

This report is a collaborative effort of the ACLU Foundations of California (ACLU) and the California Homeless Youth Project (CHYP), with special help from Morgan, Lewis & Bockius, LLP. The ACLU's statewide Education Equity team draws from each of the ACLU's three affiliates in California: the ACLU Foundation of Northern California, the ACLU Foundation of Southern California, and the ACLU Foundation of San Diego & Imperial Counties.

The ACLU and CHYP together administered a survey of California's homeless liaisons in spring 2018 as part of both organizations' work learning about the needs of children and youth experiencing homelessness and desire to advocate for greater resources and supports for them. The ACLU and CHYP wanted to hear from school liaisons, who work directly with students experiencing homelessness in schools, to better understand the needs of students experiencing homelessness and the capacity and resources of the schools that serve them.

The ACLU and CHYP administered the survey to K-12 homeless liaisons and to college-level single points of contact for students experiencing homelessness in California. This report details key findings and recommendations from the K-12 survey.

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Key Terms

California Department of Education (CDE) –

California's State Education Agency (SEA) has several duties regarding homeless students under federal law, including posting homeless liaisons' information online, providing professional development programs for liaisons, and monitoring Local Educational Agencies.¹

Homeless Child or Youth – A child or youth who lacks a "fixed, regular, and adequate nighttime residence." This includes someone who is "sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason," which is sometimes referred to as "doubling up."²

Homeless Liaison – The person designated by each Local Education Agency to ensure that students experiencing homelessness are identified and supported and have an equal opportunity to succeed.³ Also referred to in this report as "district liaisons" or "local liaisons." **Local Education Agency (LEA)** – A local agency responsible for controlling or directing public elementary schools or secondary schools.⁴ In California, an LEA includes "a school district, a county office of education, a charter school, or a special education local plan area."⁵

McKinney-Vento Homeless Assistance Act (McKinney-Vento) – The federal

law guaranteeing students experiencing homelessness a right to receive equal access to the same free, appropriate public education as their peers. Enacted in 1987, the law has been repeatedly reauthorized, most recently as part of the 2015 Every Student Succeeds Act (ESSA).

School-Site Liaisons for Students Experiencing Homelessness – A nationally recognized best practice, LEAs often designate not only a homeless liaison for the district, but also a point of contact for each school site in the district. School-site liaisons help build a more direct connection with homeless families and help district liaisons carry out their duties.

Unaccompanied Youth – A child or youth who qualifies as "homeless" and is not in the physical custody of a parent or guardian.⁸ There is no minimum age to be eligible.

Executive Summary

For California's more than-200,000 K-12 students currently experiencing homelessness, school is often the most stable part of their day and represents an immense opportunity to improve their lives. Unfortunately, many of these students do not know they qualify as "homeless" or have additional educational rights and resources available to them. As a result, many of these students do not get the help they need and deserve.

Since 1987, the federal McKinney-Vento Homeless Assistance Act (McKinney-Vento) has required Local Education Agencies (LEAs) to designate a district liaison to identify and support students experiencing homelessness. Liaisons can play a critical role in advocating for students experiencing homelessness, helping families navigate the school system, and furthering McKinney-Vento's goal to ensure that students experiencing homelessness receive equal access to the same free, appropriate public education as their peers. Recent amendments to McKinney-Vento have increased liaisons' duties, for example adding the duty to refer families to appropriate outside services, including housing.

To better understand the needs of students experiencing homelessness, and the ways California's public schools can more effectively support them, the ACLU Foundations of California (ACLU) and the California Homeless Youth Project (CHYP) surveyed California's homeless liaisons. Over 550 liaisons, or about one third of all liaisons across California, completed the survey.

Based on survey responses, as well as followup interviews with liaisons for several LEAs, including districts, charter schools, and county offices of education, ACLU and CHYP developed the following findings and recommendations.

Executive Summary

Findings

- unavailable for students and families experiencing homelessness. Though the CDE provides a publicly available list of liaisons' contact information, the list lacks updated information for many districts. In addition, many districts do not publicly share their liaisons' information for families experiencing homelessness. As one liaison wrote, "[s]tudents need to know who the homeless liaison is so they know where to come."
- 2. Liaisons lack the capacity and resources to do their jobs effectively. Most liaisons reported having other primary job titles and duties aside from their role as a homeless liaison. As a result, two thirds of all liaisons spend fewer than five hours a week on their homeless liaison duties. About one third of liaisons feel their district has not adequately staffed and funded the liaison position. As one liaison reported, "I am in crisis mode and cannot proactively respond to the needs of homeless students and families."
- 3. Liaisons cannot effectively refer students and families to outside services, especially housing. Liaisons reported their greatest challenge to be referring students to outside services, such as housing and mental health services. These challenges are caused not only by a dearth of available options, such as housing, but also liaisons' lack of familiarity navigating those outside service systems. As one liaison wrote, liaisons need "[h]elp with establishing links to outside agencies to provide services."

- Liaisons cannot effectively train school staff about homelessness and related issues, which means schools do not effectively identify students experiencing homelessness. Liaisons named identifying homeless students and providing professional development for school personnel as their next two most challenging responsibilities. These two challenges are linked because liaisons regularly rely on school personnel to identify students experiencing homelessness. As one liaison wrote, school personnel may have difficulty identifying students where "many staff members do not understand that homelessness does not only mean living out of a car or on the street.'
- Liaisons reported that a substantial majority of school districts designate contacts at each school (that is, "schoolsite liaisons") for students experiencing homelessness. Though federal law only requires liaisons at the districtlevel, more than eight out of ten liaisons designate school-site liaisons for students experiencing homelessness. Three fourths of even the smallest school districts also designate school-site liaisons. Designating school-site liaisons is a nationally recognized best practice that enables district liaisons to more effectively carry out their duty to identify and support students experiencing homelessness.

Executive Summary

Recommendations

- The CDE and local school districts should make liaisons' information public, accessible, and current. Homeless families can connect only with liaisons whose identity and contact information they can find. Federal law requires that the CDE publish a statewide list, and federal guidance recommends that districts post contact information as well. The CDE should do more to ensure its list is complete and up-to-date, such as by collecting information more than once per year. Local districts should also share district and school-site liaisons' information with families, such as through district websites and also school front offices.
- School districts and the state should devote more dedicated staff time and resources to liaisons so that they can more effectively do their job. Recent changes in federal law put a new emphasis on liaisons' capacity to do their job-now requiring that designated liaisons are "able to carry out" their duties—and yet liaisons in California frequently report lacking the time, capacity, and resources to perform their jobs effectively. Districts should invest more in the homeless liaison positions, such as by drawing on existing state and federal funds reserved for low-income students, so that liaisons have more time to carry out their duties. Moreover, the state should do more to supplement these funds and also to make additional investments in the state's homeless education office, which currently has only two full-time staff members.
- 3. School districts and counties should do more to cultivate partnerships with outside service providers. Liaisons reported having difficulty navigating and connecting with outside service systems, but models already exist for districts to form relationships with these systems. In particular, counties can help create streamlined processes for all districts to access these outside systems.

- 4. The state and counties should provide better support for liaisons so that they can train school-level personnel, especially to identify students experiencing homelessness. District liaisons, who already report lacking the capacity to do their jobs, should not have to reinvent the wheel to train school staff about federal and state requirements. Rather, county offices of education and the state homeless education office should develop more and better tools for liaisons to train school personnel. The CDE's recent publication of presentation materials is a step in the right direction.
- All school districts should designate 5. school-site liaisons. Across the country, school districts, advocates, and lawmakers have recognized the importance of designating school-site liaisons who can help advocate for homeless families. Though most districts in California already designate school-site liaisons, all of them should adopt this best practice. Also, districts should not designate personnel whose regular job duties undermine their ability to build trusting relationships with students experiencing homeless, such as School Resource Officers. As with district liaisons, districts should share the name, responsibilities, and contact information of school-site liaison with families at each school.

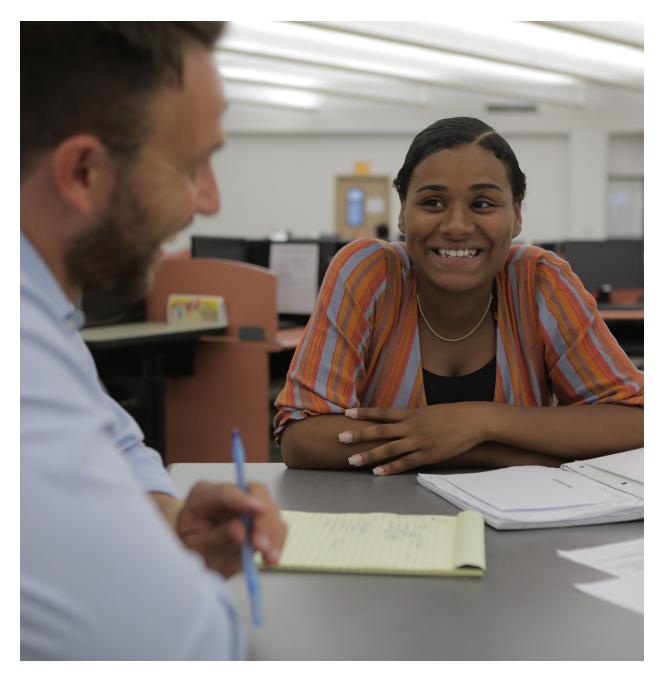
Background and Legal Framework

A. Why liaisons matter: Rhakiah's story

Rhakiah Henderson was 13 when she became homeless in Southern California. Her parents were separated and lived apart, but she could not safely stay with either of them. Rhakiah's mother struggled for years with drug addiction and psychotic episodes and was staying at a rehabilitation clinic that did not permit patients to bring their children. Rhakiah's father had been in and out of prison, and he could not assure her safety in the same house where Rhakiah faced sexual abuse by her stepmother's family. For several years, Rhakiah had stayed with other family members, including her grandmother. When her grandmother moved to Atlanta, Rhakiah stayed behind to take care of her younger siblings. She had no place to go. Without a stable place to call home,

Rhakiah finished her junior year of high school sharing beds or sleeping on the floors of her friends' houses.

