



Laws Protecting Homeless Children and Youth MCOE Program for Homeless Services

SB 177 - Homeless Youth Education Success Act amended Ed Code 48850 and 48852.5

48850. All pupils in foster care and those who are homeless, as defined by the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), have a meaningful opportunity to meet the challenging state pupil academic achievement standards to which all pupils are held. In fulfilling their responsibilities to these pupils, educators, county placing agencies, care providers, advocates, and the juvenile courts shall work together to maintain stable school placements and to ensure that each pupil 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 pupils, including, but not necessarily limited to, interscholastic sports administered by the California Interscholastic Federation. In all instances, educational and school placement decisions shall be based on the best interests 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.

A foster child who changes residences pursuant to a court order or decision of a child welfare worker or a homeless child or youth shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.

Public schools, including charter schools, and county offices of education shall immediately enroll a homeless child or youth seeking enrollment except where the enrollment would be in conflict with subdivision (d) of Section 47605.

The department and the State Department of Social Services shall identify representatives from the department, the State Department of Social Services, and other state agencies that have experience in homeless youth issues to develop policies and practices to support homeless children and youths and to ensure that child abuse and neglect reporting requirements do not create barriers to the school enrollment and attendance of homeless children or youths, including, but not limited to, ensuring that a pupil who is a homeless child or youth is not reported to law enforcement by school personnel if the sole reason for the report is the pupil's homelessness. The selected representatives shall present the policies and practices to the Superintendent and the State Department of Social Services to be considered for implementation or dissemination, as appropriate.

48852.5. The local educational agency (school district) liaison for homeless children and youths shall ensure that public notice of the educational rights of homeless children and youths is disseminated in schools within the school district.

SB 252 - Students, Diploma Alternatives, Fees amended Ed Code 48412 48412. A person 16 years of age or older, or who has been enrolled in the 10th grade for one academic year or longer, or who will complete one academic year of enrollment in the 10th grade at the end of the semester during which the next regular examination will be conducted, may have his or her proficiency in basic skills taught in public high schools verified according to criteria established by the [State Department of Education](#).

The state board shall award a "certificate of proficiency" to persons who demonstrate that proficiency. The certificate of proficiency shall be equivalent to a high school diploma, and the department shall keep a permanent record of the issuance of all certificates.

The department shall develop standards of competency in basic skills taught in public high schools and shall provide for the administration of examinations prepared by or with the approval of the

department to verify competency. Regular examinations shall be held once in the fall semester and once in the spring semester of every academic year on a date, as determined by the department, that will enable notification of examinees and the schools they attend, if any, of the results not later than two weeks prior to the date on which that semester ends in a majority of school districts that maintain high schools.

In addition to regular examinations, the department may, at the discretion of the Superintendent, conduct examinations for all eligible persons once during each summer recess and may conduct examinations at any other time that the Superintendent deems necessary to accommodate eligible persons whose religious convictions or physical handicaps prevent their attending one of the regular examinations.

The department shall not charge the fee to an examinee who meets all of the following criteria:

1. The examinee qualifies as a homeless child or youth
2. The examinee has not attained 25 years of age as of the date of the scheduled examination.

The examinee can verify his or her status as a homeless child or youth. A homeless services provider such as a district liaison may verify the examinee's status for purposes of this subparagraph

SB 445- Instruction and Services: Homeless Children amended Ed Code 48852.7Section 48852.7 Districts are to allow the homeless child to continue his or her education in the school of origin through the duration of the homelessness.

SB 708 - Nutrition: Free or Reduced Price Meals: On-line Applications amended Ed Code 49557

49557. The governing board of a school district and the county superintendent of schools shall make paper applications for free or reduced-price meals available to pupils at all times during each regular school day, and may also make an application electronically available online. Pursuant to federal and state guidelines, the application shall contain clear instructions for families that are homeless or are migrants:

1. Applications for free and reduced-price meals may be submitted at any time during a school day.
2. Children participating in the federal National School Lunch Program will not be overtly identified by the use of special tokens, special tickets, special serving lines, separate entrances, separate dining areas, or by any other means.

A school district and the county superintendent of schools shall use all other paper applications it has for free or reduced-price meals before utilizing the applications pursuant to this subdivision.

