or the school requested by his/her parent/guardian or an unaccompanied youth, the Superintendent or designee shall provide the parent/guardian or the unaccompanied youth with a written explanation of the decision along with a statement regarding the right to appeal the placement decision.	If the student is placed at a school other than the school of origin or the school requested by the student's parent/guardian or the student, if an unaccompanied youth, the Superintendent or designee shall provide the parent/guardian or the unaccompanied youth with a written explanation of the reasons for the decision, including why placement in the student's school of origin or requested school is not in the student's best interest, along with a statement regarding the right to appeal the placement decision. The written explanation shall be in a manner and form understandable to such parent/guardian or unaccompanied youth.	
10		The student may continue attending his/her school of origin for the duration of the homelessness.	At the point of any change or subsequent change in the residence of a homeless student, the student may continue attending the student's school of origin for the duration of the homelessness.	
11		To ensure that the homeless student has the benefit of matriculating with his/her peers in accordance with the established feeder patterns, the following shall apply:	To ensure that the homeless student has the benefit of matriculating with the student's peers in accordance with the established feeder patterns, the following shall apply:	
	1	If the student is transitioning between grade levels, he/she shall be allowed to continue in the same attendance area	If the student is transitioning between grade levels, the student shall be allowed to continue in the same attendance area	
	2	If the student is transitioning to a middle school or high school, and the school	If the student is transitioning to a middle school or high school, and the school	

		designated for matriculation is in another school district, he/she shall be allowed to continue to the school designated for matriculation in that district	designated for matriculation is in another school district, the student shall be allowed to continue to the school designated for matriculation in that district	
12		If the student's status changes before the end of the school year so that he/she is no longer homeless, he/she shall be allowed to stay in the school of origin:	If the student's status changes before the end of the school year so that the student is no longer homeless, the student shall be allowed to stay in the school of origin:	CSBA NOTE: Education Code 48852.7 and 42 USC 11432 require that homeless students who become permanently housed during the school year be allowed to remain in the school of origin for the remainder of the school year. Additionally, Education Code 48852.7 allows homeless students to remain in the school of origin, or matriculate to a feeder school, even if the student is no longer homeless. The district may revise the following list to reflect the grade levels and feeder school patterns in the district.
	1	Through the duration of the school year if he/she is in grades K-8	Through the duration of the school year if the student is in grades K-8	
	2	Through graduation if he/she is in high school	Through graduation if the student is in high school	
		<u>Resolving Enrollment Dispute</u>	No change	
1		If a dispute arises over student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the district liaison, who shall carry out the dispute resolution process as expeditiously as possible.	If a dispute arises over student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the district liaison, who shall carry out the dispute resolution process as expeditiously as possible.	CSBA NOTE: In the event that a dispute arises over the district's decision related to student eligibility, school selection, or enrollment, the district must comply with the requirements of 42 USC 11432 and the dispute resolution process established by CDE. CDE's process is described in its, "Homeless Education Dispute Resolution Process" letter to districts, available on CDE's web site. CDE's letter does not specify a hearing process or timelines for the district-level dispute resolution process. Thus, the district may revise the following section to reflect district practice, provided that the process is consistent with law.

2		The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions.	The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions.	
3		The written explanation shall include:	No change	CSBA NOTE: The following optional list should be modified to reflect district practice. In its "Education for Homeless Children and Youths Program Non-Regulatory Guidance," the USDOE recommends that the written explanation contain the elements specified below. See the accompanying exhibits for a sample explanation and appeal form.
	1	A description of the action proposed or refused by the district	No change	
	2	An explanation of why the action is proposed or refused	No change	
	3	A description of any other options the district considered and the reasons that any other options were rejected	No change	
	4	A description of any other factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources	No change	
	5	Appropriate timelines to ensure any relevant deadlines are not missed	No change	
	6	Contact information for the district liaison and state coordinator, and a brief description of their roles	No change	
4		The written explanation shall be complete, as brief as possible, simply stated, and provided	No change	

		in language that the parent/guardian or student can understand.		
5		The district liaison may use an informal process as an alternative to formal dispute resolution procedures, provided that the parents/guardians or unaccompanied youth have access to the more formal process if informal resolution is not successful in resolving the matter.	No change	CSBA NOTE: The following optional paragraph is recommended in the USDOE's "Education for Homeless Children and Youths Program Non-Regulatory Guidance."
6		In working with a student's parents/guardians or unaccompanied youth to resolve an enrollment dispute, the district liaison shall:	No change	CSBA NOTE: The following optional paragraph is recommended in CDE's "Homeless Education Dispute Resolution Process" letter to districts. CDE recommends that if the parent/guardian or unaccompanied youth is an English Learner, the native language and/or an interpreter be used, and/or if additional supports are needed because of a disability, such services be made available without charge.
	1	Inform them that they may provide written and/or oral documentation to support their position	No change	
	2	Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved	No change	
	3	Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process	No change	
	4	Provide them a copy of the dispute form they submit for their records	No change	
	5	Provide them the outcome of the dispute for their records	No change	