At the time, Rhakiah did not think of herself as homeless. "I had a roof over my head," she thought. "And it's not like I am living on the street." Rhakiah did explain her living situation to a few people at school, including a counselor with whom she had a close relationship. However, she also asked that her story be kept confidential. As a result, her information was not shared with other school or district personnel, and she never received critical resources and services. Rhakiah was never told that she might qualify as "homeless" and "unaccompanied" under California and federal law. She was never told that she had additional educational rights or was entitled to extra resources. Rhakiah was never told that her school had a person—a homeless liaison—whose job was to support students like her.



Her school district's homeless liaison could have helped Rhakiah in many ways. The liaison could have helped Rhakiah with transportation to school, which was an ongoing challenge for Rhakiah because she could not rely on her parents and did not have a car of her own. The liaison could have referred Rhakiah to housing options so that she had a consistent place to sleep each night. The liaison could have helped Rhakiah determine whether she qualified for an exemption under state law that makes it easier for students experiencing homelessness to graduate. The liaison could have facilitated the college application process and helped verify Rhakiah's status when she was ready to apply

for federal financial aid for college without her parents' support.

All of these supports are required under federal or California law, and yet Rhakiah received none. This report explores ways in which liaisons, and the school systems in which liaisons operate, can more effectively support students like Rhakiah.

B. Hidden in plain sight: Youth homelessness in California

In California, at the start of the 2017-2018 school year, more than 200,000 K-12 students, or about 3% of the entire student population, were identified as homeless. Most of these students—approximately 85%—lacked adequate housing of their own and "doubled up" with other families or friends. Others lived in hotels and motels (4%), in temporary shelters (7%), or without a shelter altogether (3%). More than 7,000 of these students were also identified as "unaccompanied" and were living without their parents or guardians.

California is part of a national and largely hidden problem of youth homelessness. Nationally, U.S. public schools identified more than 1.35 million children and youth experiencing homelessness in 2016–2017. Like in California, a substantial majority of these students (76%) live "doubled up," while others lived in hotels and motels (6%), in temporary shelters (14%), or without shelter altogether (4%). A large number of these children and youth (more than 118,000) were identified as unaccompanied. A

Despite the substantial number of identified homeless youth, public schools in California and across the country almost certainly undercount them. These numbers only include youth enrolled in school and thus exclude students who dropped out, never enrolled, or experienced homelessness during summer break. ¹⁶ Moreover, these numbers rely on schools' ability to identify students experiencing homelessness, which the findings in this report indicate is difficult for schools to do effectively. ¹⁷

As one example of schools' failure to properly identify students, consider Chapin Hall's rigorous Voices of Youth Count conducted in 2016 and 2017. The multi-measure study found one in thirty adolescents ages 13-17 (about 700,000 youth nationwide) experienced unaccompanied homelessness each year. Meanwhile, public schools across the country identified only 120,000 students as unaccompanied homeless youth, and California's schools identified only about 7,000. The problem of youth homelessness is much worse than public schools' numbers reflect.

Top 10 LEAs with the highest percentage of homeless students enrolled in 2016-17

Local Education Agency	Enrollment
Baker Valley Unified	59.86%
Ravenswood City Elementary	41.55%
Humboldt County Office of Education	38.98%
Salinas City Elementary	32.24%
San Ysidro Elementary	31.00%
Burrel Union Elementary	29.75%
Shandon Joint Unified	29.14%
Magnolia Elementary	29.12%
Santa Maria-Bonita	29.10%
San Diego County Office of Education	27.85%

Top 10 LEAs with the highest number of homeless students enrolled in 2016-17

Local Education Agency	Enrollment
Los Angeles Unified	19,537
San Diego Unified	7,370
Santa Ana Unified	7,267
Long Beach Unified	7,220
Moreno Valley Unified	6,390
San Bernardino City Unified	5,449
Santa Maria-Bonita	5,300
Norwalk-La Mirada Unified	5,025
Colton Joint Unified	3,702
Pomona Unified	3,619

McKinney-Vento's Definition of "Homeless"

The term "homeless children and youths"—

- (A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 11302(a)(1) of this title); and
- (B) includes—
 - children and youths who are sharing the housing of other persons due to loss
 of housing, economic hardship, or a similar reason; are living in motels, hotels,
 trailer parks, or camping grounds due to the lack of alternative adequate
 accommodations; are living in emergency or transitional shelters; or are
 abandoned in hospitals;
 - (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 11302(a)(2)(C) of this title);
 - (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - (iv) migratory children (as such term is defined in section 6399 of title 20) who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (i) through (iii).

42 U.S.C. § 11434a(2) (2012 & Supp. IV 2017).

McKinney-Vento's Definition of "Unaccompanied Youth"

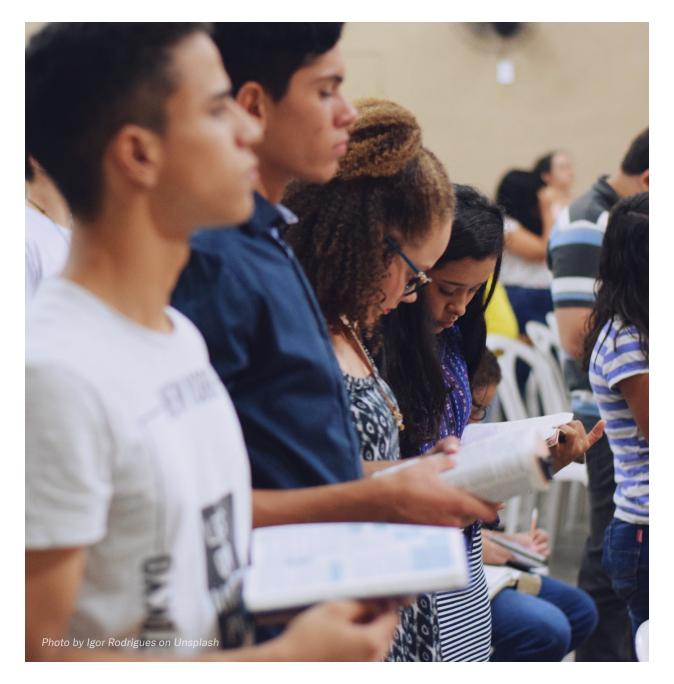
The term "unaccompanied youth" includes a homeless child or youth not in the physical custody of a parent or guardian.

42 U.S.C. § 11434a(6) (2012 & Supp. IV 2017).

C. How funding works: Resources for students experiencing homelessness in California

Public schools in California receive three primary funding streams they may use to support students experiencing homelessness.

First, a small number of schools receive targeted funds under McKinney-Vento. States receive federal formula grants each year from the U.S. Department of Education to implement McKinney-Vento.²² States must disburse at least 75% of federal allocations in subgrants to LEAs for the purposes of carrying out McKinney-Vento and may reserve up to 25% for state activities.²³ Under this program, California received a total of \$8.2 million in 2015–2016, or about \$33 per homeless pupil in the state.²⁴ California awards competitive subgrants to about 10% of all LEAs.²⁵ Thus, most districts in California do not receive funds from this program. California reserves about 5% of federal funds for statewide activities each year.²⁶



Second, states receive federal funds under Title I, Part A of the Elementary and Secondary Education Act (ESEA). Title I's purpose is "to provide all children a significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps."²⁷ In 2016–2017, California received about \$1.7 billion in Title I funds, with a majority of LEAs and schools receiving subgrants.²⁸ Homeless children and youth are automatically eligible for services under Title I.²⁹ Moreover, all LEAs that receive Title I Part A funds must set aside sufficient funds to support homeless students.³⁰ Title I set-asides can be used for services not ordinarily provided by Title I,

including homeless liaisons and transportation to the school of origin. $^{\rm 31}$

Third, LEAs in California receive state and local funds through California's Local Control Funding Formula (LCFF). Under LCFF, LEAs receive "base" grants based on average daily attendance and "supplemental" and "concentration" grants ("S&C" funds) based on the unduplicated number and concentration of low-income, English learner, and foster youth ("unduplicated pupils"). In 2016–2017, LEAs received about \$5.9 billion in S&C funds. LEAs must use S&C funds to "increase or improve" services for unduplicated pupils as compared to

services provided for all students.³⁴ Moreover, LEAs must explain how S&C funds for services delivered district-wide or school-wide (i.e., services not solely targeted to reach only high need students) support services that "are principally directed towards" and "effective in meeting" the district's goals for its unduplicated pupils.³⁵ Because homeless students are categorically eligible as low-income, districts may use S&C funds—in addition to base funds—to support students experiencing homelessness.³⁶

