**ANTELOPE VALLEY LEARNING ACADEMY**

# EDUCATION FOR HOMELESS CHILDREN AND YOUTH POLICY

The Antelope Valley Learning Academy ("Charter School") Board of Directors recognizes that homelessness is a serious problem and is concerned, in particular, about the education of homeless children and youth in the Charter School. The Charter School 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.

## 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 youths 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. Runaway, pushed out, migratory children, or unaccompanied youth may be considered homeless because they are living in the conditions described in (1)-(3) above.

Homeless status is determined in cooperation with the parent or guardian. In the case of unaccompanied youth, status is determined by the School Liaison.

*Unaccompanied youth* means a homeless child or youth not in the physical custody of a parent or guardian. (42 U.S.C. § 11434(a)(6).)

*School of selection* means the school of origin, or the school of residence.

*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. (Education Code section 48852.7).

*School of residence* means any public school that students living in the same attendance area are eligible to attend.

*Enrollment* means attending classes and participating fully in school activities.

*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 Charter School students. (Education Code sections 48850, 48853; 42 U.S.C. § 11432).

**School Liaison**

The Area Superintendent 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).):

Linda Velasquez, School Social Worker Coordinator
37212 47th St. East
Palmdale, CA 93550
661-272-0044

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, the Charter School.
3. Homeless students and families receive educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act, early intervention services under Part C of the Individuals with Disabilities Education Act, and referrals to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services.
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, such as schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
6. Enrollment and admissions disputes are resolved in accordance with law, the Charter School's approved charter, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.

8. School personnel providing services receive professional development and other support;
9. 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.
10. Unaccompanied youth are enrolled in the Charter School, have opportunities to meet the same challenging state academic standards as the state establishes for other children and youth, and are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.
11. 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 48918.1.
12. Participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability when notified pursuant to Education Code 48915.5.
13. Assist a homeless student to obtain records necessary for his/her enrollment into or transfer out of the Charter School, including immunization, medical, and academic records.
14. At least annually, offer training to certificated and classified employees providing services to students experiencing homelessness, including, but not limited to, teachers, support staff, and other school staff who work with pupils, relating to both of the following: (1) the Charter School's Education for Homeless Children and Youth Policy; and (2) recognition of signs that students are experiencing, or are at risk of experiencing, homelessness. (Education Code section 48851.3).
15. Inform employees of the availability of training and the services the School Liaison provides to aid in the identification and provision of services to students who are experiencing, or are at risk of experiencing, homelessness. (Education Code section 48851.3).

**Enrollment**

The Charter School shall immediately admit/enroll the student (subject to the Charter School's capacity and pursuant to the procedures stated in the Charter School's approved 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).)

If the student needs to obtain immunizations or does not possess immunization or other medical records, the Principal 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. The parent/guardian shall be provided with a written explanation of the admission/enrollment decision, including an explanation of the parent/guardian's right to appeal the decision. He/she shall also be referred to the School Liaison. (42 U.S.C. § 11432(g)(3)(E).)

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

**Comparable Services**

Each homeless child or youth shall promptly be provided services comparable to services offered to other students in the Charter School, 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**

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

**Involuntary Removal**

If it is determined Independent Study is not in the best interest of the student, no student shall be involuntarily removed by the Charter School for any reason, unless the parent or guardian of the student has been provided written notice of the intent to remove the student no less than five school days before the effective date of the action. The written notice of involuntary removal shall be in the native language of the student, the student's parent or guardian, or the homeless student's educational rights holder. The written notice shall inform the student, the student's parent or guardian, or the homeless child's educational rights holder of the right to initiate, before the effective date of the action, an involuntary removal hearing, which will follow the same procedures as a hearing for a disciplinary removal. If the homeless child's educational rights holder initiates the involuntary removal hearing procedures, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. The involuntary removal hearing and decision shall follow the same procedures set forth in the Charter School's discipline policy and procedures. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed,

transferred, or terminated, but does not include suspensions specified in the Charter School's discipline policy and procedures. (AB 740).

