

Date of Hearing: June 15, 2016

ASSEMBLY COMMITTEE ON EDUCATION

Patrick O'Donnell, Chair

SB 1068 (Leyva) – As Amended March 31, 2016

SENATE VOTE: 36-0

SUBJECT: Homeless children and youth: local educational agency liaisons: training materials

SUMMARY: Requires the California Department of Education (CDE) to provide specified informational and training materials to local education agency (LEA) liaisons for homeless youth. Specifically, **this bill:**

- 1) Requires CDE to provide informational materials to LEA liaisons regarding the educational rights of homeless children and youth under state and federal law.
- 2) Requires CDE to provide training materials to LEA liaisons to assist them in providing professional development and other support to school personnel providing services pursuant to the federal McKinney-Vento Homeless Assistance Act.
- 3) Specifies that the training materials are intended to support LEA liaisons in meeting the requirements of the federal Every Student Succeeds Act (ESSA).
- 4) Authorizes CDE to adapt informational and training materials from state or national sources when applicable and appropriate.
- 5) Requires CDE to adopt policies and practices to ensure that LEA liaisons participate in professional development and other technical assistance programs that are deemed appropriate by the Superintendent of Public Instruction (SPI), in accordance with ESSA.

EXISTING LAW:

Federal law:

- 1) Defines, in the federal McKinney-Vento Homeless Assistance Act, “homeless children and youth” as individuals who lack a fixed, regular, and adequate nighttime residence, including children who are sharing the housing of other people, living in motels, hotels, trailer parks, or camp grounds, emergency or transitional shelters, abandoned in hospitals or awaiting foster care placement, or who are living in a place not generally used for sleeping, such as cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, and migratory children living in the circumstances above
- 2) Requires state educational agencies to ensure that homeless children and youth have equal access to the same free public education as is provided to other children and youth. States are required to review and undertake steps to revise any laws, regulations, practices, or policies that may act as barriers to the enrollment, attendance, or success in school of homeless children and youth
- 3) Requires each LEA to designate a staff person as a liaison for homeless children and youth, and carry out specific duties, such as ensuring immediate enrollment and access to

educational opportunities offered to other students, providing referrals to appropriate services, and providing notice of the rights of homeless youth

- 4) Establishes ESSA, which:
 - a) Requires state educational agencies to develop professional development opportunities for LEA liaisons and other personnel who provide services to homeless youth to improve the identification of homeless youth and heighten awareness of, and capacity to respond to, specific needs in the education of homeless youth
 - b) Requires the state plan to describe how the state education agency will provide support to LEAs, and requires the LEA plan to describe the services that will be provided to support the enrollment, attendance, and success of homeless youth
 - c) Requires states to report disaggregated achievement and graduation data for homeless youth
 - d) Increases dedicated funding for LEAs for services to homeless youth.
- 5) Establishes general rights for homeless children and youth, including the right to:
 - a) Remain in the same school when they move
 - b) Enroll in a new school without typically required records such as proof of residency, immunizations, school records, or other papers
 - c) Comparable services, including transportation services, educational services, and meals through the school meal program

State law:

- 1) Requires LEA liaisons to ensure that the public notice of the educational rights of homeless children and youth is disseminated in schools
- 2) Requires LEAs to allow a student who is homeless to remain in his or her school of origin through the duration of homelessness, and requires that homeless students be immediately enrolled
- 3) Requires a school district to exempt a homeless student who transfers between schools any time after the completion of his or her second year of high school from local graduation requirements unless the school district makes a finding that the student can reasonably meet these requirements
- 4) Establishes homeless youth as a subgroup for purpose of, among other things, accountability, local control and accountability plans, renewal of charter schools, advice and assistance by the California Collaborative for Educational Excellence, and intervention by the SPI.

FISCAL EFFECT:

According to the Senate Appropriations Committee, CDE estimates costs of about \$50,000 to implement the requirements of this bill (Federal Funds).