D. Students experiencing homelessness have rights under California and federal law

Congress passed the McKinney-Vento Homeless Assistance Act in 1987 to ensure that every child experiencing homelessness has "equal access to the same free, appropriate public education" as their non-homeless peers.³⁷ McKinney-Vento establishes both the definition of "homeless" used by the nation's public schools and students' educational rights. Congress has repeatedly reauthorized the Act, most recently as part of the 2015 Every Student Succeeds Act.³⁸

Under McKinney-Vento, children and youth experiencing homelessness have many rights, including the right to:

- receive a free, appropriate public education;³⁹
- enroll in school immediately during any period of homelessness, even if students lack the documents normally required to enroll or missed the application or enrollment deadlines;⁴⁰
- enroll in school and attend classes while the school gathers needed documents;⁴¹
- continue attending the school of origin or enroll in the local attendance area school if attending the school of origin is not in the best interest of the student or is contrary to the request of the parent, guardian, or unaccompanied youth;⁴²
- receive transportation to and from the school of origin if the parent or guardian, or a local liaison on behalf of an unaccompanied youth, requests it;⁴³ and
- receive educational services comparable to those provided to other students, according to each student's need.⁴⁴

Students experiencing homelessness have these rights at every public school, including charter schools and schools operated by county Local Education Agencies (LEAs), regardless of whether the LEA receives dedicated McKinney-Vento funding.⁴⁵

California law extends students' McKinney-Vento rights and provides special supports, especially for high school students experiencing homelessness. For example, California students experiencing homelessness are exempt from local graduation requirements that exceed the state's minimum requirements if students transfer schools due to homelessness after they have completed the tenth grade. 46 High school students experiencing homelessness are also allowed to receive partial credit for coursework successfully completed in another school.⁴⁷ In addition, high school students who experience homelessness and then become permanently housed have the right to attend their school of origin through graduation. 48 This right to attend the school of origin through graduation extends beyond the federal requirement that permits students to stay only until the end of the school year.⁴⁹

Students experiencing homelessness have extensive rights that should be shared with them and their families so that they can truly benefit from the laws. To learn more about the educational rights of students experiencing homelessness under federal and California law, visit www.myschoolmyrights.com/homeless-youth.

E. "Homeless liaisons" play a critical role in identifying and supporting students experiencing homelessness

McKinney-Vento requires public school districts in California and across the country to designate homeless liaisons responsible for identifying and supporting students experiencing homelessness. ⁵⁰ Liaisons play a critical role in advocating for students, helping families navigate the school system, and furthering McKinney-Vento's goal to ensure that students experiencing homelessness receive equal access to the same free, appropriate public education as their peers. ⁵¹

Specifically, under McKinney-Vento, liaisons must ensure:

- students experiencing homelessness are identified by school personnel, are enrolled in school and have a full and equal opportunity to succeed, and receive educational services for which they are eligible, including Head Start and other preschool programs;
- students experiencing homelessness and their families receive referrals to appropriate services, including health care services, dental services, mental health and substance abuse services, and housing services:
- parents or guardians are informed of their children's educational opportunities and have meaningful opportunities to participate in their children's education;
- public notice of the educational rights of students experiencing homelessness is disseminated;
- disputes over eligibility, school selection, or enrollment are mediated;
- parents or guardians of students experiencing homelessness are informed of all available transportation services and assisted in accessing transportation to school; and
- school personnel providing services to students experiencing homelessness receive professional development and other support.⁵²

Liaisons have special obligations to support children and youth experiencing homelessness who are not in the physical custody of a parent or guardian, also known as "unaccompanied youth." Liaisons must help unaccompanied youth select a school of attendance, receive transportation to and from the school of origin, and obtain a prompt and fair resolution of any disputes. ⁵³ Liaisons must also inform unaccompanied youth of their status as "independent" students for the purpose of applying to Free Application for Federal Student Aid (FAFSA) and help verify their status. ⁵⁴ †

[†] Liaisons in California can consult several national resources for additional information. The National Center for Homeless Education (NCHE), which operates the U.S. Department of Education's technical assistance and information center for the federal homeless education program, provides many resources for liaisons to accomplish these duties, including a liaison toolkit and liaison issue briefs. The National Association for the Education of Homeless Children and Youth (NAEHCY) provides online professional development for liaisons and holds an annual national conference geared towards liaisons. SchoolHouse Connection also provides policy briefs and online trainings for liaisons across the country.

Homeless Liaisons' Duties under McKinney-Vento

Each local educational agency liaison for homeless children and youths shall ensure that—

- (i) homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies;
- (ii) homeless children and youths are enrolled in, and have a full and equal opportunity to succeed in, schools of that local educational agency;
- (iii) homeless families and homeless children and youths have access to and receive educational services for which such families, children, and youths are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act (42 U.S.C. 9831 et seq.), early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), and other preschool programs administered by the local educational agency;
- (iv) homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
- (v) the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
- (vi) public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;
- (vii) enrollment disputes are mediated in accordance with paragraph (3)(E);
- (viii) the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, as described in paragraph (1)(J)(iii), and is assisted in accessing transportation to the school that is selected under paragraph (3)(A);
- (ix) school personnel providing services under this part receive professional development and other support; and
- (x) unaccompanied youths—
 - (I) are enrolled in school;
 - (II) have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including through implementation of the procedures under paragraph (1)(F)(ii); and
 - (III) are informed of their status as independent students under section 1087vv of title 20 and that the youths may obtain assistance from the local educational agency liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid described in section 1090 of title 20.

42 U.S.C. § 11432(g)(6)(A) (2012 & Supp. IV 2017).

Survey Responses

Given liaisons' critical role advocating for students experiencing homelessness, their perspective is necessary to understand how public schools support those students. Accordingly, the ACLU and CHYP surveyed liaisons across California to better understand the needs of students experiencing homelessness and the capacity and resources of the schools that serve them.[‡]

The survey achieved a substantial response rate.⁵⁵ The California Department of Education (CDE) lists 1,571 liaisons⁵⁶, which includes liaisons from traditional public school districts, most public charter schools, and other LEAs, such as county offices of education.⁵⁷ In total, 692 representatives of K-12 school districts responded to the survey, reflecting responses from approximately 44% of all California LEAs on the CDE's list.⁵⁸

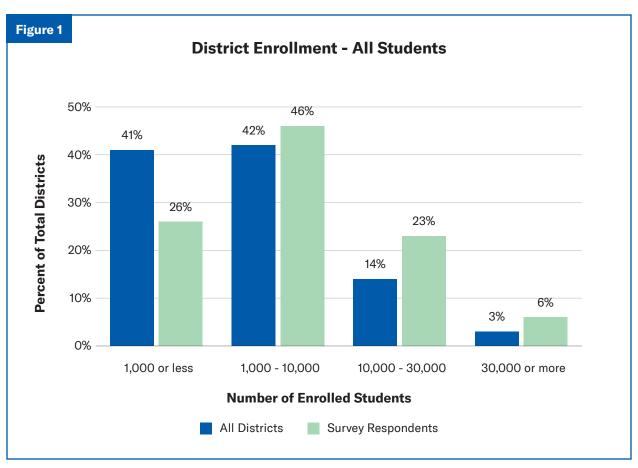
Among those responses from K-12 school districts, 547 responses were from the designated McKinney-Vento liaison for their district, reflecting responses from 35% of all K-12 liaisons across California. Traditional school districts were slightly overrepresented, as 396 of the designated liaisons were from traditional school districts, representing 39% of districts statewide. Dharter schools were slightly underrepresented, as 145 of the responses were from liaisons who work

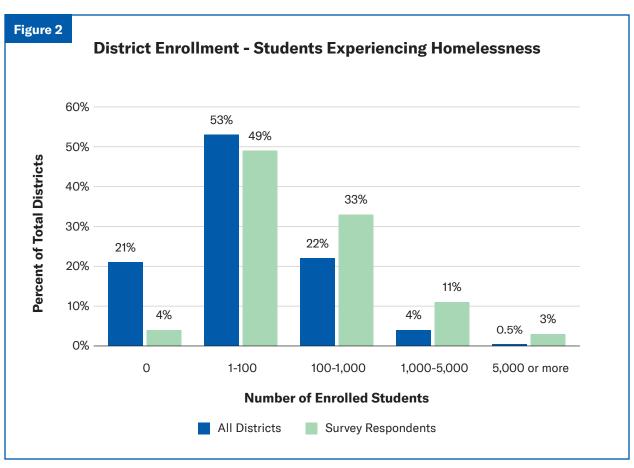
at charter schools, representing only 26% of charter liaisons listed on the CDE's list.

The survey respondents are broadly representative of LEAs across the state, though very small LEAs are slightly underrepresented. The table below (Figure 1) compares publicly available enrollment data from the CDE with data on survey respondents who are designated McKinney-Vento liaisons for traditional school districts. Liaisons from small districts, especially those with fewer than 1,000 students, were relatively unlikely to complete the survey.

Similarly, liaisons from districts that identified no students experiencing homelessness were less likely to respond to the survey. The table below (Figure 2) compares respondents who are designated McKinney-Vento liaisons for traditional school districts with the CDE's data on homeless student enrollment in schools across the state. In particular, districts that identified zero students experiencing homelessness were unlikely to respond to the survey, whereas districts with the largest numbers of students experiencing homelessness were much more likely to respond.

