

Agenda Item:	IV F: Action Item
Date:	May 9, 2024
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“MPS”) Board of Directors (the “Board”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead(s):	Jason Hernandez, Director of Student Services
RE:	MPS Students Experiencing Homelessness Education Policy

Action Proposed:

I move that the Board approve the MPS Students Experiencing Homelessness Education Policy to be effective immediately.

Purpose:

The purpose of the policy is to ensure children, youth, and unaccompanied minors experiencing homelessness within Magnolia Public Schools (MPS) have equitable access to educational opportunities. The policy strives to remove barriers to their education by providing the necessary resources and support systems. These efforts are designed to help students achieve academic success, stability, and well-being, despite the challenges posed by their housing situations.

Additionally, the policy ensures MPS’s compliance with federal mandates, such as the McKinney-Vento Homeless Assistance Act. This act requires educational agencies, such as MPS to meet the needs of students experiencing homelessness. It guarantees students’ rights to immediate school enrollment, participation in school programs, and access to academic and support services. Collectively, these measures help decrease the opportunity gap, reduce educational disruptions, and promote stability.

Background:

This policy was initially established on August 8, 2013, and has since been revised on June 6, 2016, July 13, 2017, and July 23, 2020. Each update has strived to enhance the support and resources available to children and youth experiencing homelessness. The revisions ensure ongoing commitment to closing the equity gap and maintaining full compliance with federal and state guidelines. The proposed changes are designed to further reinforce this framework, providing support systems to better serve our students under the McKinney-Vento Homeless Assistance Act.

Analysis and Impact:

The revised policy continues to support MPS’s commitment to meeting the educational needs of children and youth experiencing homelessness. Key enhancements include:

1. Immediate Enrollment and Equal Access: Immediate enrollment processes are emphasized, ensuring that students experiencing homelessness face no delays in accessing education and support services.
2. Support Services Expansion: Expanded support services now encompass health, mental health,

and housing assistance, coordinated by appointed Homeless Liaisons at each school, ensuring students receive holistic support.

3. Professional Development: The policy mandates professional learning opportunities for all staff, improving their ability to support children and youth experiencing homelessness through understanding student rights, sensitivity training, and practical strategies.
4. Enrollment Disputes: Updates to the policy streamline the process for resolving enrollment disputes, ensuring compliance with legal requirements and reducing potential conflicts or misunderstandings.
5. Graduation Requirements Flexibility: The policy provides clear guidelines for accommodating the unique challenges faced by homeless students in meeting graduation requirements, ensuring students are not unfairly penalized and have a clear path to graduation.
6. Budget Implications: The expanded services and professional development initiatives will require additional budget considerations. These investments are crucial for the enhanced support structure and are expected to positively impact student academic performance and well-being.

Budget Implications:

Budget implications will differ across MPS sites, reflecting the unique needs and circumstances at each location. However, it is essential for all schools to allocate resources strategically to enhance support for students experiencing homelessness which can include supplemental educational services and professional development.

In accordance with federal mandates, schools must allocate Title 1 funds specifically for supporting students experiencing homelessness. Funds can be utilized for professional development, purchasing school supplies, and implementation of targeted interventions to address unique challenges or barriers faced by students.

Exhibits:

- Magnolia Public Schools (MPS) Policy on the Education of Students Experiencing Homelessness

MAGNOLIA PUBLIC SCHOOLS (MPS) POLICY ON THE EDUCATION OF
STUDENTS EXPERIENCING HOMELESSNESS

I. Introduction

The MPS 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 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.

II. Definitions

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

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/or
4. Migratory children and unaccompanied youth (youth not in the physical custody of a parent or guardian) may be considered as a child or youth experiencing homelessness if they meet the above definition of “homeless.” (clauses (1) through (3).)

Homeless status is collaboratively assessed with the involvement of the parent or guardian. For unaccompanied youth, the Homeless Liaison works closely with the youth to understand and assess their situation, ensuring that their needs and perspectives are considered.

III. MPS Liaison

The **Principal** or designee of each MPS school site shall serve as the Liaison for unaccompanied youth and youth experiencing homelessness (42 USC 11432(g)(1)(J).)