If a governing board of a school district, a county office of education, or a school food authority chooses to provide access to an online application for free or reduced-price meals, the online application shall comply with all of the following requirements:

1. Include a link to the Internet Web site on which translated applications are posted by the United States Department of Agriculture, with instructions in that language that inform the applicant how to submit the application. The Legislature finds and declares that federal guidelines require school food authorities to accept and process these applications if they are submitted to the school food authority.
2. Require completion of only those questions that are necessary for determining eligibility.
3. Include clear instructions for families that are homeless or are migrants.
4. Comply with the privacy rights and disclosure protections established by the federal Richard B. Russell National School Lunch Act (Public Law 113-79) and the federal Children's Online Privacy Protection Act of 1998 (Public Law 105-277).
5. Include links to all of the following:
 - a. The online application to CalFresh.
 - b. The online single state application for health care.
 - c. The Internet Web page maintained by the State Department of Public Health entitled "About WIC and How to Apply," or another Internet Web page identified by the State Department of Public Health that connects families to the Special Supplemental Nutrition Program for Women, Infants and Children.
 - d. The Internet Web site of a summer lunch program authorized to participate within the

No online application for free or reduced-price meals shall be made available online or made accessible online by a school district, a county office of education, or a school food authority if the online application allows for the information provided by an applicant to be used by a private entity for any purpose not related to the administration of a school food program, or if the online application requires an applicant to waive any right or to create a user account in order to submit the application.

The governing board of each school district and each county superintendent of schools shall formulate a plan, which shall be mailed to the State Department of Education for its approval, that will ensure that children eligible to receive free or reduced-price meals and milk shall not be treated differently from other children. These plans shall ensure each of the following:

1. The names of the children shall not be published, posted, or announced in any manner, or used for any purpose other than the federal National School Lunch Program.
2. There shall be no overt identification of any of the children by the use of special tokens or tickets or by any other means.
3. The children shall not be required to work for their meals or milk.
4. The children shall not be required to use a separate dining area, go through a separate serving line, enter the dining area through a separate entrance, or consume their meals or milk at a different time.
5. When more than one lunch or breakfast or type of milk is offered pursuant to this article, the children shall have the same choice of meals or milk that is available to those children who pay the full price for their meal or milk.

SB 1068 - Homeless Children and Youth: LEA Liaisons: Training Material Amended Ed Code 48852.5

48852.5 Existing law requires a local educational agency (school district) liaison for homeless children and youths to ensure that public notice of the educational rights of homeless children and youth is disseminated in schools,.

This law requires the State Department of Education to provide specified informational and training materials to local educational agency liaisons for homeless children and youths, including informational materials on the educational rights of homeless children and youths and the resources available to schools to assist homeless children and youths. It requires the department to adopt policies and practices to ensure that local educational agency liaisons for homeless children and youths participate in professional development and other technical assistance programs deemed appropriate by the Superintendent of Public Instruction.

AB 309 - CalFresh Amended Sections 18901 and 18904.25 of the Welfare and Institutions Code

18901. No minimum age requirement shall be imposed other than those that exist under federal law.
18904.25.

1. CalFresh information shall be made available to homeless shelters, emergency food programs, local educational agency liaisons for homeless children and youths, and other community agencies who provide services to homeless people.
2. Each county welfare department shall annually offer training on CalFresh application procedures to homeless shelter operators. That training shall include eligibility criteria and specific information regarding the eligibility of unaccompanied homeless children and youths. In addition, each county welfare department, upon request, shall provide homeless shelters with a supply of that portion of the CalFresh application used to request CalFresh expedited service.
3. Upon receipt of a signed CalFresh application from an unaccompanied child or youth under 18 years of age, the county welfare department shall determine eligibility for CalFresh benefits, including making a determination of whether the child or youth is eligible to apply as a household of one or if he or she must apply with members of a household with whom he or she is regularly purchasing and preparing foods, and screen the application. If the application of the child or youth for CalFresh benefits is denied, the county welfare department shall provide the child or youth a written notice explaining the reason for the denial.

AB 951 - Professional Development Added 48204.2 to the Education Code 48204.2. If a local educational agency designates a local educational agency liaison for homeless children and youths that local educational agency shall ensure that the liaison is properly trained regarding the rights of homeless children to receive educational services. This training shall include an overview of the

federal McKinney-Vento Homeless Assistance Act. The designated local educational agency liaison shall provide notice to homeless families at schools and in the community of the educational rights of homeless children and youth and facilitate access to school services including, but not limited to, transportation services.

As a condition for receiving a grant funded by the McKinney-Vento Homeless Assistance Act the department shall require a local educational agency that applies for a grant to designate a local educational agency liaison to train its school administrators and certified and classified staff at least once a year regarding the educational rights of homeless children and youth to ensure homeless children and youth are receiving the services that they need in order to enroll in, attend, and succeed in school. This training shall include an overview of the federal McKinney-Vento Homeless Assistance Act.