[‡] For a discussion of the survey methodology, see Appendix A.





Findings

A. Liaisons' information is frequently unavailable for students and families experiencing homelessness

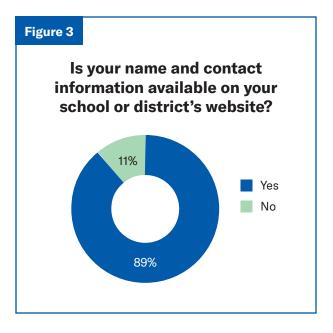
The survey confirmed that contact information for designated McKinney-Vento liaisons is not easily accessible to students and families in many districts across the state. Initially, when the ACLU and CHYP disseminated the survey by e-mail using the CDE's liaison list in May of 2018, approximately 14% of e-mails bounced back. ⁶⁰ These out-of-date e-mails largely appear to be the result of turnover among district liaisons that the CDE had not corrected. ⁶¹

"Students need to know who the homeless liaison is so they know where to come."

> Liaison from a small, secondary charter district

Moreover, the CDE's list was incomplete, as it categorically excluded over 320 "locally-funded" charter schools that are considered LEAs in California for the purposes of McKinney-Vento. 62

Even among liaisons who received and took the survey, 11% report that their name and contact information is not listed on their school or school district's website. In addition,



though McKinney-Vento does not require school districts to post job descriptions or job duties, more than half (55%) of liaisons said that this information is not available online. As a result, students and families experiencing homelessness may struggle to identify and contact the staff responsible for supporting them. As a secondary charter school liaison wrote, "[s]tudents need to know who the homeless liaison is so they know where to come."

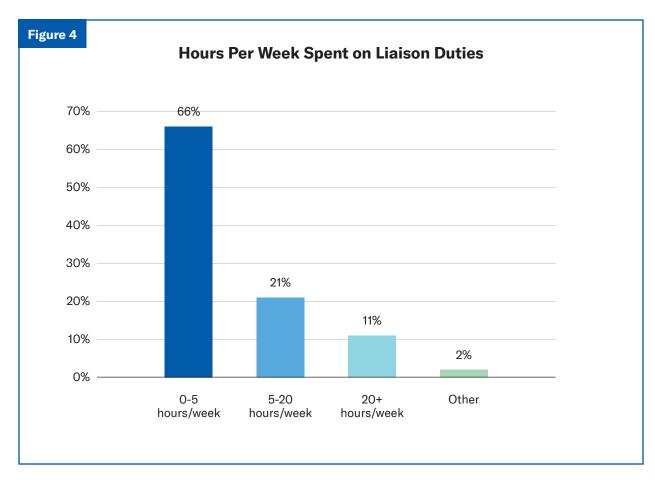
B. Liaisons lack the capacity and resources to do their jobs effectively

Despite the importance of their role, McKinney-Vento liaisons report frequently lacking the capacity, time, and resources to serve students and families experiencing homelessness in their district. For example, liaisons often have many other duties apart from their work supporting students experiencing homelessness. Only one in ten designated McKinney-Vento liaisons (11%) describe "homeless liaison" as their primary job title. Homeless liaisons most

often take on other primary job titles, including foster care liaison (64%), Director of Programs or Coordinator (46%), or "Other" (21%). These competing job duties undermine their ability to support students experiencing homelessness. As one liaison wrote, "I can't case manage over 100 homeless families and 100 foster youth and do my other job duties."

Most liaisons spend little time supporting students experiencing homelessness. Two thirds of all liaisons (66%) spend fewer than five hours a week on their homeless liaison duties. Among them, nearly half (28% of all liaisons) spend less than an hour a week ensuring compliance with McKinney-Vento.

Though liaisons that support more students experiencing homelessness generally spend more time on their homeless liaison duties, the amount of time liaisons allocate per student is miniscule. For example, among districts with at least 1,000 students experiencing homelessness, 53% of liaisons work fewer than twenty hours per week on all of their homeless liaison duties. In most cases, this equates to less than one minute of support per student per week.



Among districts with the greatest number of homeless students, liaisons reported providing less than one minute of support per student each week.

Liaisons often reported lacking sufficient time, staff, and resources to do their job effectively. Over one third of liaisons (36%) do not feel they have adequate time to do their job effectively. This is especially true among school districts with large homeless student populations, as nearly half of liaisons whose districts have more than 1,000 homeless students (47%) feel that they do not have sufficient time to carry out their homeless liaison duties. Even among small districts with fewer than 1,000 total students, a substantial number (26%) do not feel they have adequate time to do their job effectively. Similarly, about one third of liaisons (32%) do not feel their districts have adequately staffed and funded the homeless liaison position. This lack of time and resources inhibits liaisons' abilities to do their job. "I am in crisis mode," one liaison wrote, "and cannot proactively respond to the needs of homeless students and families."

C. Liaisons cannot effectively refer students and families to outside services, especially housing

When asked to name the most critical needs of students experiencing homelessness,

"I am in crisis mode and cannot proactively respond to the needs of homeless students and families."

 Liaison from large, unified school district

liaisons most frequently selected housing, outside supportive services, transportation, and mental health services.§ Similarly, when asked to identify the greatest needs of students experiencing homelessness that liaisons were unable to support, liaisons selected housing, mental health services, and transportation.

The reasons liaisons are unable to provide these necessary services are complex. Some services, such as housing, may not exist or may be in short supply in or near students' communities. For example, roughly one third of survey respondents (29%) identified an urgent need for permanent, affordable housing as a key policy to better support students experiencing homelessness. As one liaison from a large primary school district wrote, students "definitely need more shelters." Another liaison from a medium-sized, unified district explained, "[i]f we can take care of HOUSING in our communities, in a more comprehensive way, our students will be better served."

On the other hand, liaisons also have difficulty helping families navigate other support systems, even where they exist. For example, among their many obligations under McKinney-Vento, liaisons ranked as most challenging the obligation to ensure that "[h]omeless families and youths receive referrals to health care services, dental services, mental health and

Q: Choose the three highest needs of the students experiencing homelessness you serve.		
Connection to housing supports	60%	
Supportive services outside school setting	53%	
Transportation	44%	
Mental health services	34%	

[§] Respondents were given eleven options, including an open-ended "other" option.

Percentage of liaisons that identify McKinney-Vento requirements as "most challenging" or "somewhat challenging"	
Homeless families and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services	68%
Homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies	61%
School personnel providing relevant services receive professional development and other support	47%

substance abuse services, housing services, and other appropriate services." About two thirds of liaisons (68%) ranked this requirement as "somewhat challenging" or "most challenging." As a secondary charter school liaison explained, liaisons need "[h]elp with establishing links to outside agencies to provide services." As another secondary school liaison wrote, "educational and local agencies [should] work together to have a system in place that works for their unique needs and solves the problem of IDing our homeless students and providing their families with the necessary support."

Navigating complex systems of housing assistance and public benefits is challenging for liaisons. Initially, these systems define "homeless" differently; the Department of Housing and Urban Development's (HUD) definition of homelessness is narrower than the definition used by public schools and prevents "doubled up" families from receiving housing assistance.64 As one liaison from a mediumsized, unified school district explained, finding housing for students experiencing homelessness who do not meet HUD's definition therefore poses a significant challenge, and HUD needs a "consistent definition of homelessness." Families may also face additional barriers to eligibility. One liaison reported a family being turned away by the local department of social services because of their immigration status, when the

"I can't case manage over 100 homeless families and 100 foster youth and do my other job duties."

> Liaison from a large unified school district

family likely could have been served by a county integrated care program. Liaisons' experiences indicate that districts and local social service agencies have not effectively cultivated relationships and streamlined referral systems to easily connect families with resources and support.

D. Liaisons cannot effectively train school staff, which impacts schools' ability to effectively identify students experiencing homelessness

As noted, the survey asked liaisons to identify the most challenging obligations among their ten duties under McKinney-Vento. After providing referrals to outside services (68%), liaisons named identifying homeless children and youth (61%) and providing professional development for school personnel (47%) as their next two most challenging responsibilities.

The latter two requirements are intertwined because liaisons regularly rely on school personnel to help identify students experiencing homelessness. Nearly two thirds of liaisons (65%) reported relying on school personnel to identify students experiencing homelessness at the start of the school year, and nearly all liaisons (91%) relied on school personnel to identify students during the school year. School personnel may nonetheless lack a complete understanding of how the law defines "homelessness." As a liaison from a small, unified school district wrote, "many staff members do not understand that homelessness does not only mean living out of a car or on the street." Given liaisons' reports that they have difficulty training school staff, but also that

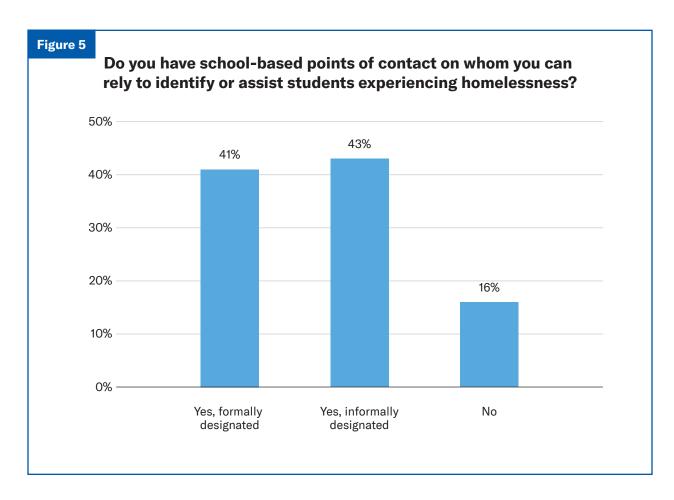
they rely on school staff to identify students experiencing homelessness, providing liaisons additional support to train school personnel may be vital to ensure schools accurately identify and support students experiencing homelessness.