The Homeless Liaison shall ensure that the following requirements are fulfilled by MPS (42 U.S.C. 11432(g)(6)):

1. Homeless children and youth are identified by school personnel through outreach and coordination activities with other entities and agencies, and through the annual housing questionnaire administered by the Charter School.
2. Homeless children and youth enroll in and have a full and equal opportunity to succeed at MPS.
3. Homeless families and homeless children and youth 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”), any other preschool programs administered by MPS, if any; and referrals to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services.
4. Homeless families and homeless children and youth receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services.
 5. 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.
 6. Public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youth.
 7. Enrollment/admissions disputes are mediated in accordance with law, the MPS charter, and Board policy.
 8. Parents/guardians of a homeless child and youth, and any unaccompanied youth are fully informed of all transportation services, as applicable.
 9. MPS personnel providing services receive professional development and other support.
 10. The Charter 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.
 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 are informed of their status as independent students and that the youths may obtain assistance from the MPS Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid.

The California Department of Education (“CDE”) publishes a list of the contact information for the Homeless Education Liaisons in the state, which is available at: <https://www.cde.ca.gov/sp/hs/>

IV. Enrollment

The Charter School will work with homeless students and their parent/guardian to ensure that each student is placed in the least restrictive educational programs, and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all students, including, but not necessarily limited to, interscholastic sports. All decisions regarding a homeless student’s education and placement will be based on the best interest of the child and shall consider, among other factors, educational stability and the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress.

MPS shall immediately admit/enroll the student for which the Charter School is a School of Origin. “School of Origin” means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

MPS shall also immediately enroll a homeless youth who seeks to enroll in the Charter School, if the youth would otherwise be eligible to attend and subject to the Charter School’s capacity and pursuant to the procedures stated in the MPS charter and Board policy. A homeless youth who is enrolled will have the right to attend classes and participate fully in school activities, including extracurricular activities.

The youth shall be immediately enrolled even if the student lacks records normally required for enrollment (such as previous academic records, records of immunizations, other required health records, proof of residency) or has missed application or enrollment deadlines during any period of homelessness. 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 Executive Director or designee shall refer the parent/guardian to the Charter School Liaison. The Charter 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).)

A homeless youth may remain in the student’s school of origin for the entire period for which the youth is homeless. Homeless students have the right to remain in their school of origin following the termination of the child’s status as a homeless student as follows:

1. For students in Kindergarten through eighth grade, inclusive, the student will be allowed to continue in the school of origin through the duration of the academic year in which the student’s status changed.
2. For students enrolled in high school, the student will be allowed to continue in the school of origin through graduation.

If the Charter School operates an intersession program, Charter School shall grant priority access to homeless students. Notwithstanding any other law, if the homeless student will be moving during an intersession period, the pupil’s parent, guardian, educational rights holder (“ERH”), Indian custodian¹ in the case of an Indian child, or, if none of the preceding are applicable, an accompanied homeless student themselves shall determine which school the pupil attends for the intersession period, if applicable. “Intersession program” means an expanded learning program offered by the Charter School on nonschooldays, including, but not limited to,

¹ “Indian custodian” means any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child. *Section 1903 of Title 25 of the United States Code*

summer school. “Indian custodian” is as the term is defined in Section 1903 of Title 25 of the United States Code.

V. Enrollment Disputes

If a dispute arises over admissions/enrollment, the student shall be immediately admitted (subject to Charter School’s capacity and pursuant to the procedures stated in the Charter School charter and Board policy), pending final resolution of the dispute, including all available appeals. 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. The parent/guardian shall also be referred to the Charter School Liaison. The Charter 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).)

VI. Housing Questionnaire

MPS shall administer a housing questionnaire for the purpose of identifying homeless children and youth. MPS shall ensure that the housing questionnaire is based on the best practices developed by the CDE. MPS shall annually provide the housing questionnaire to all parents/guardians of students and to all unaccompanied youths at MPS. 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 the primary language other than English spoken by fifteen (15) percent or more of the students enrolled at MPS and shall be translated into other languages upon request of a student’s parent/guardian or an unaccompanied youth. MPS shall collect the completed housing questionnaires and annually report to the CDE the number of homeless children and youths and unaccompanied youths enrolled. (Education Code Section 48851.)

