

Big Sur Charter School
Education for Homeless Children and Youth Policy

The Big Sur Charter School (“BSCS”) Governing Board desires to ensure that homeless children and youth are provided with equal access to its educational program, have an opportunity to meet the same challenging state of California academic standards, are provided a free and appropriate public education, are not stigmatized or segregated on the basis of their status as homeless, and to establish safeguards that protect homeless students from discrimination on the basis of their homelessness.

The School Director or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

When there are at least 15 homeless students in the charter school, the school's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students. (California Education Code [EC] sections 52052, 52060)

At least annually, the School Director or designee shall report to the Board on outcomes for homeless students, which may include, but are not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, the district shall revise its strategies as needed to better support the education of homeless students.

Definition of Homeless Children and Youth

The term “homeless children and youth” means individuals who lack a fixed, regular and adequate nighttime residence. It includes children and youth who (42 U.S.C. § 11434a):

1. 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 adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
2. 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;

3. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
4. Migratory children and unaccompanied youth (youth not in the physical custody of a parent or guardian) may be considered homeless if they meet the above definition of “homeless.”
5. Unaccompanied youth who are not in the physical custody of a parent or guardian

The term school of origin means the school that the homeless student attended when permanently housed or the school in which he/she was last enrolled. 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 school 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. (42 U.S.C. Section 11432[g][3][I]; *EC* Section 48852.7)

When determining the best interest 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. (42 U.S.C. Section 11432[g][3][B]; *EC* Sections 48850, 48853)

School Liaison

The School Director designates the following staff person as the School Liaison for homeless students (42 U.S.C. §§11432(g)(1)(J)(ii) & (e)(3)(C)(i)(IV).):

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The School Liaison shall ensure that (42 U.S.C. § 11432(g)(6)):

1. Homeless students are identified by school personnel and through coordination activities with other entities and agencies.

2. Homeless students enroll in, and have a full and equal opportunity to succeed at Big Sur Charter School.
3. Homeless students and families receive educational services for which they are eligible.
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, family shelters, public libraries, and hunger relief (soup kitchens), and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
6. Enrollment/admissions disputes are mediated in accordance with law, BSCS charter, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. When notified pursuant to *EC* Section 48918.1, assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion.
9. When notified pursuant to *EC* Section 48915.5, participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability.
10. Assist a homeless student to obtain records necessary for his/her enrollment into or transfer out of district schools, including immunization, medical, and academic records.

The School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.

Enrollment

Big Sur Charter School shall immediately admit/enroll the student (subject to the school's capacity and pursuant to the procedures stated in the charter and Board policy), even if the student lacks records normally required for enrollment. Records will immediately be requested from the previous school. (42 U.S.C. § 11432(g)(3)(C); Education Code Section 48850(a)(3)(A).)

The School Liaison 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 medical records, the School Director or designee shall refer the

parent/guardian to the School Liaison. The School Liaison shall assist the parent/guardian in obtaining the necessary immunizations or records for the student. (42 U.S.C. § 11432(g)(3)(C).)

Enrollment Disputes

If a dispute arises over admissions/enrollment, the student shall be immediately admitted, pending resolution of the dispute. (42 U.S.C. § 11432(g)(3)(E).)

The parent/guardian shall be provided with a written explanation of the admission/enrollment decision, which shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian/unaccompanied youth can understand. The written explanation shall include:

1. The School Liaison's contact information
2. A description of the school's placement decision
3. Notice of the student's right to enroll in the school of choice pending resolution of the dispute, including the right to fully participate in all school activities.
4. Notice of the parent/guardian/unaccompanied youth's right to appeal the decision to the county office of education and, if necessary, to the California Department of Education (CDE).

The School Liaison shall carry out the Board-adopted dispute resolution and complaint process as expeditiously as possible after receiving notice of the dispute. (42 U.S.C. § 11432(g)(3)(E).)

In working with a student's parents/guardians to resolve an enrollment dispute, the School Liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position
2. Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records

If the parent/guardian/unaccompanied youth chooses to appeal the school's placement decision, the School Liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education (COE).

If the parent/guardian/unaccompanied youth chooses to appeal the COE's placement decision, the COE homeless liaison shall forward all written documentation and related paperwork to the CDE.

Comparable Services

Each homeless child or youth shall promptly be provided services comparable to services offered to other students in BSCS such as (42 U.S.C. § 11432(g)(4)):

- Transportation services
- Educational services for which the child or youth meets eligibility criteria, such as educational programs for students with disabilities and educational programs for students with limited English proficiency
- Programs in vocational and technical education
- Programs for gifted and talented students
- School nutrition programs

Transportation

BSCS shall ensure that transportation is provided for homeless students to and from BSCS, at the request of the parent or guardian (or liaison). (42 U.S.C. § 11432(g)(1)(J))

BSCS shall not be obligated to provide transportation to students who continue attending the school after they cease to be homeless, unless the formerly homeless student has an individualized education program that includes transportation as a necessary related service for the student. (*EC* Section 48852.7)

Transfer of Coursework and Credits

When a homeless student transfers into BSCS, the school 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. (42 U.S.C. Section 11432[g][1][F]; *EC* Section 51225.2)

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 BSCS 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 school 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. (42 U.S.C. Section 11432[g][1][F];*EC* Section 51225.2)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended 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 *EC* Section 49069.5.

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. (*EC* Section 51225.2)

Applicability of Graduation Requirements

To obtain a high school diploma, a homeless student shall complete all courses required by *EC* Section 51225.3 and fulfill any additional graduation requirements prescribed by the Governing Board. Sample of Education for Homeless Children and Youth Board Policy and Administrative Regulations

However, when a homeless student who has completed his/her second year of high school transfers into BSCS from another school district, he/she shall be exempted from all school-adopted coursework and other school-established graduation requirements, unless BSCS 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 calendar days of the homeless student's transfer, the School Director or designee shall notify the student, the person holding the right to make educational decisions for him/her, and the School Liaison for homeless students of the availability of the exemption and whether the student qualifies for it. If the School Director 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. (*EC* Section 51225.1)

To determine whether a homeless student is in his/her third or fourth year of high school, BSCS 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. (*EC* Section 51225.1)

The School Director 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. (*EC* Section 51225.1)

BSCS 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 School Liaison on behalf of the student. (*EC* Section 51225.1)

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. (*EC* Section 51225.1)

If the School Director or designee determines that a homeless student is reasonably able to complete graduation requirements within his/her fifth year of high school, he/she shall: (*EC* Section 51225.1)

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
2. Provide information to the homeless student about transfer opportunities available through the California Community Colleges Sample of Education for Homeless Children and Youth Board Policy and Administrative Regulations
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

Eligibility for Extracurricular Activities

A homeless student who enrolls in BSCS shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (42 U.S.C. Section 11432[g][1][F]; *EC* Section 48850[a][2])

Notification and Complaints

Information regarding the educational rights of homeless students, as specified in *EC* sections 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 California Code of Regulations Section 4622. (*EC* sections 51225.1, 51225.2)