			When a student’s parent/guardian or an unaccompanied youth involved in the enrollment dispute is an English learner, Items #1-5 shall be provided either in the native language of the parent/guardian or unaccompanied youth or through an interpreter, and any additional support needed because of a disability of that parent/guardian or unaccompanied youth shall be made available without a charge.	
7		If a parent/guardian or unaccompanied youth disagrees with the liaison’s enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within five working days.	If a parent/guardian or unaccompanied youth disagrees with the district liaison's enrollment decision, the decision may be appealed to the Superintendent. The Superintendent shall make a determination within five working days.	
8		If the parent/guardian chooses to appeal the district’s placement decision, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education.	If the parent/guardian chooses to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the liaison for homeless students at the county office of education.	CSBA NOTE: In its "Homeless Education Dispute Resolution Process" letter to districts, CDE describes the process for appealing a district's enrollment decision to the county office of education (COE) and CDE. Upon receipt of materials describing the dispute from the district, the COE liaison will determine the school selection or enrollment decision within five working days. If the dispute remains unresolved or is appealed, the COE liaison will forward the documentation to CDE's Homeless Education Program. CDE will notify all parties of the final determination of eligibility, school selection, or enrollment within five working days of receipt of the appeal.
9		Pending final resolution of the dispute, including all available appeals, the student shall be immediately enrolled in the school in which enrollment is sought and shall be	No change	CSBA NOTE: 42 USC 11432 provides that, during any dispute over a student's enrollment, the student must be allowed to be enrolled in the school in which enrollment is sought during the period of all appeals. 42

		allowed to attend classes and participate fully in school activities.		USC 11434a defines "enrollment" as including attendance in classes and full participation in school activities.
		<u>Transportation</u>	No change	
1		The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian, or the district liaison in the case of an unaccompanied youth, requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend his/her school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation.	The district shall provide transportation for a homeless student to and from the student's school of origin when the student is residing within the district and the parent/guardian, or the district liaison in the case of an unaccompanied youth, requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend the student's school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation.	<p>CSBA NOTE: 42 USC 11432 mandates that districts adopt policies and practices to ensure that transportation is provided to homeless students, at the request of the student's parent/guardian or of the district liaison in the case of an unaccompanied youth, to and from the school of origin as specified below.</p> <p>In its "Education for Homeless Children and Youths Program Non-Regulatory Guidance," USDOE states that the law imposes an affirmative obligation to transport homeless students, even if transportation is not provided to other students. The Guidance clarifies that, because the State of California receives funds under McKinney-Vento, all districts in California are subject to this requirement.</p> <p>Federal law does not address the authorization provided by Education Code 39807.5 for the district to charge for the cost of home-to-school transportation. However, it is likely that most homeless students would be identified as indigent and would therefore be exempt from transportation costs. See AR 3250 - Transportation Fees.</p>
2		The district shall not be obligated to provide transportation to students who continue attending their school of origin after they cease to be homeless, unless the formerly homeless student has an individualized education program that includes	No change	CSBA NOTE: Education Code 48852.7 requires that the district provide transportation to a formerly homeless student with an IEP only if transportation is a necessary related service. Education Code 48852.7 does not supersede or exceed other laws governing special

		transportation as a necessary related service for the student.		education services for eligible homeless students. The following paragraph may be revised if the district chooses to provide transportation to other formerly homeless students attending their school of origin.
		<u>Transfer of Coursework and Credits</u>	No change	
1		When a homeless student transfers into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the student to retake the course.	When a homeless student transfers into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school and shall not require the student to retake the course.	CSBA NOTE: The following section is for use by districts maintaining high schools.
2		If the homeless student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a homeless student in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course.	If the homeless student did not complete the entire course, the student shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that the student did not complete at the previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a homeless student in any particular course, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.	