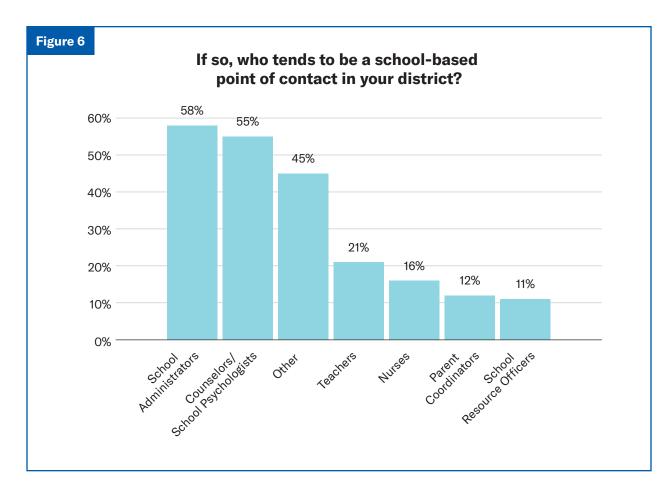
E. Liaisons reported that a substantial majority of school districts designate schoolsite liaisons for students experiencing homelessness

Despite the challenges described above, the survey also pointed to an emerging best practice of designating school-site contacts for students experiencing homelessness. District-level McKinney-Vento liaisons often have many schools they must support across their LEA. By designating a contact at each school, liaisons are better able to identify and assist students experiencing homelessness and their families throughout their districts.

Across California, more than eight out of ten liaisons (84%) designate school-site liaisons for students experiencing homelessness. Many districts (41%) designate school-site liaisons as a matter of policy, explaining "our district requires school-based points of contact." Many others (43%) informally designate a liaison at each school site, as respondents explained "though not required, I have identified school-based points of contact." This trend holds true even for small LEAs, more than three quarters of which reported designating school-site liaisons.

The survey asked liaisons in districts that had school-site liaisons to identify who within the school tended to be the school-site liaison. The most common school-site liaisons are administrators (58%) and counselors or school psychologists (55%). Respondents also often selected "other" (45%), clarifying through their written responses that they most often relied on clerical staff. One in ten liaisons (11%) reported that school-site liaisons tended to be School Resource Officers (SRO). As discussed below, SROs are poorly equipped to support students experiencing homelessness, would





deter students experiencing homelessness from identifying themselves or obtaining necessary resources, and should not be liaisons for students experiencing homelessness at any school site.

Recommendations

A. The CDE and school districts should make liaisons' information public, accessible, and current

Liaisons can play a critical role in identifying students experiencing homelessness, helping students navigate the education system, and ensuring they get the support they need to be successful. This role requires that liaisons be easily accessible to students and families. Accordingly, McKinney-Vento requires all states to publish an updated list of local liaisons, 65 and the Federal Department of Education recommends that LEAs post contact information for local liaisons to facilitate identification and referrals of homeless students. 66

In California, however, complete and updated lists of local liaisons are not available. The CDE's statewide list of fewer than 1,850 liaisons is missing information from a significant number of LEAs, including over 320 "locallyfunded" charter schools. Even among those LEAs included in the CDE's list, as many as 14% of the e-mail addresses are inactive. At

the district level, at least one in ten liaisons are not listed on their district's web site. Even when a liaison's name and contact information are posted, the district's website is unlikely to explain the liaison's roles and responsibilities such that a family could easily identify them.

Making both contact information and job descriptions publicly available would make it easier for families to seek support and enforce their rights. In the words of one small, unified district liaison, "families would be benefited if there were stronger, more immediate means for them to report potential McKinney-Vento compliance issues."

Accordingly, the CDE should collect contact information for district liaisons for every LEA in California at the beginning of each school year, update it at least once during the school year, and maintain the most updated list on its website. Similar to how a family can look up their school's or district's performance on the CDE's new dashboard,⁶⁷ the CDE should make the identity and contact information for school-site liaisons and district liaisons easily searchable.

District Spotlight: Online Liaison Information

Duarte Unified School District is a small school district in eastern Los Angeles county. In 2016–2017, DUSD had an enrollment of fewer than 4,000 students and identified about 50 students experiencing homelessness. DUSD's website has a landing page for Homeless Youth Services, attached as Appendix B to this report, that provides students and families with an overview of students' rights under McKinney-Vento. The website also offers links to additional resources, identifies and provides contact phone and e-mail information for the district's homeless youth liaison, and identifies and provides e-mail information for school-site liaisons at each school in the district. Families who believe they may be eligible are encouraged to complete a student residency questionnaire, which is offered in two languages, and which families can submit to the main office of their child's school. DUSD's entire site, including the Homeless Youth Services landing page, is translated from English to dozens of other languages.

School districts should also do more to make information about their district and school-site liaisons publicly available, including posting the liaisons' names, contact information, and job descriptions on the district websites, consistent with the Federal Department of Education's recommendations. If a family searches for "homeless" on their district's web site, a clearly labeled page listing the district liaison's name, e-mail, and phone number should be the first item to appear. Schools should also post physical notices of the district and school-site liaison's information prominently in their front offices. These postings should avoid bureaucratic jargon and the legal terminology surrounding the McKinney-Vento Act and instead clearly describe the rights of homeless families and the role of the district and school-site liaisons.

B. School districts and the state should devote more dedicated staff time and resources to liaisons so that they can more effectively do their job

Recent changes in federal law put a new emphasis on liaisons' capacity and time to do their job. After amendments made as part of the reauthorization of McKinney-Vento under the 2015 Every Student Succeeds Act, LEAs must now designate liaisons who are "able to carry out" their duties as outlined in the law. 68 Federal guidance recognizes that even liaisons in LEAs with a small number of

homeless students have a significant number of responsibilities to support those students, and thus LEAs should allocate sufficient time for liaisons to do their jobs effectively and should support them in fulfilling their duties. ⁶⁹ Yet, liaisons in California frequently report lacking the time, capacity, and resources to do their jobs effectively.

Districts should invest more in their local liaisons to ensure they fulfill their duties under the law. As a large, unified district liaison wrote, "for someone to really connect, monitor, support, [and] find resources, there should be funding provided for a full-time person who could monitor homeless and Foster Youth." A liaison from a medium-size, unified school district wrote, "the homeless liaison position really needs to have more hours allocated to it so that a more in depth job can be done with the homeless families," including time

"[F]or someone to really connect, monitor, support, [and] find resources, there should be funding provided for a full-time person who could monitor homeless and Foster Youth."

 Liaison from a small, unified school district to meet with all families to determine their eligibility. Though the staffing requirements for the homeless liaison position will vary based on the size and needs of the district and the homeless student population,⁷⁰ the survey found that many districts inadequately invest in the position.

To increase liaisons' capacity, districts should look to several funding sources, including Title I set-aside funds for students experiencing homelessness, S&C funds under LCFF, and McKinney-Vento funds. Students experiencing homelessness are automatically eligible to receive services under Title I, and school districts must set aside sufficient Title I funds to support them. 71 Similarly, under California's LCFF law and regulations, students experiencing homelessness automatically qualify as one of the high-need student groups for whom S&C funds must "increase or improve" services.⁷² Districts should use funds they already receive under Title I and LCFF to invest in the capacity of liaisons to support students experiencing homelessness.

The state should also do more to fully fund and support the implementation of McKinney-Vento. California has more students identified as homeless than any other state, but receives a wholly inadequate amount in federal funds per homeless pupil (about \$33), which is also far below the national average (about \$52).⁷³ Moreover, because the CDE, like many other states, awards McKinney-Vento subgrants as part of a competitive grant making process, less than 10% of all LEAs benefit at all from that program.⁷⁴ California must do more to supplement these funds.

In addition to increasing funding overall, California could also reserve more of the McKinney-Vento funds it receives to support its state office for homeless education. State Education Agencies (SEAs) may reserve up to 25% of annual McKinney-Vento allocations for statewide activities.⁷⁷ Nationally, states reserve an estimated 15% of their regular allocations for statewide activities.⁷⁸ As noted, California reserves only about 5% of all funds for statewide activities, which limits the state office's ability to provide meaningful support to the thousands of LEAs across the state. In contrast, and as discussed more thoroughly below, states that reserve additional funds for statewide activities such as New York are able to provide a much more robust set of supports for LEAs in that state.