**Transfer of Coursework and Credits (Education Code section 51225.2)**

When a homeless student transfers into the Charter School, the Charter School shall accept and issue full or partial credit for all full or partial 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 or agency. The accepted credits shall be applied for enrollment purposes to the same or equivalent course, if applicable, as the coursework completed in the prior school. For purposes of the official transcript, the accepted credits shall be added to the credits earned from the same or equivalent course for purposes of calculating the total credits earned for the course but shall separately identify the school and local educational agency in which the credits were earned.

The Charter School shall not require a homeless student to retake a course if the student has satisfactorily completed the entire course in a public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school. If the student did not complete the entire course, the Charter School shall not require the student to retake the portion of the course the student completed unless the Charter School, in consultation with the holder of educational rights for the student, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the homeless student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.

In no event shall the Charter School 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.

**Applicability of Graduation Requirements (Education Code section 51225.1)**

To obtain a high school diploma, a homeless student shall complete all courses required by the Charter School. However, when a homeless student who has completed his/her second year of high school transfers into the Charter School, he/she shall be exempted from all Charter School-established graduation requirements unless the Charter School 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 Liaison or designated school staff shall notify the student, the person holding the right to make educational decisions for him/her of the availability of the exemption and whether the student qualifies for it. If the School Liaison or designated school staff 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.

To determine whether a homeless student is in his/her third or fourth year of high school, the Charter School may use the number of credits he/she has earned as of the date of the transfer or

the length of his/her school enrollment, or, for students with significant gaps in school attendance, the student's age as compared to the average age of students in the third or fourth year of high school, whichever qualifies him/her for the exemption.

Within 30 calendar days of the date that a homeless student who may qualify for the exemption transfers into the Charter School, the School Liaison or designated school staff shall notify the homeless student, the person holding the right to make educational decisions for the student, and the School Liaison of the availability of the exemption and whether the student qualifies for an exemption. If the Charter School fails to provide timely notice, the student shall be eligible for the exemption from the Charter School's graduation requirements once notified, even if that notification occurs after the student is no longer a homeless child or youth, if the student otherwise qualifies for the exemption.

If a homeless student is exempted from Charter School graduation requirements pursuant to this section and completes the statewide coursework requirements specified in Education Code Section 51225.3 before the end of the student's fourth year of high school and that student would otherwise be entitled to remain in attendance at the school, the Charter School shall not require or request that the student graduate before the end of the student's fourth year of high school.

If a homeless student is exempted from Charter School graduation requirements, in addition to providing notification of the exemption pursuant to Education Code section 51225.1(d), the Charter School shall consult with the student and the person holding the right to make educational decisions for the student. The consultation shall include all of the following:

1. Discussion regarding how any of the requirements that are waived may affect the student's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution.
2. Discussion and information about other options available to the student, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges.
3. Consideration of the student's academic data and any other information relevant to making an informed decision on whether to accept the exemption.

A homeless student who is eligible for the exemption from Charter School graduation requirements and would otherwise be entitled to remain in attendance at the school shall not be required to accept the exemption or be denied enrollment in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether those courses are required for graduation requirements.

If a homeless student is not exempted from Charter School graduation requirements or has previously declined the exemption, the Charter School shall exempt the student within 30 days of the date of the exemption request, if an exemption is requested by the student or the person holding the right to make educational decisions for the student and the student qualifies for the exemption.

If a homeless student who was eligible for an exemption was not properly notified of the availability of the exemption pursuant to Education Code section 51225.1(d), or declined the exemption, the Charter School nonetheless shall exempt the student within 30 days of the date of the exemption request, if an exemption is requested by the student or the person holding the right to make educational decisions for the student, and the student at one time qualified for the exemption, even if the student is no longer homeless.

The Charter School shall not revoke the exemption if a homeless student is exempted from Charter School graduation requirements pursuant to this section.

A homeless student's exemption shall continue to apply after the student is no longer a homeless child or youth while the student is enrolled in school or if the student transfers to another school, including a charter school, or school district.

