
EDUCATION FOR HOMELESS CHILDREN AND YOUTH POLICY

The Pathways Academy Board of Directors (the “Board” or 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 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. (42 U.S.C. § 11432(g)(1)(J)(i).)

DEFINITION OF HOMELESS STUDENTS

The term “homeless children and youth” means individuals who lack a fixed, regular and adequate nighttime residence, including children and youths who:

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.
4. Are migratory children and unaccompanied youth (youth not in the physical custody of a parent or guardian) that may be considered homeless if they meet the above definition of “homeless.”
(42 U.S.C. § 11434a.)

Homeless status is first identified by the Residency Category the student checks off on the enrollment form and is then confirmed in cooperation with the parent/guardian of minor students. In the case of adult students or unaccompanied youth, status is determined by the Charter School Liaison (below).

CHARTER SCHOOL LIAISON

The program director will act as the Charter School’s Liaison for homeless children and youth (hereinafter “Liaison”) (42 U.S.C. §§11432(g)(1)(J)(ii) & (e)(3)(C)(i)(IV)):

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The Liaison shall ensure that the following requirements are fulfilled:

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1. Homeless students are identified by Charter School personnel and through outreach and coordination activities with other entities and agencies, and through the annual housing questionnaire administered by the Charter School.
2. Homeless students enroll in and have a full and equal opportunity to succeed at the Charter School.
3. Homeless students and families have access to and 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 (“IDEA”); and any other preschool programs administered by the Charter School, if any.
4. Homeless families and children and youths receive referrals to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services.
5. If applicable, parents/guardians of homeless children and youths are informed of the educational and related opportunities available to their students and are provided with meaningful opportunities to participate in the education of their students.
6. Public notice of the educational rights of homeless children and youths is disseminated at places frequented by homeless parents, guardians, and unaccompanied youths in a manner and form understandable to them.
7. Enrollment, school selection, and eligibility disputes are mediated in accordance with the law, the Charter School, and Board policy.
8. Parents/guardians of a homeless child or youth and any unaccompanied youth are provided with information on and assistance in accessing transportation, as applicable, including to and from the school of origin.
9. Charter School personnel providing services to homeless children, youths, and their families, including the Liaison, receive professional development and other support, at least annually. The Liaison will be responsible for verifying that the LEA is providing the required training to school personnel providing services to youth experiencing homelessness at least annually, as required by the California Department of Education.
10. The Liaison collaborates with state, community, and school personnel to provide education and related services to homeless children and youth.
11. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and may obtain assistance from the Liaison for the purposes of the Free Application for Federal Student Aid.

(42 U.S.C. § 11432(g)(6)(A).)

As part of their duties, the Liaison shall also ensure there is collaboration and coordination with State, county, community, and school personnel responsible for the provision of education and related services to homeless children and youths. Such coordination shall include collecting and providing to the State Coordinator reliable, valid, comprehensive data regarding homeless education. (42 U.S.C. § 11432(g)(6)(C).)

EDUCATION FOR HOMELESS CHILDREN AND YOUTH POLICY**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 charter and Board policy), even if the individual is unable to produce records normally required for enrollment (such as previous academic records, records of immunizations, other required health records, proof of residency); has missed application or enrollment deadlines during any period of homelessness; has outstanding fees, fines, textbooks or other items or moneys due to the school last attended; or does not have clothing normally required for school, as applicable. Records will immediately be requested from the previous school. (42 U.S.C. § 11432(g)(3)(C); Ed. Code § 48850(a)(3)(A); Ed. Code § 48852.7(c)(3).)

If the student needs to obtain immunizations or does not possess required health records, the program director or designee shall refer the unaccompanied youth or parent/guardian of a homeless child or youth to the Liaison, who will assist them in obtaining the necessary immunizations or records for the student. (42 U.S.C. § 11432(g)(3)(C).)

The Charter School shall maintain student records for each homeless youth so that the records are available when the youth enters a new school or school district. (42 U.S.C. § 11432(g)(3)(D).) The Charter School shall treat information about a homeless youth's living situation as an education record, which shall not be deemed directory information and shall not be released absent requisite consent, unless otherwise permitted by law. (42 U.S.C. § 11432(g)(3)(G), Ed. Code § 49073(c).)

If a student at the Charter School is homeless or becomes homeless during the school year, and the Charter School is the student's school of origin, the Charter School shall allow the student to continue their education at the Charter School through the duration of their homelessness. If a homeless student attending the Charter School obtains permanent housing during an academic year such that they are no longer homeless, the student will be permitted to remain at the Charter School through graduation if in grades 9-12. (Ed. Code § 48852.7.)

If the Charter School determines that it is not in the student's best interests to attend their school of origin, then the Charter School must provide written notice to the parent/guardian or unaccompanied youth of the reasons for its determination and provide information as to how to appeal the decision. (42 U.S.C. § 11432(g)(3)(B)(iii).)

ENROLLMENT DISPUTES

If a dispute arises over eligibility, school selection, or enrollment, the student shall be immediately enrolled (subject to school's capacity and pursuant to the procedures stated in the Charter School charter and Board policy), pending final resolution of the dispute. (42 U.S.C. § 11432(g)(3)(E).)

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The Charter School shall provide a written explanation of the admission/enrollment decision to the parent, guardian, or unaccompanied youth, including an explanation of the parent/guardian or unaccompanied youth's right to appeal the decision. The parent/guardian or unaccompanied youth shall also be referred to the Liaison to carry out the dispute resolution as expeditiously as possible. (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:

1. Transportation services (if applicable).
2. Educational services for which the child or youth meets eligibility criteria, such as services provided under Title I or state or local programs, educational programs for students with disabilities, and educational programs for English learners.
3. Programs in career and technical education.
4. Programs for gifted and talented students.
5. Charter School nutrition programs.
(42 U.S.C. § 11432(g)(4).)

