



# Local Homeless Education Board Policies:

Understanding and Implementing Federal and California Law



# Meet Your Presenters



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# About the HETAC

- The Homeless Education Technical Assistance Center (HETAC)
  - Is funded by the California Department of Education to serve as the state's homeless education technical assistance center
  - Is operated jointly by the Contra Costa, Los Angeles, and San Diego County Offices of Education

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*"Which HETAC serves my county?"* [Download the HETAC flyer](#) to learn more.



# Icebreaker

**Most of us are away from home as we attend this conference.  
What's your fave thing about getting away?  
(Multiple responses and add-ins allowed!)**

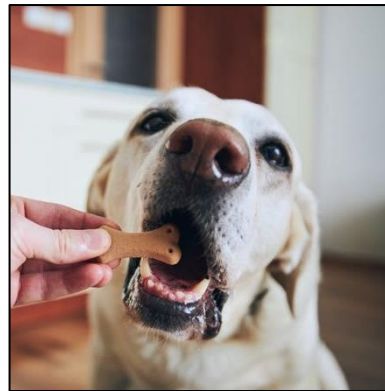
**A.**

Watching trash tv in  
my hotel room



**B.**

Eating trashy snacks  
in my hotel room



**C.**

No partner/kid/pet/  
house duties for a few  
days



**D.**

Checking out the local  
spots



**E.**

Other  
(share?)



# Today's Roadmap



## In today's session, we will

- Review CA requirements for local educational agencies (LEAs) to establish homeless education board policies and train LEA employees on these policies
- Explore key topics to address in LEA homeless education board policies and administrative regulations
- Tour a HETAC sample homeless education board policy that CA LEAs can use as a starting place for developing their own policy

**We welcome interaction through Q&A, discussion, and “knowledge checks”**



# HETAC Resource

This session is based on the HETAC resource entitled

## *Local Educational Agency Homeless Education Policies: Understanding and Implementing Federal and California Law*

which includes a sample LEA Homeless Education Board Policy



### Local Educational Agency Homeless Education Policies: Understanding and Implementing Federal and California Law

#### This California Homeless Education Technical Assistance Center (HETAC) tip sheet:

- explains the California requirement for local educational agencies (LEAs) to establish homeless education program policies that are consistent with relevant federal and state law;
- explains the California requirement for LEAs to train LEA employees on their homeless education program policies;
- recommends key topics to address in LEA homeless education program policies and administrative regulations; and
- provides a sample homeless education program policy that California LEAs can use as a starting place for developing their own policy.

#### Context

Children and youth experiencing homelessness, including unaccompanied youth<sup>1</sup>, face unique school and other life challenges that typically are not experienced by their housed peers due to the upheaval and educational disruption often caused by homelessness. Federal and California state statutes include targeted provisions aimed at mitigating the effects of homelessness on learners' education and overall well-being. Under California Education Code, local educational agencies (LEAs) must establish homeless education program policies to ensure equal access to the same free, appropriate public education for children and youth experiencing homelessness as is provided to all students. These policies create a framework for ensuring ongoing compliance with statutory mandates and implementing an approach to serving students experiencing homelessness that is supportive and effective.



This tip sheet explains the requirement in California Education Code § 48851.3 that LEAs establish homeless education program policies that reflect current federal and state legislation pertaining to homeless education and train LEA employees on these policies. The tip sheet also includes a sample homeless education program policy that California LEAs can use as a starting place for developing their own policy.

#### California Education Code § 48851.3 Provisions Related to Board Policies

Effective January 1, 2023, [California Education Code § 48851.3](#) stipulates the following:

- LEAs shall establish homeless education program policies that are consistent with California Education Code Chapter 5.5<sup>2</sup> using resources developed by the [California Department of Education](#)

<sup>1</sup> The term *unaccompanied youth* is defined as "a homeless child or youth not in the physical custody of a parent or guardian" [42 U.S.C. § 11434a(6)].

<sup>2</sup> Chapter 5.5 refers to California Education Code §§ 48850–48859: Education of Pupils in Foster Care and Pupils Who Are Homeless.