C. School districts and counties should do more to cultivate partnerships with outside service providers

Liaisons identified the need to develop more community partnerships to meet the urgent needs of homeless students and families. In addition to building the capacity of schools to serve students directly, districts can build relationships with service providers so that liaisons can more effectively connect students to outside services. Tracking liaisons' obligations under McKinney-Vento, liaisons must be sufficiently familiar with outside systems to provide families with referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services such as food banks, legal service providers, immigration service providers, and employment resources.⁷⁹

State Spotlight: Additional Funding for Homeless Education Programs

Washington State's 2016 Homeless Student Stability and Opportunity Gap Act (HSSA) provides additional state funds for school supports and housing for students experiencing homelessness. Like California, Washington receives a below-average McKinney-Vento funding per pupil (about \$27), and only about 10% of all LEAs in Washington receive federal subgrants. Under HSSA, however, Washington's Office of Superintendent of Public Instruction allocates an additional \$785,000 to school districts, or about \$20 more per pupil experiencing homelessness. Washington's Department of Commerce also receives \$1 million to expand school-housing partnerships.

County Spotlight: Establishing Streamlined Systems for Referrals

The Los Angeles County Office of Education (LACOE) has partnered with the county's Homeless Service Authority (LAHSA) to connect liaisons to the coordinated entry system. LAHSA divides the county into service areas, each of which has a Family Solution Center to serve as a one-stop shop for referrals to emergency housing and other housing support. In addition, using funding from a local ballot initiative designed to address the homeless crisis, LAHSA has hired an education coordinator in each service area. Using the education coordinators as points of contact, district liaisons can make a "warm hand-off" for families seeking housing supports and also follow up on prior referrals.

Counties can play a critical role in creating networks to facilitate referrals to outside services, especially for regional housing systems. Streamlined processes can make it easier for liaisons to access the outside systems they reported having difficulty navigating.

D. The state and counties should provide better support for liaisons so that they can train school-level personnel, especially to identify students experiencing homelessness

Liaisons reported significant challenges training school personnel and identifying students experiencing homelessness, which are among liaisons' most critical duties under McKinney-Vento. These challenges are connected because liaisons regularly rely on school personnel to help them effectively identify students experiencing homelessness. In addition to increasing liaisons' capacity to perform their duties, as recommended above, the state and counties should do more to support liaisons with these two key duties.

In particular, the state can do more to support liaisons to train school-level personnel. Based on the applicable federal and state laws that apply to students experiencing homelessness in California, many training materials, webinars, and resources can be developed for liaisons statewide. Local liaisons, who already report lacking the capacity to do their jobs, should not be required to reinvent the wheel. California's office of homeless education recently published a set of training materials liaisons could use to train school personnel, which is a step in the right direction. But other states, such as the New York State Technical and Education Assistance Center for Homeless Students (NYS-TEACHS), are able to provide more robust supports, such as an online library of model forms and templates, guides and fact sheets, laws and guidance, and online training modules.

California should increase funding for statewide technical assistance that provides direct trainings to liaisons and targets districts that struggle to implement the requirements of McKinney-Vento. In addition to increasing funding overall, the CDE could reserve a greater proportion of the federal funds that the state receives. As noted above, California reserves about 5% of its McKinney-Vento funds for statewide activities, well below the national average of 15%. California's state office of homeless education is minimally staffed, with only two full-time employees. A state office with greater resources could provide better support for district liaisons seeking to train school personnel.80

Districts can also do more to create demand for school-level training by prioritizing training for all staff and requiring training for staff who work directly with homeless students and families. As a liaison from a large, unified school district proposed, districts should "mandate that all PreK-12 staff are informed through a district process about Homelessness." Possible roles that

The CDE's Homeless Education Program's training modules can be found at https://www.cde.ca.gov/sp/hs/cy/ (last visited March 14, 2019).

should be required to attend training include registrars, guidance counselors, social workers, front office staff, and school-site liaisons for students experiencing homelessness. These roles can be trained with a "train-the-trainer" model, equipping individuals at each school site to train other school personnel to help liaisons identify students experiencing homelessness.

E. All school districts should designate school-site liaisons

In California and across the country, school districts and advocates have recognized the importance of identifying school-site liaisons who can help advocate for families within the school. According to SchoolHouse Connection, a national homeless youth education organization, designating school-site liaisons can be a "highly effective best practice" to identify students experiencing homelessness and can "ensur[e] full implementation of the McKinney-Vento Act."81 In 2016, Washington became the first state to require school-site contacts for students experiencing homelessness, at least in districts with more than ten unaccompanied youth. Large school districts across the country, including districts in Los Angeles, New York City, and Chicago, all require school-site liaisons. In California, as discussed above, more than 80% of all California districts, including at least 75% of all small districts, have implemented this common-sense solution and designate school-site liaisons.

All districts should require that every school identify a school-site liaison. School-site liaisons can play a critical role identifying students experiencing homelessness, connecting families with community resources, and serving as an in-house expert on McKinney-Vento. Creating a point person would also enable district-wide liaisons to focus their efforts on smaller groups of staff who can receive targeted training both on education law and the district's community services and referral system. Designated schoolsite liaisons also have the potential to expand the capacity of McKinney-Vento liaisons to serve homeless students and families. As a large secondary district liaison wrote, having a person "at the school site will allow for a collaborative effort with site staff and professionals. It would be a team effort and someone at the site [will havel the professional knowledge to assess [students'] needs, treat mental illness, manage services, and link students to whatever their needs are."

It is important that school-site liaisons be equipped to support students and families experiencing homelessness. According to SchoolHouse Connection, school-site liaisons should be trained on relevant laws, have access to community services and referral systems, understand protocols for identifying and working with district liaisons, and have the capacity to perform their roles effectively. 82 To carry out these duties, the survey found districts most often relied on school administrators, counselors, and front office or clerical staff to act as school-based contacts. As one example, Visalia Unified School District designates parent coordinators as the school-site liaisons

State Spotlight: Statewide Technical Assistance and Support

New York State uses its McKinney-Vento funds to fund NYS-TEACHS, which provides information, referrals, and trainings to schools, school districts, social service providers, parents, and others about the educational rights of children and youth experiencing homelessness. NYS-TEACHS provides monthly trainings and workshops for liaisons, as well as five annual trainings in New York City and other large cities for school-site liaisons. NYS-TEACHS uses data to pinpoint districts that under-identify homeless students, and targets trainings and technical assistance to these LEAs. While staff generally only train district liaisons, they also offer training directly to school staff when districts need support to comply with the requirements of McKinney-Vento.

^{††} A list of NYS-TEACHS resources, including forms and templates, guides and fact sheets, laws and guidance, and an online library of training modules, can be found at https://nysteachs.org/ (last visited March 14, 2019)

at the elementary level, social workers at the middle school level, and assistant principals at the high school level.

Though districts should retain some flexibility in designating school-site liaisons, School Resource Officers should not fill those roles. Research has found that the presence of SROs has led to high rates of citations and arrests among students of color, and also that inappropriate reliance on school-based law enforcement can actually promote distrust in schools.83 SROs' job description of providing campus security does not reflect the needs of homeless families navigating the school system, who require assistance with enrollment, transportation, and referrals. In particular, given the stigma many families and youth feel around their housing status and the concerns they have about sharing their information with law enforcement, SROs should not be a school's designated means of

identifying students experiencing homelessness. In addition, immigrant families who are both homeless and undocumented fear interacting with law enforcement; as one small, unified school district liaison emphasized, "we have to continually work to develop relationships to counter that fear." SROs are not situated to do this effectively.

Voices from Youth: School-Based Contacts

Youth at the Transitional Age Youth (TAY) center in San Bernardino were asked during a Know Your Rights roundtable whether they wanted their schools to offer a school-site liaison for students experiencing homelessness. Youth supported the idea, but they had different reasons for believing it would be important.

- "A student who is homeless could need resources or someone to talk to about being homeless."
- "[School-site liaisons] makes people understand they can have people to go to in their times of need."
- "Some students aren't aware of the services for them."
- "Convenience plays a major key because students wouldn't have to transport to another location or travel just to get the help and resources they need."
- "Those who are homeless have a greater risk for becoming incarcerated. Having this [school-site] liaison could prevent these incarcerations. Many people would benefit from a liaison like this. I would have benefited."
- "So as they get older they aren't stuck being homeless."
- "It is a good idea to have a liaison to help at school to have a person to go to [so] that the students have one person in school that can be a voice for them and also give the students resources of how to survive with the homelessness and help there [sic] parents get out of being homeless."

Conclusion

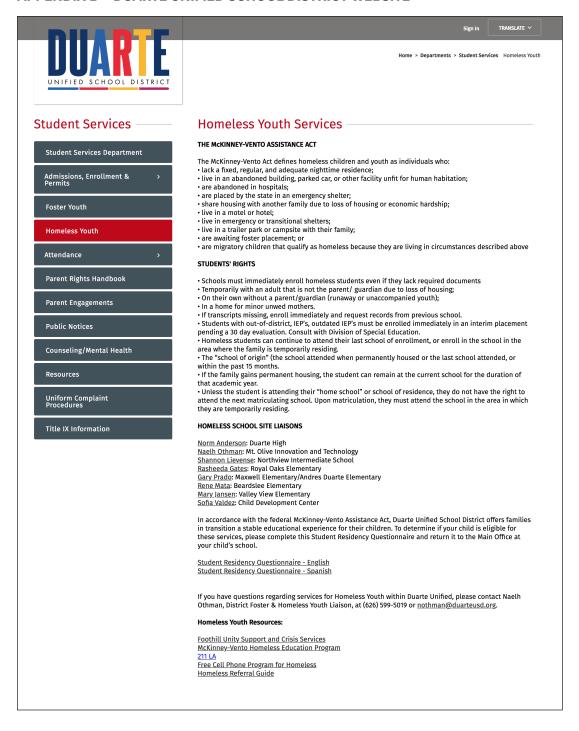
Students experiencing homelessness often report having no one to turn to when they need help the most. Homeless liaisons, especially school-site liaisons at every child's school, can play a critical role ensuring these students get the help they need and deserve. As a result, districts, counties, and the state must provide additional and targeted resources to better equip liaisons to carry out their duties under the law. Only through deliberate and aggressive state-wide action will we ensure students experiencing homelessness are not hidden in plain sight.