VII. Comparable Services

Each child or youth experiencing homelessness shall promptly be provided services comparable to services offered to other students in MPS 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
- Charter School nutrition programs

VIII. Transportation

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

If MPS does not otherwise provide transportation services to all MPS students, MPS shall ensure that transportation is provided for students experiencing homelessness to and from MPS at the request of the parent/guardian (or Charter School Liaison), if MPS is the student's school of origin. (42 U.S.C. § 11432(g)(1)(J).) Transportation provided by MPS will be adequate and appropriate for the student's situation, but MPS does not commit to any one method of transportation for all youth.

MPS may work with other agencies to provide transportation services.

IX. 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.

X. Waiver of Fees for Afterschool Programs

The Charter School shall not charge any student who is a homeless youth any family fees associated with an After-School Education and Safety ("ASES") Program operated by the Charter School.

XI. Professional Development

All MPS administrators, teachers, and staff will undergo comprehensive professional development to enhance their understanding and skills in identifying, supporting, and advocating for students experiencing homelessness, as mandated by 42 U.S.C. § 11433(d)(3). The Charter School Liaison will verify that the Charter School is providing the required training to school personnel providing services to youth experiencing homelessness at least annually through the CDE's verification system. (Education Code Section 48852.5(c)(2).)

Training will include:

1. **Legal Framework:** Detailed education on the rights of homeless students under federal and state laws, focusing on the McKinney-Vento Act requirements.
2. **Identification and Support:** Strategies for identifying students experiencing homelessness and effectively connecting them to available services.
3. **Sensitivity Training:** Approaches to interact sensitively with homeless students, recognizing the unique challenges they face.

All personnel will be trained to refer any identified or suspected homeless students to the Charter School Liaison promptly to ensure immediate support and resource allocation.

XII. High School Graduation Requirements

Children or youth experiencing homelessness who transfer to MPS any time after the completion of their second year of high school shall be exempt from any of the Charter School's graduation requirements that are in excess of the California minimum graduation requirements specified in Education Code section 51225.3 ("additional graduation requirements") unless MPS makes a finding that the student is reasonably able to complete the Charter School's graduation requirements by the end of the student's fourth year of high school.

To determine whether a student experiencing homelessness is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer, the length of the student's 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 may be used, whichever will qualify the student for the exemption.

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into the Charter School, the Charter School shall notify the student, the student's ERH, and the Charter School Liaison of the availability of the exemption and whether the student qualifies for an exemption.

The Charter School shall notify and consult with students who are exempted from the Charter School's additional graduation requirements and the student's ERH. The consultation shall include all of the following:

1. Discussion regarding how any of the requirements that are waived may affect the pupil'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 pupil, 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 pupil's academic data and any other information relevant to making an informed decision on whether to accept the exemption.

The Charter School shall not require any student who would otherwise be entitled to remain in attendance at the Charter School to accept the exemption from the Charter School's additional graduation requirements or deny the student enrollment in, or the ability to complete, courses for which the student is otherwise eligible. The Charter School shall not revoke an exemption and shall grant an eligible student's request for the exemption at any time if the student qualifies, regardless of whether the student previously declined the exemption.

If a student experiencing homelessness who was eligible for an exemption and 1) was not properly notified of the availability of the exemption, or 2) previously declined the exemption pursuant to this Policy, the Charter School shall exempt the student within thirty (30) days of the exemption request, if an exemption is requested by the student or the student's ERH and the student at one time qualified for the exemption, even if the student is no longer homeless.

An eligible student's exemption from the Charter School's additional graduation requirements will continue to apply while the student is enrolled in the Charter School or if the student transfers to another school even after the student no longer meets the definition of a homeless child.

The Charter School shall not require or request that a student transfer schools in order to qualify the student

for the exemption. Nor shall a student, a student's parent/guardian or educational rights holder, or a student's social worker or probation officer request a transfer solely to qualify for an exemption from the Charter School's additional graduation requirements.