3		Partial credits shall be awarded on the basis of 1.0 credits for every eighteen class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.	Partial credits shall be awarded on the basis of 0.5 credits for every nine class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5. Partial credits may also be awarded through site administration evaluation and approval.	CSBA NOTE: Although Education Code 51225.2 requires districts to award partial credits to homeless students who transfer from school to school, there is no uniform system for calculating and awarding partial credits. A recommendation for how to award partial credit is available in the "California Child Welfare Council's Partial Credit Model Policy and Practice Recommendations" and should be revised to reflect district practice.
4		In no event shall the district prevent a homeless student from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.	No change	
		<u>Applicability of Graduation Requirements</u>	No change	
1		To obtain a high school diploma, a homeless student shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Governing Board.	No change	CSBA NOTE: The following section is for use by districts maintaining high schools. Also see BP 6146.1 - High School Graduation Requirements.
2		However, when a homeless student who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30	However, when a homeless student who has completed the second year of high school transfers into the district from another school district or transfers between high schools within the district, the student shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within	

		calendar days of the homeless student's transfer, the Superintendent or designee shall notify the student, the person holding the right to make educational decisions for him/her, and the district liaison for homeless students of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer homeless.	30 calendar days of the homeless student's transfer, the Superintendent or designee shall notify the student, the person holding the right to make educational decisions for the student, and the district liaison for homeless students of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer homeless.	
3		To determine whether a homeless student is in his/her third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption.	To determine whether a homeless student is in the third or fourth year of high school, the district shall use either the number of credits the student has earned as of the date of the transfer or the length of the student's school enrollment, whichever qualifies the student for the exemption.	
4		The Superintendent or designee shall notify any homeless student who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges.	The Superintendent or designee shall notify any homeless student who is granted an exemption and the person holding the right to make educational decisions for the student how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges.	
5		The district shall not require or request a homeless student to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a homeless student, the person holding the right to make educational decisions for the student, or the district liaison on behalf of the student.	No change	

6		If a homeless student is exempted from local graduation requirements, the exemption shall continue to apply after the student is no longer homeless or if he/she transfers to another school or school district.	If a homeless student is exempted from local graduation requirements, the exemption shall continue to apply after the student is no longer homeless or if the student transfers to another school, including a charter school, or school district.	
7		If the Superintendent or designee determines that a homeless student is reasonably able to complete district graduation requirements within his/her fifth year of high school, he/she shall:	If the Superintendent or designee determines that a homeless student is reasonably able to complete district graduation requirements within the fifth year of high school, the Superintendent or designee shall:	
	1	Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution	Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for the student, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect the ability to gain admission to a postsecondary educational institution	
	2	Provide information to the homeless student about transfer opportunities available through the California Community Colleges	No change	
	3	Upon agreement with the homeless student or with the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements	Upon agreement with the homeless student or with the person holding the right to make educational decisions for the student if under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements	
		<u>Eligibility for Extracurricular Activities</u>	No change	
1		A homeless student who enrolls in any district school shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.	A homeless student who enrolls in any district school shall have access to extracurricular and enrichment activities that are available to all students in the school, including but not	CSBA NOTE: The following paragraph is required pursuant to Education Code 48850. See BP 6145 - Extracurricular and Cocurricular Activities for additional eligibility requirements.

			limited to, interscholastic sports administered by the California Interscholastic Federation.	
			<u>Notification and Complaints</u>	<u>Notification, Complaints, and Posting Requirements</u>
1		Information regarding the educational rights of homeless students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622.	No change	
2		Any complaint that the district has not complied with requirements regarding the education of homeless students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.	No change	CSBA NOTE: Education Code 51225.1 and 51225.2 provide that complaints of noncompliance with specified requirements related to the educational rights of homeless students may be filed in accordance with the uniform complaint procedures (UCP) specified in 5 CCR 4600-4670. As with other complaints covered under the UCP, a complainant may appeal the district's decision to CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.
			The Superintendent or designee shall ensure that a list of the district's liaison(s) and the contact information for such liaison(s), as well as specific information on homelessness, including, but not limited to, information regarding the educational rights and resources available to persons experiencing homelessness, are posted on the district's web site.	CSBA NOTE: Education Code 48852.6, as added by AB 27, requires the district and each district school that maintains a web site to post on the district and school web sites information related to homeless students' education, as specified in the following paragraphs.
			Each district school that has a web site shall also post the contact information for the	

				district liaison and the name and contact information of any employee or other person under contract with the school who assists the district liaison in completing the liaison's duties pursuant to 42 USC 11432.	
--	--	--	--	--	--

Created: 4/11/22