APPENDIX A - SURVEY DESIGN

To design their survey, the ACLU and CHYP looked to models like the Texas Network of Youth Services homeless liaison survey. The ACLU and CHYP adapted questions to California, including by adding questions for homeless liaisons at California's public colleges, also known as single points of contact (SPOC). The ACLU and CHYP also adopted a multiple-choice format to reduce the amount of time needed to complete the survey and increase the response rate. Before finalizing the survey, the ACLU and CHYP piloted the survey with a small group of district and county liaisons and the state homeless education coordinator.

The final survey launched on May 1, 2018, and the survey period ran until June 1, 2018. The ACLU and CHYP e-mailed liaisons directly, using the state's most up-to-date liaison list.⁵⁵ The state coordinator e-mailed the survey to all district liaisons and also asked county offices of education to send the survey to district liaisons. A total of five rounds of e-mails were sent during the survey's one-month period. The ACLU and CHYP offered ten \$50 gift cards, which were awarded by random raffle in June. The survey was anonymous.

APPENDIX B - DUARTE UNIFIED SCHOOL DISTRICT WEBSITE



ENDNOTES

- ¹ 42 U.S.C. § 11432(f)(1), (5)–(7) (2012 & Supp. IV 2017).
- ^{2.} 42 U.S.C. § 11434a(2) (2012 & Supp. IV 2017).
- 3. 42 U.S.C. § 11432(g)(6)(A) (2012 & Supp. IV 2017).
- ^{4.} 42 U.S.C. § 11434a(3); 20 U.S.C. § 7801.
- ^{5.} CAL. EDUC. CODE § 48859 (West 2018).
- 6. 42 U.S.C. § 11431(1) (2012).
- ^{7.} Guidelines for Designating LEA-Level and Building-Level McKinney-Vento Liaisons, SCHOOLHOUSE CONNECTION 1, https://www.schoolhouseconnection.org/wp-content/uploads/2017/04/Liaisonguidelines.pdf (last visited Oct. 25, 2018).
- 8. 42 U.S.C. § 11434a(6) (2012 & Supp. IV 2017).
- Galifornia Longitudinal Pupil Achievement Data System Unduplicated Pupil Counts for Grades K-12 (2016-2017), CAL. DEP'T OF EDUC. (Sept. 1, 2017), https://www.cde.ca.gov/ds/sd/sd/filescupc.asp (follow "CALPADS UPC Source File 2017-18"); see also Daniel J. Willis, California map shows hot spots of homeless students, EDSOURCE (Oct. 2, 2017), https://edsource.org/2017/california-map-shows-hot-spots-of-homeless-students/588165; see generally Shahera Hyatt, et al., California's Homeless Students: A Growing Population, CAL. HOMELESS YOUTH PROJECT (Sept. 2014), http://cahomelessyouth.library.ca.gov/docs/pdf/CaliforniasHomelessStudents_AGrowingPopulation.pdf.
- 10. Homeless Public School Students, by Nighttime Residence, KIDSDATA.ORG, https://www.kidsdata.org/topic/793/homeless-students-residence/table#fmt=1211&loc=2,127,347,1763,331,348,336,171,321,345,357,332,324,369,358, 362,360,337,327,364,356, 217,353,328,354,323,352,320,339,334,365,343,330,367,344,355,366,368,265,349,361,4,273,59,370,326,333,322,341,338,350,342,329,325,359,351,363,340,335&tf=88&ch=1132,1133,1134,1135&sortColumnId=0&sortType=asc (last visited Nov. 1, 2018).
- 11. Ia
- 12. California State Profile, NAT'L CTR. FOR HOMELESS EDUC., http://profiles.nche.seiservices.com/StateProfile.aspx?StateID=6 (last visited Nov. 1, 2018).
- 13. Federal Data Summary: School Years 2014–15 to 2016–17, NAT'L CTR. FOR HOMELESS EDUC. 9 (Feb. 2019), https://nche.ed.gov/wp-content/uploads/2019/02/Federal-Data-Summary-SY-14.15-to-16.17-Final-Published-2.12.19.pdf [hereinafter Federal Data Summary].
- ^{14.} *Id.* at 16.
- ^{15.} *Id.* at 17.
- ^{16.} *Id.* at 2.
- ^{17.} See also Christine Gendron et al., Supporting Students Experiencing Homelessness: Insights from a Survey of Homeless Liaisons in Texas Public Schools, TEX. NETWORK OF YOUTH SERV. 5 (Mar. 2017), http://tnoys.org/wp-content/uploads/Homeless-Liaison-Survey-Report-27Feb2017-1.pdf (describing challenges reported by Texas homeless liaisons in identifying students experiencing homelessness).
- 18. Missed Opportunities: Youth Homelessness in America National Estimates, CHAPIN HALL (2017), http://voicesofyouthcount.org/wp-content/uploads/2017/11/VoYC-National-Estimates-Brief-Chapin-Hall-2017.pdf.
- ^{19.} *Id.* at 1.
- ^{20.} National Overview, NAT'L CTR. FOR HOMELESS EDUC., http://profiles.nche.seiservices.com/ConsolidatedStateProfile.aspx (last visited October 31, 2018).
- ^{21.} California State Profile, supra note 12.
- ^{22.} 42 U.S.C. § 11432(b)-(c) (2012 & Supp. IV 2017).
- ^{23.} 42 U.S.C. § 11432(e)(1) (2012 & Supp. IV 2017).
- ^{24.} Federal Data Summary, supra note 13, at 9–10. During the 2015–2016 school year, schools across the country received \$68,144,961 in federal funds for 1,304,803 students experiencing homelessness, or about \$52 per pupil. *Id.* Meanwhile, California received \$8,176,567 for 246,296 students, or about \$33 per pupil. *Id.*
- ^{25.} California State Profile, supra note 12.
- ²⁶ E-mail from Leanne Wheeler, Homeless Education State Coordinator., Cal. Dep't of Educ., to Alexis Piazza, ACLU Found. of S. Cal. (Oct. 19, 2018, 9:10 AM PST) (on file with author).
- ^{27.} 20 U.S.C. § 6301
- ^{28.} Revised ESEA Title I LEA Allocations—FY 2016, U.S. DEP'T OF EDUC., https://www2.ed.gov/about/overview/budget/titlei/fy16/index.html (follow link for California) (last visited Oct. 31, 2018); Funding Results; Title I, Part A, CAL. DEP'T OF EDUC., https://www.cde.ca.gov/fg/fo/r14/title1pa16result.asp (follow link for allocations) (last visited Oct. 31, 2018); Title 1, Part A School Allocations, CAL. DEP'T OF EDUC., https://www.cde.ca.gov/sp/sw/t1/schoolallocations.asp (follow link for Fiscal Year 2016-17) (last visited Oct. 31, 2018).
- ^{29.} 20 U.S.C. § 6315(c)(2)(E).
- 30. 20 U.S.C. § 6313(c)(3)(A).
- 31. 20 U.S.C. § 6313(c)(3)(C)(ii); Education for Homeless Children and Youths Program: Non-Regulatory Guidance, U.S. DEP'T OF EDUC. M-4, M-10, (Mar. 2017), https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716updated0317.pdf [hereinafter ED Guidance].
- 32. LCFF Frequently Asked Questions, CAL. DEP'T OF EDUC., https://www.cde.ca.gov/fg/aa/lc/lcfffaq.asp (last visited Oct. 31, 2018).
- 33. Local Control Funding Formula (LCFF) Statewide Fingertip Facts; 2016–17 Fiscal Year Annual Principal Apportionment (as of February 2018), CAL. DEP'T OF EDUC., https://www.cde.ca.gov/fg/aa/pa/documents/anfingertipfacts1617.pdf (last visited Oct. 31, 2018).
- ^{34.} Cal. Code Regs. tit. 5, § 15496(a).
- 35. *Id.*; *id.* at § 15496(b)(1)(B).
- 36. LCFF Frequently Asked Questions, CAL. DEP'T OF EDUC., https://www.cde.ca.gov/fg/aa/lc/lcfffaq.asp (last visited Oct. 31, 2018).
- ^{37.} 42 U.S.C. § 11431(1) (2012).