ELIGIBILITY FOR EXTRACURRICULAR ACTIVITIES

A homeless child or youth shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities, as applicable. (42 U.S.C. § 11432(g)(1)(F)(iii), Ed. Code § 48850(a)(1)-(2).)

TRANSPORTATION

In the event that the Charter School provides transportation services to all students, the Charter School shall provide comparable transportation services to each homeless child or youth attending the Charter School, as noted above. (42 U.S.C. § 11432(g)(4).)

If the homeless student continues to live in the area served by the Charter School in which the school of origin is located, that Charter School must provide or arrange for the child's transportation to or from the school of origin (defined below). If the student is attending the school of origin but begins living in an area served by another LEA, the Charter School and the LEA in which the child is living must agree upon a method to apportion responsibility and costs for providing the child the transportation to and from the school of origin. (42 U.S.C. § 11432(g)(1)(J)(iii)(I); Ed. Code § 48852.7(e).)

GRADUATION REQUIREMENTS- 4 YEARS

The Charter School shall exempt a homeless student from all coursework and other requirements adopted by the Charter School that are in addition to the statewide coursework requirements, if:

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The Charter School does not make a finding that the student is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the fourth year;

The student transfers between schools any time after the completion of the second year of high school; and,

The student must meet the definition of homeless at the time the student transfers schools.

(Ed. Code § 51225.1(a).)

The Charter School can determine if the homeless student is in his/her third or fourth year of high school, by using either the number of credits earned to the date of transfer or the length of school enrollment by the homeless student. If a homeless student transfers to the Charter School, the Charter School shall accept and issue full credit for any coursework the student has satisfactorily completed and shall not require the student to retake the course; and shall issue partial credit for any coursework when the student did not complete the entire course and allow the student to take the uncompleted portion. (42 U.S.C. § 11432(g)(1)(F)(ii); Ed. Code § 51225.2)

A homeless student who is eligible for exemption and is entitled to remain in attendance at the school shall not be:

required to accept the exemption, or

denied enrollment in, or the ability to complete, courses that the homeless student is eligible for, including courses that are necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements.

If the homeless student qualifies for the exemption and requests it, then the Charter School shall grant that exemption. Once exempted, the Charter School cannot revoke the exemption. Within 30 days of the exemption, the Charter School shall notify the homeless student, the holder of the homeless student's educational rights, and the homeless liaison regarding the availability of the exemption and if the homeless student qualifies for it.

(Ed. Code § 51225.1(d)(2).)

If the exempted, homeless student completes the statewide coursework requirements before the end of his/her fourth year in high school, then the Charter School cannot require or request the student to graduate before the end of his/her fourth year.

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Additionally, the Charter School shall notify the exempted, homeless student and the educational rights' holder regarding:

How any of the waived requirements will affect the ability for the homeless student to gain admission to a postsecondary educational institute, and;

Provide information about transfer opportunities available through the California Community Colleges.

GRADUATION REQUIREMENTS- 5 YEARS

If the Charter School determines that the homeless student is reasonably able to complete the Charter School's graduation requirements within the student's fifth year of high school, then the Charter School shall do all of the following:

Inform the homeless student of his/her options to remain in school for a fifth year;

Inform the homeless student and the person holding educational rights of how remaining in a school for a fifth year will affect the student's postsecondary education or vocation plans;

Provide information to the homeless student about transfer opportunities available through the California Community Colleges; and,

Permit the homeless student to stay for a fifth year with the agreement from the homeless student, if the student is eighteen years of age or older or, from the educational rights' holder, if the homeless student is younger than eighteen years of age

SCHOOL STABILITY

If a student at the Charter School is homeless or becomes homeless during the school year, and the Charter School is the student's school of origin, the Charter School shall allow the student to continue their education at the Charter School through the duration of their homelessness. The school of origin means the school the homeless child attended when permanently housed or the school in which the homeless child was last enrolled. If the school the homeless child attended when permanently housed is different from the school in which the homeless child was last enrolled, or if there is some other school that the homeless child attended with which the child is connected and attended within the immediately preceding 15 months, the Liaison, in consultation and agreement of the child and the person holding educational rights shall determine, in the best interests of the child, the school of origin.

If a homeless student attending the Charter School obtains permanent housing during an academic year such that they are no longer homeless, the student will be permitted to remain at the Charter School through the end of the academic year if in grades K-8, or through graduation if in grades 9-12. (Ed. Code § 48852.7.)

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If the Charter School determines that it is not in the student’s best interests to attend the Charter School (as the school of origin), then the LEA must provide written notice to the parent/guardian or unaccompanied youth of the reasons for its determination in a manner and form understandable to them and provide information as to how to appeal the decision. (42 U.S.C. § 11432(g)(3)(B)(iii).)

HOUSING QUESTIONNAIRE

The Charter School shall administer a housing questionnaire for purposes of identifying homeless children and youths and unaccompanied youths at the Charter School. The Charter School shall ensure that the housing questionnaire is based on the best practices developed by the California Department of Education (“CDE”). The Charter School shall annually provide the housing questionnaire to all parents/guardians of students and to all unaccompanied youths at the Charter School. The housing questionnaire shall include an explanation of the rights and protections a student has as a homeless child or youth or as an unaccompanied youth. The housing questionnaire shall be available in paper form. The housing questionnaire shall be available in a primary language other than English spoken by 15% or more of the students enrolled at the Charter School and translated into other languages upon request of a student’s parent/guardian or an unaccompanied youth. The Charter School shall collect the completed housing questionnaires and annually report to the CDE the number of homeless children and youths and unaccompanied youths enrolled. (Ed. Code § 48851.)