

AMENDED IN ASSEMBLY JULY 13, 2021

SENATE BILL

No. 400

Introduced by Senator Jones

February 12, 2021

An act to amend Section 48852.5 of, and to add Section 48851.5 to, the Education Code, relating to homeless children and youths.

LEGISLATIVE COUNSEL'S DIGEST

SB 400, as amended, Jones. Homeless children and youths: local educational agencies: collaboration, training, and reporting.

(1) Existing federal law, the McKinney-Vento Homeless Assistance Act, provides grants to states to carry out activities relating to the education of homeless children and youths, as defined, including, among others, providing services and activities to improve the identification of homeless children and youths and to enable them to enroll in, attend, and succeed in school. The act requires a state plan submitted for the receipt of the grant to include assurances that local educational agencies will designate an appropriate staff person to act as a local educational agency liaison for homeless children and youths and a description of how the state will ensure that local educational agencies and their liaisons will comply with specified requirements of the act, including the identification of homeless children and youths.

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 local educational agency, as defined to include a school district, county office of education, charter school, or special education local plan area, to collaborate with other organizations that provide services to homeless children and youths to enhance the identification of, and the provision of services to, those children and youths. The bill would require these collaborations to include, but not necessarily be limited to, working with organizations that provide counseling services, social welfare services, meal services, and housing services.

~~The bill would require the State Department of Education to provide guidance to local educational agency liaisons for homeless children and youths regarding their responsibilities under the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, including that they ensure the school personnel providing services to youth experiencing homelessness receive training on the proper identification and reporting procedures, and would require the department to develop and implement a system to verify that local educational agencies are providing the federally required training to school personnel providing services to youth experiencing homelessness at least annually.~~

The bill also would require the department to develop and implement procedures for verifying key information ~~that submitted by~~ local educational agencies ~~submit through the department's Consolidated Application and Reporting System~~ to comply with the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, and would require the department to review all submitted information and remind each local educational agency for which information about its policies is outdated to update their policies to reflect current requirements.

~~By imposing~~ *To the extent the bill imposes* additional duties on local educational agencies, the bill would impose a state-mandated local program.

(2) 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 bill 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 the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 48851.5 is added to the Education Code,
2 to read:

3 48851.5. ~~A~~*Pursuant to Section 11432(g)(6) of Title 42 of the*
4 *United States Code, a local educational agency shall collaborate*
5 *with other organizations that provide services to homeless children*
6 *and youths to enhance the identification of, and the provision of*
7 *services to, those children and youths. The collaborations required*
8 *by this section shall include, but not necessarily be limited to,*
9 *working with organizations that provide counseling services, social*
10 *welfare services, meal services, and housing services.*

11 SEC. 2. Section 48852.5 of the Education Code is amended to
12 read:

13 48852.5. (a) Pursuant to the federal McKinney-Vento
14 Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), a local
15 educational agency liaison for homeless children and youths
16 designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of
17 the United States Code, shall ensure that public notice of the
18 educational rights of homeless children and youths is disseminated
19 in schools within the liaison's local educational agency that provide
20 services pursuant to the federal McKinney-Vento Homeless
21 Assistance Act (42 U.S.C. Sec. 11301 et seq.).

22 (b) The department shall provide informational materials to
23 local educational agency liaisons for homeless children and youths
24 regarding the educational rights of homeless children and youths
25 under state and federal law, updates and changes to state and
26 federal law regarding the rights of homeless students, the
27 responsibilities of local educational agency liaisons relating to
28 homeless children and youths, and the resources available to
29 schools to assist homeless children and youths.

30 (c) (1) The department shall provide training materials to local
31 educational agency liaisons for homeless children and youths to
32 assist liaisons with providing professional development and other
33 support to school personnel providing services pursuant to the

1 federal McKinney-Vento Homeless Assistance Act. These materials
2 are intended to support liaisons in meeting the requirements of the
3 federal Every Student Succeeds Act, as specified in Section
4 11432(g)(6)(A)(ix) of Title 42 of the United States Code.

5 ~~(2) (A) The department shall provide guidance to local~~
6 ~~educational agency liaisons for homeless children and youths~~
7 ~~regarding their responsibilities under the federal McKinney-Vento~~
8 ~~Homeless Education Assistance Improvements Act of 2001 (42~~
9 ~~U.S.C. Sec. 11431 et seq.), including that they ensure the school~~
10 ~~personnel providing services to youth experiencing homelessness~~
11 ~~receive training on the proper identification and reporting~~
12 ~~procedures.~~

13 ~~(B)~~

14 (2) The department shall develop and implement a system to
15 verify that local educational agencies are providing the required
16 training to school personnel providing services to youth
17 experiencing homelessness at least annually.

18 (d) The department may use and adapt informational and training
19 materials from state or national sources when applicable and
20 appropriate.

21 (e) The department shall adopt policies and practices to ensure
22 that local educational agency liaisons for homeless children and
23 youths participate in professional development and other technical
24 assistance programs that are deemed appropriate by the
25 Superintendent in accordance with the federal Every Student
26 Succeeds Act, as specified in Section 11432(g)(1)(J)(iv) of Title
27 42 of the United States Code.

28 (f) (1) The department shall develop and implement procedures
29 for verifying key information ~~that submitted by~~ local educational
30 agencies ~~submit through the department's Consolidated Application~~
31 ~~and Reporting System~~ to comply with the federal McKinney-Vento
32 Homeless Education Assistance Improvements Act of 2001 (42
33 U.S.C. Sec. 11431 et seq.).

34 (2) The department shall review the information submitted by
35 local educational agencies ~~through the department's Consolidated~~
36 ~~Application and Reporting System~~ to comply with the federal
37 McKinney-Vento Homeless Education Assistance Improvements
38 Act of 2001 (42 U.S.C. Sec. 11431 et seq.), and remind each local
39 educational agency for which information about its policies is
40 outdated to update their policies to reflect current requirements.

1 (g) For purposes of this section, “homeless children and youths”
2 is defined in Section 11434a(2) of Title 42 of the United States
3 Code.

4 SEC. 3. If the Commission on State Mandates determines that
5 this act contains costs mandated by the state, reimbursement to
6 local agencies and school districts for those costs shall be made
7 pursuant to Part 7 (commencing with Section 17500) of Division
8 4 of Title 2 of the Government Code.

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