

Agenda Item:	IV H: Action Item
Date:	June 17, 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 Policy on the Education of Students Experiencing Homelessness

Action Proposed:

I move for the Board to approve the MPS Students Policy on the Education of Students Experiencing Homelessness, 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. 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 fully complying with federal and state guidelines. The proposed changes are designed to reinforce this framework further, providing support systems better to 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 homeless students face 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 impact student academic performance and well-being positively.

Budget Implications:

Budget implications will differ across MPS sites, reflecting each location's unique needs and circumstances. However, all schools need to allocate resources strategically to enhance support for students experiencing homelessness, including supplemental educational services and professional development.

In accordance with federal mandates, schools must allocate Title 1 funds to support students experiencing homelessness. The funds can be used for professional development, purchasing school supplies, and implementing targeted interventions to address unique challenges or barriers students face.

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 is committed to ensuring that students experiencing homelessness have equal access to its educational programs. Students are given opportunities to meet the same challenging state academic standards, receive a free and appropriate public education, and are protected from stigma and segregation. MPS aims to establish safeguards that prevent discrimination and support the success and well-being of all students, regardless of their housing situation.

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. Students experiencing homelessness 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. Students experiencing homelessness enroll in and have a full and equal opportunity to succeed at MPS.

3. Families and students experiencing homelessness receive educational services for which they are eligible referrals to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services.
4. Families and students experiencing homelessness 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 students experiencing homelessness is disseminated in locations frequented by parents or guardians of such students, 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 students, and unaccompanied youth.
7. Enrollment/admissions disputes are mediated in accordance with law, the MPS charter, and Board policy.
8. Parents/guardians of students experiencing homelessness, and any unaccompanied youth are fully informed of all transportation services, as applicable.
9. MPS personnel providing services receive ongoing 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 students experiencing homelessness.
11. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other students; 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 collaborate with students experiencing homelessness and their parent/guardian to ensure each student is placed in the most supportive educational programs and has access to the academic resources, services, and extracurricular and enrichment activities available to all students, including interscholastic sports. All decisions regarding a student's education and placement will be based on the best interest of the child, considering educational stability and the opportunity to be educated in the most supportive educational setting necessary for academic progress.

MPS shall immediately admit/enroll the student for whom 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 youth experiencing homelessness who seeks to enroll in the Charter School if the youth is otherwise eligible to attend and subject to the Charter School's capacity and procedures stated in the MPS charter and Board policy. A youth experiencing homelessness who is enrolled will have the right to attend classes and participate fully in school activities, including extracurricular activities.

The student 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 Principal 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 student experiencing homelessness may remain in their school of origin for the entire period they are experiencing homelessness. Students have the right to remain in their school of origin even after their status changes as follows:

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

If the Charter School operates an intersession program, it shall grant priority access to students experiencing homelessness. Notwithstanding any other law, if the student will be moving during an intersession period, the pupil's parent, guardian, educational rights holder (ERH), Indian custodian in the case of an Indian child, or, if none of the preceding are applicable, an unaccompanied youth 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 nonschool days, including, but not limited to, summer school. "Indian custodian" is as 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 will administer a housing questionnaire to identify students experiencing homelessness. This questionnaire will adhere to best practices developed by the CDE. Annually, MPS will distribute the housing questionnaire to all parents/guardians of students and to all unaccompanied youths at MPS. The questionnaire will include an explanation of the rights and protections available to students experiencing homelessness or those identified as unaccompanied youth. It will be available in paper form and in the primary language spoken by at least fifteen percent (15%) of the students enrolled at MPS. Additionally, translations into other languages will be provided upon request by a student's parent/guardian or an unaccompanied youth. MPS will collect the completed housing questionnaires and report the number of students experiencing homelessness, as well as unaccompanied youth, to the CDE annually. (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 students, it will also offer comparable transportation services to each student experiencing homelessness. (42 U.S.C. § 11432(g)(4).)

If MPS does not provide transportation services to all students, it will ensure transportation is available 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).) The transportation provided will be adequate and appropriate for the student's situation, but MPS does not commit to a single method of transportation for all students.

MPS may collaborate with other agencies to provide transportation services.

IX. Eligibility for Extracurricular Activities

A child or youth experiencing homelessness 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 experiencing homelessness any family fees associated with participation in an After-School Education and Safety ("ASES") Program operated by the Charter School.

XI. Professional Development

All MPS administrators, teachers, and staff will participate in 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 ensure that the required training is provided to school personnel 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 students experiencing homelessness 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 students experiencing homelessness, recognizing the unique challenges they face.

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

XII. High School Graduation Requirements

Students experiencing homelessness who transfer to MPS after completing their second year of high school will be exempt from any of the Charter School's graduation requirements that exceed the California minimum graduation requirements specified in Education Code section 51225.3, unless MPS determines that the student can reasonably complete the Charter School's requirements by the end of their fourth year of high school.