**AB 652 - Child Abuse and Neglect Reporting Act: Homeless Children
Added Section 11165.15 to the Penal Code**

11165.15 Existing law, the Child Abuse and Neglect Reporting Act, requires a mandated reporter, as defined, to report whenever he or she, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. This law would provide that the fact that a child is homeless or is classified as an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

**AB 982 - Childcare and Development: Eligibility: Priority: Homeless Children amended
Section 8263 of the Education Code**

8263. Existing law requires the Superintendent of Public Instruction to adopt rules and regulations on eligibility, enrollment, and priority of services needed to implement laws relating to child care and development services. Existing law requires families to meet certain requirements in order to be eligible for subsidized child development services, including that the family needs child care services because the child is identified by a legal, medical, or social services agency, or emergency shelter as being a recipient of a protective service or being neglected, abused, or exploited, as provided.

This amendment expands the list of entities that can identify a child in need to include a local educational agency liaison for homeless children and youths, a Head Start program, or a transitional shelter. This amendment expands the list of children to be identified to include a homeless child.

**AB 1068 - Student Records amended Sections 832, 16501, and 16501.1 of, and to add
Sections 358.2 and 366.2 to, the Welfare and Institutions Code**

Existing law prohibits a school district from permitting access to student records to any person without parental consent or without a judicial order, except to specified persons under certain circumstances, including to a student 16 years of age or older or who has completed grade 10.

This amendment additionally permits access to a student who is 14 years of age or older if the student is **both** a homeless youth and an unaccompanied youth and to an individual who has completed and signed a Caregiver's Authorization Affidavit for purposes of enrolling a minor in school. Existing law authorizes school districts to release student directory information and defines directory information as one or more prescribed items, including, among others, a student's name,

address, telephone number, and date of birth.

It also prohibits the release of directory information of a student identified as a homeless child or youth unless a parent or eligible student has given written consent that such information may be released.

**AB 1733 - Public Records: Fee Waiver added Section 103577 to the Health and Safety
Code and amended Section 14902 of the Vehicle Code**

This law requires each local registrar or county recorder to issue, without a fee, a certified record of live birth to any person who can verify his or her status as a homeless person or a homeless child or youth. It requires a homeless services provider that has knowledge of a person's housing status to verify the person's status as a homeless person or homeless child or youth for purposes of this provision. It also requires the State Department of Public Health to develop an affidavit attesting to

an applicant's status as a homeless person or homeless child or youth, and would provide that the affidavit is sufficient verification for purposes of obtaining the certified record of live birth.

This law authorizes the Department of Motor Vehicles to issue an identification card to any person attesting to the true full name, correct age, and other identifying data as certified by the applicant for the identification card and authorizes the assessment of related fees.

This law requires the department to issue, without a fee, an original or replacement identification card to a person who can verify his or her status as a homeless person or homeless child or youth, as defined. The bill would authorize a homeless services provider, as described, that has knowledge of a person's housing status to verify the person's status as a homeless person or homeless child or youth for purposes of this provision.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This law would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

AB 801 - Success for Homeless Youth in Higher Education Act amended Sections 66025.9, 69514.5, 69561, and 76300 of, and to add Section 67003.5 to, the Education Code Under the Act, a "homeless youth" is defined as a student under the age of 25 who has been verified as a homeless child or youth, as defined under the federal McKinney-Vento Homeless Assistance Act, at any time during the 24 months immediately preceding the receipt of his or her application for admission to the postsecondary institution. A homeless services provider, financial aid administrator or director of a federal TRIO or Gaining Early Awareness and Readiness for Undergraduate Programs must make this verification. For purposes of the Act, a student who is varied as a homeless youth will maintain this status for six years from the date of admission to the postsecondary institution.

AB 801 requires the California Community College districts and California State University campuses, and encourages the University of California campuses, which administer priority enrollment systems, to grant priority enrollment to homeless youth until January 1, 2020. This requirement is in addition to the law's current requirement that priority enrollment be granted to foster youth or former foster youth.

It also exempts homeless youth from the payment of community college district student fees if that student meets specified minimum academic and progress standards adopted by the California Community Colleges' Board of Governors. It further requires public postsecondary educational institutions and specified private or independent postsecondary institutions to (1) designate a staff member in the financial aid office to serve as the Homeless and Foster Student Liaison and (2) inform current and prospective students about student financial aid and other assistance available to homeless youth and current and former foster youth.