Los Angeles County  
Office of Education





# California Board Policy Requirements





# What Do You Think?

**The requirement for California LEAs to have homeless education board policies is in effect as of**

- A. January 2022
- B. January 2023
- C. January 2024
- D. January 2025 (forthcoming)

**California Education Code requires LEAs to update their homeless education board policies once every**

- A. 1 year
- B. 2 years
- C. 3 years
- D. 4 years







# What Do You Think?

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- B. January 2023**
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- A. 1 year
- B. 2 years
- C. 3 years**
- D. 4 years



# Context: Why a Targeted Board Policy?

- Students experiencing homelessness, including unaccompanied youth, face unique school and other life challenges due to the upheaval and educational disruption often caused by homelessness
- Federal and CA law include targeted provisions aimed at mitigating the effects of homelessness on learners' education and overall well-being
- In CA, LEAs must establish homeless education board policies to ensure that children and youth experiencing homelessness have equal access to a free and appropriate public education
- These policies create a framework for ensuring compliance with statutory mandates and implementing a supportive and effective approach to serving students experiencing homelessness



# Establishing and Updating Board Policies

Effective Jan 1, 2023, [Cal Ed Code § 48851.3](#) stipulates the following:

- LEAs must establish board policies consistent with Cal Ed Code Chapter 5.5 using resources developed by the California Department of Education (CDE) and the HETAC  
*Note: Chapter 5.5 refers to Cal Ed Code §§ 48850–48859: Education of Pupils in Foster Care and Pupils Who Are Homeless*
- LEAs must update their board policies at least once every three years



# Board Policy Training

Effective Jan 1, 2023, [Cal Ed Code § 48851.3](#) stipulates the following:

- LEA homeless liaisons must offer training at least annually to LEA certificated and classified employees who provide services to students experiencing homelessness
- Liaisons also are encouraged to offer this training to all other LEA certificated and classified employees
- Liaisons must inform LEA employees of the availability of training and the services liaisons provide to support the identification of and provision of services to students experiencing homelessness



# Alignment in Federal and State Law



- [Subtitle VII-B \(the education subtitle\) of the McKinney-Vento Act](#) is the key piece of federal law related to the education of children and youth experiencing homelessness
- The CA board policy requirement mirrors the McKinney-Vento requirement that state educational agencies (SEAs) and LEAs must review and revise any laws, regulations, practices, or policies that may act as a barrier to the school identification, enrollment, attendance, or success of children and youth experiencing homelessness [42 U.S.C. § 11431(2)]
- The CA board policy training requirement mirrors the McKinney-Vento requirement that liaisons provide professional development and other support to school personnel providing services to children and youth experiencing homelessness [42 U.S.C. § 11432(g)(6)(A)(ix)]



# COE Homeless Education Board Policies

- Cal Ed Code defines *local educational agency* to mean a school district, a county office of education (COE), a nonprofit charter school participating as a member of a special education local plan area, or a special education local plan area (Ca. Educ. Code § 56026.3)
- COEs also must follow the requirements outlined in California Education Code § 48851.3, including establishing and updating homeless education board policies and providing related training
- While COE board policy provisions may be similar to those in school district policies, COEs may want or need to incorporate additional or different provisions specific to county-level homeless education program implementation based on each county's unique program and context



# Questions or Comments?





# Board Policies and Administrative Regulations





# What Do You Think?



- 1. What is the difference between board policies (BPs) and administrative regulations (ARs)?**
- 2. What key homeless education topics do you think should be addressed in BPs and ARs?**



# BPs and ARs



## BPs

- BPs establish a broad vision pertaining to a topic impacting the LEA—in this case, the education of children and youth experiencing homelessness
- Generally, BPs are written, amended, and adopted formally by the LEA's board

## ARs

- ARs specify how board policies will be implemented
- Generally, ARs are written and implemented by the LEA's superintendent and/or administrative team under the direction of the board
- ARs usually may be amended by the LEA superintendent and/or administrative team



# Key Topics to Address in BPs and ARs



- **Statement of purpose:** A general statement of the overarching focus of the LEA's board policy as it relates to supporting the education of children and youth experiencing homelessness
- **Local Control and Accountability Plans (LCAP):** The inclusion of goals and actions to improve the educational performance of students experiencing homelessness in the LCAP plans of LEAs or schools with at least 15 such students
- **Policy review and revision:** Reviewing and revising any laws, regulations, practices, or policies that may act as a school barrier for children and youth experiencing homelessness, including unaccompanied youth
- **Liaison designation and duties:** The designation of an appropriate LEA staff person to serve as the LEA homeless liaison and carry out all duties required in statute
- **Student identification:** The identification of children and youth experiencing homelessness, including via the administration of a housing questionnaire at least annually