To determine whether a student experiencing homelessness is in their third or fourth year of high school, the Charter School may use the number of credits earned, the length of school enrollment, or the student's age compared to the average age of students in the third or fourth year of high school, whichever qualifies the student for the exemption.

Within thirty (30) calendar days of a qualifying student's transfer to the Charter School, the school will notify the student, the student's Educational Rights Holder (ERH), and the Charter School Liaison of the exemption availability and qualification status.

The Charter School will consult with exempted students and their ERH, covering:

1. How waived requirements may affect the student's postsecondary education or vocational plans, including college admission prospects.
2. Other available options, such as a fifth year of high school, credit recovery, and transfer opportunities through California Community Colleges.
3. The student's academic data and any other relevant information to make an informed decision on accepting the exemption.

The Charter School will not require any student who is entitled to remain at the school to accept the exemption from additional graduation requirements or deny them enrollment in or the ability to complete eligible courses. The Charter School will not revoke an exemption and will grant an eligible student's request for the exemption at any time if the student qualifies, regardless of prior declination.

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

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 experiencing homelessness.

The Charter School shall not require or request that a student transfer schools to qualify for the exemption. Additionally, no student, parent/guardian, educational rights holder, social worker, or probation officer shall 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 their fourth year of high school and is otherwise entitled to remain at the Charter School, the Charter School shall not require or request that the student graduate before the end of their fourth year of high school.

If the Charter School determines that a student can reasonably complete the additional graduation requirements by the end of a fifth year, the Charter School shall:

1. Consult with the student and the ERH regarding the option to remain at the Charter School for a fifth year to complete the additional graduation requirements.
2. Discuss with the student and the ERH how remaining in school for a fifth year will affect the student's ability to gain admission to a postsecondary educational institution.
3. 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 graduation requirements upon agreement with the student, if 18 years or older, or with the ERH if the student is under 18.
5. Consult with the student and the ERH regarding the option to remain in the school of origin.

Through January 1, 2028, **if a student experiencing homelessness is found to be unable to complete the Charter School's additional graduation requirements but can reasonably complete the state coursework requirements specified in Education Code Section 51225.3** within a fifth year of high school, the Principal or designee shall exempt the student from the Charter School's graduation requirements. The student will then have the option to remain in school for a fifth year

to complete the statewide coursework requirements. The Charter School will consult with the student and the Educational Rights Holder (ERH) regarding:

1. The 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 student's postsecondary education or vocational plans, including college admission opportunities.
3. Any other available options, such as credit recovery and transfer opportunities through California Community Colleges.
4. The student's academic data and other relevant information to make an informed decision on whether to accept the exemption and remain in school for a fifth year to complete the statewide coursework requirements.

If a student experiencing homelessness is not eligible for an exemption during the year they transfer schools, because the Charter School determines they can complete the additional graduation requirements by the end of their fourth year, the Charter School shall:

1. Within the first 30 calendar days of the following academic year, reevaluate the student's eligibility.
2. Provide written notice to the student, the ERH, and, if applicable, the student's social worker or probation officer, indicating whether the student qualifies for an exemption upon reevaluation, based on their course completion status.
3. If the student is not reasonably able to complete the additional graduation requirements by the end of their fourth year, provide written notice to the student and the ERH of the following options: i. Receive an exemption from all additional coursework and requirements beyond the statewide coursework requirements specified in Section 51225.3, or ii. Upon agreement with the ERH, remain in school for a fifth year to complete the additional graduation requirements.

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

XIII. Reporting Requirements

The Charter School shall annually report to the California Department of Education (CDE) the number of students who, during the prior school year, graduated with an exemption from the Charter School's additional graduation requirements beyond the statewide coursework requirements. This data shall include students graduating in the fourth and fifth year cohorts and be disaggregated by cohort, student 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 by a student experiencing homelessness at any public school, juvenile court school, school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency.

The Charter School will provide credit for the partial completion of courses taken by a student experiencing homelessness at these institutions. If the student did not complete the entire course, the Charter School will not require the student to retake the portion of the course they have already completed unless, in consultation with the holder of educational rights, it is determined that the student can reasonably complete

the requirements in time to graduate from high school. When partial credit is awarded for a course, the student will be enrolled in the same or equivalent course, if applicable, to continue and complete the entire course. These students will not be prevented from taking or retaking a course to meet California State University or University of California admission eligibility requirements.

XV. Notice

For any student experiencing homelessness 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, in alignment with legal requirements.

XVI. Annual Policy Review

The Charter School shall annually review and revise any policies that may act as barriers to identifying and enrolling students experiencing homelessness. In this process, consideration will be given to issues such as transportation, immunization, residency, birth certificates, school records, other documentation, and guardianship. Special attention will be directed towards ensuring the identification, enrollment, and attendance of students experiencing homelessness who are not currently attending school. MPS will use resources developed by the CDE and posted on the CDE's website, as well as resources from homeless education technical assistance centers funded by the American Rescue Plan Act of 2021, to guide the review of its homeless education program policies.

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 students 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.