AB 1806 - Student Services: Homeless Children and Youth amend Sections 48915.5, 48918.1, 51225.1, and 51225.2 of the Education Code

If an individual with exceptional needs is a homeless child or youth, and the local educational agency (school district) has proposed a change of placement due to an act for which a decision to recommend expulsion is at the discretion of the principal or the district superintendent of schools, This bill requires the designated local educational agency liaison for homeless children and youth to be invited to participate in the individualized education program team meeting that makes a manifestation determination.

If the decision to recommend expulsion is a discretionary act and the student is a homeless child or youth, this law requires the governing board of the school district to provide notice of the expulsion hearing to the designated local educational agency liaison for homeless children and youth, as specified. If a recommendation of expulsion is required and the student is a homeless child or youth, the governing board of the school district is to provide notice of the expulsion hearing to the designated local educational agency liaison for homeless children and youth, as specified.

transfers between schools any time after the completion of the student's 2nd year of high school from all coursework and other requirements adopted by the governing board of the school district that are in addition to certain statewide coursework requirements unless the school district makes 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 student's 4th year of high school. It also requires, among other things, the school district to take specified actions if it determines that the student who is homeless is reasonably able to complete the school district's graduation requirements within the student's 5th year of high school.

This law requires a school district and county office of education to accept coursework satisfactorily completed by a student who is homeless, while attending another public school, a juvenile court school, or nonpublic, nonsectarian school or agency even if the student did not complete the entire course and requires the school district and county office of education to issue that student full or partial credit for the coursework completed. The law prohibits a school district or county office of education from, among other things, requiring a student who is homeless to retake a course if the student has satisfactorily completed the entire course in a public school, a juvenile court school, or nonpublic, nonsectarian school or agency. This law provides that a student who is homeless shall not be prohibited from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California.

AB 1166 - Students who are Homeless Children or Youth: School Transfer: Exemption from Local Graduation Requirements amended Section 51225.1 of the Education Code 51225.1

Requires a school district, to exempt a student in foster care or a student who is a homeless child or youth who transfers between schools any time after the completion of the student's 2nd year of high school from all coursework and other requirements adopted by the governing board of the school district that are in addition to certain statewide coursework requirements. The law requires the school district to notify specified individuals, including a student in foster care or a student who is a homeless child or youth, within 30 calendar days of the date that a student who may qualify for the exemption from local graduation requirements transfers into a school, of the availability of the exemption and whether the student qualifies for an exemption.

If the school district fails to provide that notification, declare the affected student eligible for the exemption from local graduation requirements once notified, even if that notification is received after the termination of the court's jurisdiction over the student or after the student is no longer a homeless child or youth, as applicable, if the student otherwise qualifies for the exemption.

This law requires, if a student who is a homeless child or youth is exempted from local graduation requirements, that the exemption continue to apply after the student is no longer a homeless child or youth while he or she is enrolled in school or if the student transfers to another school or school district.

AB 379 - Homeless Children or Youth: Complaint of Noncompliance: Exemption from Local Graduation Requirements amended 51225.1, and 51225.2

Students who transfer between schools at any time after the completion of their 2nd year in high school AND are foster or homeless youth are exempt from all coursework and other requirements that is not a state requirement to graduate. A student who is a homeless child or youth, who transfers between schools any time after the completion of the student's 2nd year of high school is exempt from all coursework and other requirements adopted by the governing board of the school district that are in addition to certain statewide coursework requirements. Existing law requires the school district to notify specified individuals, including a student in foster care or a student who is a homeless child or youth, within 30 calendar days of the date that the student who may qualify for the exemption from local graduation requirements transfers into a school, that the student qualifies for that exemption. If the school district fails to provide the required notification, declare the affected student eligible for the exemption from local graduation requirements once notified, even if that notification is received after the termination of the court's jurisdiction over the student or after the student is no longer a homeless child or youth, as applicable, if the student otherwise qualifies for the exemption.

A student who is a homeless child or youth is exempted from local graduation requirements. The exemption should continue to apply after the student is no longer a homeless child or youth while he or she is enrolled in school or if the student transfers to another school or school district.

This law authorizes the filing of a complaint of noncompliance with these provisions to be filed with

the local educational agency under the Uniform Complaint Procedures set forth in the California Code of Regulations. If a local educational agency finds merit in a complaint or the Superintendent of Public Instruction finds merit in an appeal, the local educational agency to provide a remedy to the affected student.

