

# ***FAQ FOR HIGHLY MOBILE STUDENTS***

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## FAQ FOR HIGHLY MOBILE STUDENTS

### Q1. Who are “highly mobile” students?

- A1. Highly mobile students include those students experiencing frequent moves into new school districts, such as military-connected children, migrant children, children in the foster care system, and children who are homeless.

### Q2. What barriers do highly mobile students face?

- A2. Students considered highly mobile face challenges engaging in school. These barriers may include a lack of identification, school enrollment requirements, lack of school supplies and transportation, poor health, fatigue, hunger, anxiety, trauma, and prejudice and misunderstanding. These students may have attendance issues and may be missing credits. Parents may be reluctant to get involved due to fear of judgment or communication barriers. Parents may lack knowledge and resources. School staff may also lack awareness of these situations.

### Q3. What laws exist to assist highly mobile students to find stability and access to academic success?

- A3. The *McKinney-Vento Homeless Assistance Act (McKinney-Vento Act)* (42 U.S.C. § 11431-11435) is federal legislation that ensures the educational rights and protections of children and youths experiencing homelessness.

The *Every Student Succeeds Act (ESSA)*, strengthens and improves education for highly mobile students and increases resources for these students by expanding the availability and use of Title I, Part A funds and raises the authorized funding level for the Education for Homeless Children and Youth (EHCY) Program.

Legislation passed in 2009 authorized California’s membership in the *Interstate Compact for Educational Opportunity for Military Children (Compact)*. The Compact was developed by The Council of State Governments’ National Center for Interstate Compacts, the Department of Defense, national associations, federal and state officials, departments of education, school administrators, and military families. The Compact deals with the challenges of military children and their frequent relocations. It allows for uniform treatment as military children transfer between school districts and states.

For more information about the Compact, please visit the California Department of Education Military Children web page at <http://www.cde.ca.gov/ls/pf/mc/>.

### Q4. What should I do when a student experiencing homelessness enrolls in our school?

- A4. Homeless children are defined as individuals who lack a fixed, regular, and adequate nighttime residence. This definition may also include:
- Students sharing housing with other persons due to loss of housing, economic hardship, or a similar reason;
  - Students who may be living in motels, hotels, trailer parks, shelters, or awaiting foster care placement;
  - Students with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for humans;
  - Students living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings, or

- Migratory children who qualify as homeless because they are children living in similar circumstances listed above.

Homeless students may enroll in any public school that students living in the same attendance area may enroll in, even when they have not met requirements such as:

- Students have missed application or enrollment deadlines, or
- Students do not have required documents, such as school records, records of immunization and other required health records, proof of residency, guardianship, or other documents.

Every district/LEA must designate a McKinney-Vento liaison able to carry out his/her legal duties.

LEAs must coordinate McKinney-Vento and special education services within the LEA, and with other involved LEAs.

Information about a homeless student's living situation is a student education record subject to the Family Educational Rights and Privacy Act (FERPA).

**Q5. What Programs Are Highly Mobile Students Eligible For?**

A5. Homeless (and all highly mobile) students should have equal access to all programs including:

- Gifted and Talented Education
- Special education
- Migrant education
- English learner programs
- Vocational education
- Title I
- State Meal Program
- Before and/or after school programs

For more information, please refer to <https://www.cde.ca.gov/sp/hs/>

**Q6. What should I do if a foster youth enrolls in our school?**

A6. "Foster youth" is defined as:

- A child or youth who is the subject of a petition filed under Welfare and Institutions Code (WIC) Section 300 (meaning a court has taken jurisdiction over a child and declared the child to be a dependent of the court due to the presence or risk of abuse or neglect). This includes both children living at home while a dependent of the court and children who the court has ordered to be removed into the care, custody and control of a social worker for placement outside the home.
- A child or youth who is the subject of a petition filed under WIC Section 602 (meaning a court has taken jurisdiction over a child and declared the child to be a ward of the court due to the child's violation of certain criminal laws) and has been ordered by a court to be removed from home under WIC Section 727 and placed in foster care as defined by WIC Section 727.4(d).
- A youth between ages 18 and 21 enrolled in high school, is a non-minor dependent under the placement responsibility of child welfare, probation, or a tribal organization participating in an agreement under WIC Section 10553.1 and is participating in a transitional living case plan.

Students in foster care may attend programs at LEAs/ Districts serving the licensed children's institution or foster family home. The foster child may continue in his or her **school of origin** during the jurisdiction of the court. An exception may be made if one of the following applies:

- The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency, or in another local educational agency; or,
- The parent or guardian or other person holding the right to make educational decisions (Educational Rights Holder) for the student determines that it is in the best interest of the pupil to be placed in another educational program, in which case the educational rights holder shall provide a written statement he/she has made that determination.

A foster child's school of origin is:

- the school in which he/she was last enrolled,
- the school he/she attended when permanently housed, or
- any other school he/she attended within the immediately preceding 15 months to which the child feels connected.

For more information, please refer to <https://www.cde.ca.gov/ls/pf/fy/ceffosteryouth.asp>

**Q7. What do I do if a student whose parent serves in the military enrolls in my school?**

A7. The CA Legislature finds and declares that the purpose of the Interstate Compact on Educational Opportunity for Military Children is to remove barriers to educational success imposed on children of military families due to the frequent moves and deployment of their parents by doing the following:

- a. Facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in transferring educational records from the previous school district or variations in entrance or age requirements,
- b. Facilitating the pupil placement process through which children of military families are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content, or assessment,
- c. Facilitating the qualification and eligibility of children of military families for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities,
- d. Facilitating the on-time graduation of children of military families,
- e. Providing for the promulgation and enforcement of administrative rules implementing the Compact,
- f. Providing for the uniform collection and sharing of information between and among member states, schools, and military families under the Compact,
- g. Promoting coordination between the Compact and other Compacts affecting military children,
- h. Promoting flexibility and cooperation between the educational system, parents, and the pupil to achieve educational success for the pupil.

For more information, please refer to <https://www.cde.ca.gov/ls/pf/mc/>

In all cases regarding highly mobile children with disabilities, districts/LEAs must act quickly when a student enrolls to ensure these students receive the services and supports that are required for them to access their educational program. All aspects of state and federal special education law apply to highly mobile students, and often districts/LEAs are encouraged to expedite processes.

IEP teams should consider the student's mobile status when addressing his/her unique set of needs during the IEP process to ensure the student gains educational benefit.