The Charter School shall not require or request a homeless student to transfer schools in order to qualify the student for an exemption. A homeless student, the person holding the right to make educational decisions for the student, or the School Liaison shall not request a transfer solely to qualify the student for an exemption.

If the School Liaison or designated school staff determines that a homeless student is reasonably able to complete the Charter School's graduation requirements within his/her fifth year of high school, he/she 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 Charter School'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.
3. Upon agreement with the homeless student or, 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 Charter School's graduation requirements.
4. If the homeless student is unaccompanied, he or she may make this decision without the educational rights holder.

Until January 1, 2028, if the School Liaison or designated school staff determines that a homeless student is not reasonably able to complete the Charter School's graduation requirements within his/her fifth year of high school, but is reasonably able to complete the statewide coursework requirements specified in Education Code section 51225.3 within the student's fifth year of high school, the Charter School shall exempt the student from the Charter School's graduation requirements and provide the student the option to remain in school for a fifth year to complete the statewide coursework requirements. The School Liaison shall consult with the student and the person holding the right to make educational decisions for the student regarding all of the following:

1. The student's option to remain in school for a fifth year to complete the statewide graduation requirements and how that may affect the student's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education.
2. Whether any other options are available to the student, including, but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges.
3. Upon agreement with the homeless student or, 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 Charter School's graduation requirements.
4. The academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements.

If a homeless student is not eligible for an exemption pursuant to this section in the year in which the student transfers between schools because the Charter School has made a finding that the student is reasonably able to complete the Charter School's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the Charter School nonetheless shall reevaluate eligibility and provide written notice to the student and the person holding the right to make educational decisions for the student regarding whether the student qualifies for an exemption within the first 30 calendar days of the following academic year, based on the course completion status of the student at the time of reevaluation to determine if the student continues to be reasonably able to complete the Charter School's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

> If it is determined within the first 30 calendar days of the following academic year, that given their course completion status at that time the reevaluation conducted pursuant to the above paragraph that the student is not reasonably able to complete the Charter School's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the Charter School shall provide the student with the option to receive an exemption from all coursework and other requirements adopted by the Charter School that are in addition to the statewide coursework requirements specified in Education Code Section 51225.3 or to stay in school for a fifth year to complete the Charter School's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or, if the student is under 18 years of age, upon agreement with the person holding the right to make educational decisions for the student and provide notification of the availability of these options pursuant to Education Code sections 51225.1(b) and (d).

This section shall apply to a homeless child or youth regardless of the student's age.

For a student who is an unaccompanied youth as defined in Section 11434a(6) of Title 42 of the United States Code, the "person holding the right to make educational decisions for the pupil" is the unaccompanied youth.

If the Charter School offers to exempt a homeless student from all coursework and other requirements adopted by the Charter School that are in addition to the statewide coursework

requirements specified in Education Code Section 51225.3, it is in the sole discretion of the person holding the right to make educational decisions for the pupil, or the pupil themselves if they are 18 years of age or older, an unaccompanied youth as defined in Section 11434a(6) of Title 42 of the United States Code, or an unaccompanied minor who holds their own education rights, whether to accept the exemption, based on the student's best educational interests.

Each local educational agency shall report to the California Department of Education (CDE) annually on the number of students who, for the prior school year, graduated with an exemption from the local educational agency's graduation requirements that are in addition to the statewide coursework requirements. This data shall be reported for students graduating in the fourth year and fifth year cohorts, and shall be disaggregated by cohort, pupil category, race, and disability status. The CDE shall make this data publicly available on an annual basis aligned with other reporting timelines for the California dashboard graduation data.

## Notification and Complaints

Information regarding the educational rights of homeless students, as specified in Education Code 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 CCR 4622. (Education Code sections 51225.1, 51225.2).

Any complaint that the Charter School has not complied with requirements regarding the education of homeless students may be filed in accordance with the Charter School's Uniform Complaint Procedures.

## Policy Review

This policy shall be reviewed and updated at least every three (3) years. (Education Code section 48851.3).