COMMENTS:

Need for the bill. According to the author's office, "Federal law requires Local Education Agencies (LEAs) to designate a homeless student liaison to help identify these students and assist them in accessing the rights and resources available to them by law. Despite the many responsibilities of these homeless student liaisons, California does not provide a training program or instructional materials that would help liaisons better assist their students and train other staff on how to identify and help homeless students.

The federal Every Student Succeeds Act now also requires states to develop professional development programs for liaisons, requires liaisons to participate in professional development as well as train other school personnel who provide services to homeless students. While these requirements are important, they also significantly increase the workload of already strained staff who receive little support from the state to help serve California's over 300,000 homeless students. SB 1068 seeks to address these issues."

Homeless students in California. According to a 2014 report by the California Research Bureau (California State Library), 4% of California students (nearly 270,000) faced homelessness in the 2012-13 school year. This is twice the national average, and represents 21 percent of the homeless students in the country. The report also noted that this population is growing, due to the recent economic recession and improved reporting.

The report noted that homeless students encounter many obstacles to their education, such as poor access to basic necessities, supplies, and a reasonable environment in which to do homework. Their learning is also compromised by high rates of mobility, hunger, illness, mental health conditions, abuse, neglect, and trauma.

According to Columbia University's National Center for Children in Poverty, students who experience homelessness are at high at risk for poor educational outcomes. Homeless children:

- Are more likely to be retained
- Are more likely to change school placement (nearly 40% changed school from two to five times in the last 12 months)
- Often have missed significant amounts of school (nearly 40% missed more than one week of school in the past three months)
- Have reading, spelling, and mathematics scores are more often below grade level
- Are more likely to require a special education evaluation (almost 50%), but less than 23% of those with any disability have ever received special education evaluation or special education services
- Are much less likely to complete high school

ESSA includes new requirements for professional development for homeless youth liaisons. The federal McKinney-Vento Act's Education for Homeless Children and Youth program is designed to eliminate the barriers that homeless children and youth have faced in enrolling, attending, and succeeding in school.

ESSA amended the federal McKinney-Vento Homeless Assistance Act to require states to develop professional development opportunities for LEA liaisons and other school personnel who serve homeless youth.

This bill requires the CDE to provide training materials to LEA liaisons in order to assist them in providing professional development to school personnel who provide services to homeless youth. Some states already provide training materials for LEA liaisons directly on their websites. The CDE does not currently directly provide training materials, but does provide links to related information on its website.

Prior legislation. SB 445 (Liu), Chapter 289, Statutes of 2015, provided that students who are homeless have the right to remain in their schools of origin and the right to immediate enrollment.

SB 252 (Leno), Chapter 384, Statutes of 2015, prohibited CDE from charging the fee required for the high school proficiency exam and the high school equivalency tests to homeless children and youth.

AB 104 (Committee on Budget), Chapter 13, Statutes of 2015, established homeless students as a subgroup for purposes of Local Control and Accountability Plans.

AB 1166 (Bloom), Chapter 171, Statutes of 2015, allowed homeless students to be exempt from local graduation requirements even if they are not notified of this right within 30 days of enrollment, if they are no longer homeless, or if they transfer to another school or district.

AB 1806 (Bloom), Chapter 767, Statutes of 2014, extended to homeless students policies and procedures for suspension, expulsion, graduation requirements, and completed coursework to students who are homeless that were provided to students in foster care.

SB 177 (Liu), Chapter 491, Statutes of 2013, required school districts, charter schools, and county offices of education to immediately enroll homeless students.

AB 951 (Medina) of the 2013-14 Session would have required school districts that designate a liaison for homeless children and youth, as required under the federal McKinney-Vento Homeless Assistance Act, to ensure the liaison is properly trained regarding the rights of these children to receive educational services. This bill was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Coalition for Youth
California School Boards Association
Junior Leagues of California
K to College
Los Angeles County Office of Education
National Association for Education of Homeless Children and Youth
National Association of Social Workers, California Chapter

Opposition

None on file

Analysis Prepared by: Christine Aurre and Tanya Lieberman / ED. / (916) 319-2087