Law requires a school district and county office of education to accept coursework satisfactorily completed by a student in foster care or a student who is a homeless child while attending another public school, a juvenile court school, or nonpublic, nonsectarian school or agency even if the student did not complete the entire course and requires the school district and county office of education to issue the student full or partial credit for the coursework completed. It also requires those credits accepted to be applied to the same or equivalent course, if applicable, as the coursework completed in the prior public school, juvenile court school, or nonpublic, nonsectarian school or agency.

This law authorizes the filing of a complaint of noncompliance with these provisions to be filed with the local educational agency under the Uniform Complaint Procedures set forth in the California Code of Regulations. The bill requires, if a local educational agency finds merit in a complaint or the Superintendent of Public Instruction finds merit in an appeal, the local educational agency to provide a remedy to the affected student. The bill would also require information regarding the requirements of these provisions relating to the requirement that local educational agencies accept coursework satisfactorily completed by certain students, as specified, to be included in a specified annual notification.

AB 1228 - Campus Housing for Homeless Youth and amended Sections 66019.3, 76010, 90001.5, and 92660 of the Education Code

This law provides priority for campus housing to current and former homeless youth that is identical to that priority extended to current and former foster youth under existing law. This laws request the campuses of the California Community Colleges, and requires the campuses of the California State University, and the University of California, subject to its agreement by resolution, if they maintain student housing facilities, to provide housing in housing facilities that are open for uninterrupted year-round occupation to current and former homeless youth and current and former foster youth at no extra cost during academic or campus breaks, and would request each campus of the California Community Colleges, the California State University, and the University of California to develop a plan to ensure that current and former homeless youth and current and former foster youth can access housing resources during and between academic terms, including during academic and campus breaks.

AB 1995 - Community Colleges: Homeless Students: Access to Shower Facilities added Section 76011 to the Education Code 76011.

This law requires a community college campus that has shower facilities for student use to grant access, as specified, to those facilities to any homeless student who is enrolled in coursework, has paid enrollment fees, and is in good standing with the community college district, and requires the community college to determine a plan of action to implement this requirement. By imposing additional duties on community college districts, the bill would impose a state-mandated local program.

[Bills below have been Updated/added on 10/20/2022](#)

AB 27 - Homeless children and youths and unaccompanied youths reporting:

Requires, as an urgency measure, local education agencies (LEAs) and charter schools to identify all enrolled homeless and unaccompanied students using a model housing questionnaire based on CDE developed questionnaire. Authorizes the CDE, subject to an appropriation of specified state or federal funds, to award grant funding to county offices of education (COEs) to develop technical assistance centers related to homeless and unaccompanied students. Lastly, makes requirements to post contact information about homeless liaisons on school websites and district websites.

AB 408- Homeless children and youths: Requires local educational agencies (LEAs) to establish homeless education program policies, requires homeless education liaisons to offer training to specified school staff, and requires the California Department of Education (CDE) to develop a risk- based monitoring plan for homeless education requirements. This bill also includes language regarding the housing questionnaire for the identification of students experiencing homelessness.

Assembly Bill 2375- Homeless children and youths and unaccompanied youths: housing questionnaire

Summary: Requires all LEAs and charter schools, instead of only those receiving funding from the federal American Rescue Plan Elementary and Secondary School Emergency Relief - Homeless Children and Youth Fund (ARPA), to identify all homeless children and youth and unaccompanied youth enrolled at the school by administering a housing questionnaire.

AB 558 - School meals Child Nutrition Act of 2022:

Based on appropriations would require the CDE by July 1, 2023 to develop guidance for allowing “non school aged children” to also be served with a “sibling” who is a k, 1st-6th grade FRPM eligible for breakfast. It would also increase the reimbursement rate for LEAs who serve “plant-based or restricted diet” meals and plant-based milk options.

SB 400 - Local educational agencies: collaboration, training, and reporting

Under existing state law, public schools, including charter schools and county offices of education, are required to immediately enroll a homeless child or youth seeking enrollment, except as specified. Existing law requires a local educational agency liaison for homeless children and youths to ensure that public notice of the educational rights of homeless children and youths is disseminated in schools within the liaison’s local educational agency that provide services pursuant to the act.

This bill would require a liaison for homeless children and youths of a local educational agency, as defined to include a school district, county office of education, charter school, or special education local plan area, to ensure the identification by school personnel of those children and youths through outreach and coordination activities with other organizations and the referral of services to homeless families and homeless children and youth.

The bill would require the State Department of Education to develop and implement a system to verify that local educational agencies are providing federally required training to school personnel providing services to youth experiencing homelessness at least annually.