# Key Topics to Address in BPs and ARs

- **Information posting:** The posting to the LEA website of LEA liaison contact information and information about the educational rights and resources available to children and youth experiencing homelessness
- **School selection:** The determination of best interest regarding school selection (local school or school of origin) for students experiencing homelessness
- **Immediate enrollment:** The immediate school enrollment of students experiencing homelessness even if they are unable to produce records normally required
- **Transportation:** The adoption of policies and practices to ensure that students experiencing homelessness receive transportation to and from the school of origin
- **Comparable services:** The provision of services to students experiencing homelessness that are comparable to those offered to other students in the school, including school-related transportation and access to school programs and extracurricular activities



# Key Topics to Address in BPs and ARs



- **Prohibition against segregation or stigmatization:** The prohibition against segregating or stigmatizing students experiencing homelessness in school
- **Student privacy:** Treating information about the living situation of students experiencing homelessness as a student education record under the Family Educational Rights and Privacy Act
- **Coordination with other agencies:** The coordination of the provision of LEA homeless education services with other programs or agencies that also provide services to children and youth experiencing homelessness
- **Professional development and technical assistance:** The participation of the LEA liaison and other LEA staff in professional development and other technical assistance activities to assist them in identifying and meeting the needs of children and youth experiencing homelessness





# Key Topics to Address in BPs and ARs

- **Data reporting:** The reporting of data at least annually to CDE on the identification and educational outcomes of students experiencing homelessness
- **Expanded high school graduation pathways:** The annual reporting of data to CDE on the number of students experiencing homelessness within the LEA who graduated in the 4th or 5th year of high school of the prior school year with an exemption from LEA graduation requirements that are in addition to statewide requirements
- **Dispute resolution:** The resolution of disputes related to McKinney-Vento eligibility, school selection, or school enrollment
- **Other topics** deemed necessary based on local context



# CDE Monitoring, BPs, and ARs

- Federal and California law (42 U.S.C. § 11432(f)(5); Cal. Educ. Code § 48852.3) require CDE to monitor LEA compliance with federal and state laws pertaining to the education of students experiencing homelessness
- For each topic included in federal program monitoring (FPM), CDE will request evidence to substantiate the LEA's compliance
- LEA BPs and ARs are accepted evidence of LEA compliance for many FPM indicators
- LEAs may wish to review [CDE compliance monitoring instruments](#), including the Homeless Education Program Monitoring Instrument, before being monitored



# Questions or Comments?





### Tip Sheet Addendum: Sample LEA Homeless Education Board Policy

#### Background and Context



Under [California Education Code § 48851.3](#), LEAs must establish homeless education program policies that reflect current federal and state legislation pertaining to homeless education and train LEA employees on these policies. The California Education Code policy requirement mirrors a similar requirement in the federal McKinney-Vento Homeless Assistance Act that state educational agencies (SEAs) and LEAs review and revise any laws, regulations, practices, or policies that may act as a barrier to the school identification, enrollment, attendance, or success of children and youth experiencing homelessness [42 U.S.C. § 11431(2)].

# HETAC Sample Homeless Education Board Policy Tour

Note: The HETAC sample policy was adapted in part from materials available from the California School Board Association (CSBA), King City Union School District, and SchoolHouse Connection



# Questions or Comments?



# Group Discussions and Room Debrief

- Let's discuss board policies at your table! If there are only a couple of people at your table, please join a table near you.
- We'll engage in table-based discussion for approximately 10 minutes.
- Tables, please designate a “reporter” who will share 1-2 key takeaways from your table during the group debrief.



# Group Discussion Questions

1. Does your LEA have a homeless education board policy?
2. When was this policy last updated?
3. How does your LEA train staff about the board policy?
4. Other thoughts related to BPs or ARs in your LEA?
5. Is there a next step you want to take regarding your LEAs homeless education BPs or ARs?



# Group Discussion Report Out



# Thanks for Joining!



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