If a student who is exempted from the Charter School's additional graduation requirements completes the California minimum coursework requirements specified in Education Code section 51225.3 before the end of the student's fourth year of high school and would otherwise be entitled to remain in attendance at the Charter 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 the Charter School determines the student is reasonably able to complete the Charter School's additional graduation requirements by the end of the student's fifth year of high school, the Charter School shall do the following:

1. Consult with the student and the ERH regarding the student's option to remain at the Charter School for a fifth year to complete the Charter School's graduation requirements.
2. Consult with the student, and the ERH for the student, about how remaining in school for a fifth year to complete the Charter School's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution.
3. Consult with and provide information to the student about transfer opportunities available through the California Community Colleges.
4. Permit the student to stay at the Charter 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 ERH.
5. Consult with the student and the student's ERH regarding the student's option to remain in the school of origin.

Through January 1, 2028, upon making a finding that a homeless student **is not reasonably able to complete the Charter School's additional graduation requirements but is reasonably able to complete state coursework requirements specified in Education Code Section 51225.3** within the student's fifth year of high school, the Executive Director or designee shall exempt the pupil from Charter School's graduation requirements and provide pupil the option of remaining in school for a fifth (5th) year to complete the statewide coursework requirements. Charter School shall consult with the homeless student and the ERH regarding all of the following:

1. The pupil's option to remain in school for a fifth year to complete the statewide coursework requirements.

2. How waiving the local educational requirements and remaining in school for a fifth year may affect the pupil's postsecondary education or vocation plans, including the ability to gain admission to a institution of higher education.
3. Whether any other options are available to the pupil, including, but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges.
4. The pupil's 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 in the year in which the pupil transfers between schools, because Charter School makes a finding that the pupil is reasonably able to complete Charter School's additional graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school, then Charter School shall do the following:

1. Within the first 30 calendar days of the **following** academic year, Charter School shall reevaluate eligibility;
2. Provide written notice to the pupil, the ERH, and the pupil's social worker or probation officer, if applicable, whether the pupil qualifies for an exemption upon reevaluation, based on the course completion status of the pupil at the time of reevaluation, to determine if the pupil continues to be reasonably able to complete Charter School's additional graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.
3. If, given their course completion status at that time the reevaluation is conducted, the pupil is not reasonably able to complete Charter School additional graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school, the Charter School shall provide written notice to the pupil and the ERH of the pupil's options to:
 - i. Receive an exemption from all coursework and other requirements adopted by the governing board body of Charter School that are in addition to the statewide coursework requirements specified in Section 51225.3, **or**
 - ii. Upon agreement with the ERH, stay in school for a fifth year to complete the Charter School's additional graduation requirements.

The pupil (if not a minor) or the ERH shall have sole discretion whether to accept the exemption, based on the pupil's best educational interests.

XIII. Reporting Requirements

Charter School shall report to the California Department of Education ("CDE") annually on the number of pupils who, for the prior school year, graduated with an exemption from the Charter School's graduation

requirements that are in addition to the statewide coursework requirements. This data shall be reported for pupils 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.

XIV. Acceptance of Course Work

The Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a student experiencing homelessness.

The Charter School will provide a student experiencing homelessness credit for the partial completion of courses taken while attending a public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency. 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. These students shall not be prevented from taking or retaking a course to meet California State University or the University of California admission eligibility requirements.

XV. Notice

For any homeless student who seeks enrollment at the Charter School, written notice will be provided to the parent/guardian at the time of enrollment and at least annually while the student is enrolled at the Charter School in alignment with the law.

XVI. Annual Policy Review

The Charter School shall annually review and revise any policies that may act as barriers to the identification of children and youths experiencing homelessness or the enrollment of children and youths experiencing homelessness at the Charter School. In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records, other documentation, and guardianship. Special attention shall be given to ensuring the identification, enrollment, and attendance of homeless children and youths who are not currently attending school. MPS' review of its homeless education program policies shall use resources developed by the CDE and posted on the CDE's internet website and resources developed by homeless education technical assistance centers established using funding from the American Rescue Plan Act of 2021.

XVII. School Website Posting

MPS shall ensure that the following information is posted, and updated as necessary, on its internet website:

- The name and contact information of the Charter School Liaison(s) for children and youths experiencing homelessness.
- The contact information of any employee or contractor that assists the Charter School Liaison in completing the Liaison's duties.

- Specific information regarding the educational rights and resources available to persons experiencing homelessness.

XVIII. Complaints of Noncompliance

A complaint of noncompliance with any of the requirements outlined above may be filed through the Charter School's Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.