- 38. See generally Title IX Part A of Every Student Succeeds Act, https://www.gpo.gov/fdsys/pkg/BILLS-114s1177enr/pdf/BILLS-114s1177enr.pdf. 114s1177enr.pdf.
- ^{39.} 42 U.S.C. § 11431(1) (2012).
- ^{40.} 42 U.S.C. § 11432(g)(3)(C) (2012 & Supp. IV 2017).
- ^{41.} 42 U.S.C. § 11432(g)(3)(C) (2012 & Supp. IV 2017).
- ^{42.} 42 U.S.C. § 11432(g)(3)(A)-(B) (2012 & Supp. IV 2017).
- ^{43.} 42 U.S.C. § 11432(g)(1)(J) (2012 & Supp. IV 2017).
- ^{44.} 42 U.S.C. § 11432(g)(4) (2012 & Supp. IV 2017).
- ^{45.} 81 Fed. Reg. 14432 (March. 3, 2016), https://www.federalregister.gov/articles/2016/03/17/2016-06073/mckinney-vento-education-forhomeless-children-and-youths-program ("Because the protections afforded to homeless children and youths apply regardless of whether an LEA receives a McKinney-Vento Act subgrant, the State Coordinator must ensure that technical assistance and professional development opportunities are provided to all LEAs."); 42 U.S.C. §11432(g)(1)(F)(iii).
- ^{46.} CAL. EDUC. CODE § 51225.1 (West 2018).
- ^{47.} CAL. EDUC. CODE § 51225.2 (West 2018).
- ^{48.} CAL. EDUC. CODE § 48852.7 (West 2018).
- ^{49.} 42 U.S.C. §11432(g)(3)(A)(i)(II) (2012 & Supp. IV 2017).
- ^{50.} 42 U.S.C. §11432(g)(1)(J)(ii) (2012 & Supp. IV 2017).
- ^{51.} 42 U.S.C. §11431(1) (2012).
- ^{52.} 42 U.S.C. §11432(g)(6)(A) (2012 & Supp. IV 2017).
- ^{53.} 42 U.S.C. §11432(g)(3)(B)(iv), (g)(1)(J)(iii), (g)(3)(E)(iii) (2012 & Supp. IV 2017).
- ^{54.} 42 U.S.C. §11432(g)(6)(A)(x)(III) (2012 & Supp. IV 2017).
- ^{55.} As one point of comparison, the Texas Network of Youth Services 2017 homeless liaison survey achieved a 32% response rate among liaisons in that state. Gendron et al., *supra* note 17, at 4.
- ⁵⁶. The list includes a total of over 1,800 LEAs, but many of them, especially charter schools that are part of a broader charter network, share the same liaison.
- ^{57.} Homeless Education Liaison Contact Information, CAL. DEP'T OF EDUC., https://www.cde.ca.gov/sp/hs/ (follow "Homeless Education Liaison Contact Information" hyperlink) (last updated June 15, 2018).
- ⁵⁸ The CDE's list categorically excludes "locally-funded" charter schools. *Id.* However, state law is broad and clarifies that LEAs for McKinney-Vento purposes means "a charter school." CAL. EDUC. CODE § 48859 (West 2018). There are approximately 320 "locally-funded" charter schools in California, all of which are missing from the CDE's list. *Public Schools and Districts Data Files*, CAL. DEP'T OF EDUC., https://www.cde.ca.gov/ds/si/ds/pubschls.asp (follow "Public Schools and Districts" excel spreadsheet) (last updated Nov. 5, 2018).
- ^{59.} E-mail from Jonathan Isler, Admin., Cal. Dep't of Educ., to Alexis Piazza, ACLU Found. of S. Cal., and Emma Hulse, Cal. Homeless Youth Project, (July 2, 2018, 2:20 PM PST) (on file with author).
- 60. E-mails were inactive and "bounced back" for about 250, or 14%, of all LEAs.
- ^{61.} For example, among liaisons who responded to the survey, nearly 14% reported working in their current position for one year or less.
- 62. See CAL. EDUC. CODE § 48859 (West 2018).
- 63. These findings are consistent with the results of liaison surveys in Texas and Washington, where researchers found that liaisons had multiple job titles and little time for their liaison duties. See Gendron et al., supra note 17; see also In School but Out of Help: An Objective Look into WA's Homeless Student Safety Net, COLUM. LEGAL SERVS. HOMELESS EDUC. PROJECT (Feb. 2015), https://www.schoolhousewa.org/reports/homelessliaisonsurvey.pdf.
- ^{64.} The Homeless Children and Youth Act was recently introduced in the U.S. House of Representatives and Senate to align HUD's definition of "homelessness" with other federal agencies. See A Big Win: House Committee Passes the Homeless Children and Youth Act, SCHOOLHOUSE CONNECTION (July 30, 2018), https://www.schoolhouseconnection.org/a-big-win-house-committee-passes-the-homeless-children-and-youth-act/ (discussing companion bills H.R. 1511 and S. 611).
- 65. 42 U.S.C. §11432(g)(6)(B) (2012 & Supp. IV 2017).
- 66. ED Guidance, supra note 31, at F-41.
- 67. California School Dashboard, CAL. DEP'T OF EDUC., http://www.caschooldashboard.org/ (last visited July 26, 2018).
- ^{68.} 42 U.S.C. §11432(g)(1)(J)(ii) (2012 & Supp. IV 2017).
- 69. ED Guidance, supra note 31, at 15.
- 70. In determining the time allocation for a homeless liaison, federal guidance recommends that LEAs consider, among other things, the number of LEAs in schools and students in the district; the number of identified homeless students in district as a percentage of students living in poverty; and any recent Department of Education and state monitoring findings. ED Guidance, supra note 31, at 15. In addition, the National Association for the Education of Homeless Children and Youth (NAEHCY) and National Law Center on Homelessness & Poverty generally discourage districts from designating the same person to be the liaison for foster youth and homeless youth. Barbara Duffield, et al., The Most Frequently Asked Questions on the Education Rights of Children and Youth in Homeless Situations, NAT'L ASS'N FOR THE EDUC. OF HOMELESS CHILDREN AND YOUTH AND NAT'L LAW CTR. ON HOMELESSNESS & POVERTY 13-14 (Oct. 2017), https://naehcy.org/wp-content/uploads/2018/02/2017-10-16_NAEHCY-FAQs.pdf.
- Letter from Paul Kesner, Acting Officer, Office of Safe and Healthy Schools, and Patrick Rooney, Deputy Director, Office of State Support, to McKinney-Vento and Title I, Part A Coordinators (July 30, 2018), available at https://www2.ed.gov/policy/elsec/leg/essa/letterforessatitleialeahomelesssetaside.pdf; see also ED Guidance, supra note 31, at M-5.
- 72. CAL. EDUC. CODE § 2574 (West Supp. 2018); CAL. CODE REGS. tit. 5 § 15496 (2018).
- 73. Federal Data Summary, supra note 13, at 7–8.
- 74. Federal Data Summary, supra note 13, at 9–10. During the 2015–2016 school year, Washington received \$1,057,610 for 39,127 students experiencing homelessness, or about \$23 per pupil. Id.

- ^{75.} Federal Data Summary, supra note 13, at 8–9. During the 2015–2016 school year, Washington received \$1,057,610 for 39,127 students experiencing homelessness, or about \$23 per pupil. *Id.*
- 76. The Homeless Student Stability and Opportunity Gap Act, SCHOOLHOUSE WASHINGTON (Mar. 2017), https://schoolhousewa.org/wp-content/uploads/2017/03/HSSAbrief.pdf.
- ^{77.} 42 U.S.C. § 11432(e)(1) (2012 & Supp. IV 2017).
- ^{78.} State and District Implementation of the Education for Homeless Children and Youth Program, U.S. DEP'T OF EDUC. (2015) at 6, https://www2.ed.gov/rschstat/research/pubs/homeless/state-district-implementation-homeless-children-report.pdf (last visited October 31, 2018).
- ^{79.} 42 U.S.C. § 11432(g)(6) (2012 & Supp. IV 2017).
- ^{80.} E-mail from Leanne Wheeler, *supra* note 26 (explaining that set-aside funds were used in 2015–2016 to fund a full-time state coordinator, a full-time fiscal analyst, and a part-time office technician).
- 81. Guidelines for Designating LEA-Level and Building-Level McKinney-Vento Liaisons, SCHOOLHOUSE CONNECTION 1, https://www.schoolhouseconnection.org/wp-content/uploads/2017/04/Liaisonguidelines.pdf (last visited Oct. 25, 2018).
- 82. SchoolHouse Connection has published "Guidelines for Designating LEA-Level and Building-Level McKinney-Vento Liaisons" that recommend districts establish and publicize a protocol for how school-based contacts work with district liaisons to identify and support students experiencing homelessness. The organization also recommends that district liaisons train school-based contacts to make accurate eligibility determinations. See id. at 2.
- 83. See, e.g., Fix School Discipline; Community Toolkit, PUBLIC COUNSEL 39 (2017), http://www.fixschooldiscipline.org/community-toolkit/ (citing Matthew T. Theriot, School Resource Officers and the Criminalization of Student Behavior, 37 J. of Crim. J. 280, 280-87 (2009); Noor Dawood, GOLDMAN SCHOOL OF PUBLIC POLICY, Reorienting School Policing: Strategies for Modifying School Policing Objectives to Reduce Unintended Consequences, While Preserving Unique Benefits 28 (2011) (discussing the negative consequences associated with placing officers in a mentoring role on campuses)).
- 84. Gendron et al., *supra* note 17.
- 85. Homeless Education, CAL. DEP'T OF EDUC., https://www.cde.ca.gov/sp/hs (follow "Homeless Education Liaison Contact Information" hyperlink) (last updated June 15, 2018).



