

ADMINISTRATIVE CIRCULAR NO. 40
Office of the Deputy Superintendent

SAN DIEGO UNIFIED SCHOOL DISTRICT

Date: October 31, 2008

To: All School Principals

Subject: ACTIONS REQUIRED BY NO CHILD LEFT BEHIND

Department and/or Persons Concerned: Principals, vice principals, registrars, school secretaries and clerks

Due Date: Upon student enrollment and/or receipt of parent/guardian requests

Reference: NCLB, Administrative Procedure 6525

Action Requested: Record parent/guardian requests in Zangle and provide appropriate information.

Attachments:

1. Educating Children Living in Homeless Situations letter
2. Frequently Asked Questions and Answers about Homeless Students
3. Teacher Qualification Information Request Form

Brief Explanation:

The No Child Left Behind (NCLB) Act requires that **all sites** meet a number of requirements, all **Title I schools** meet additional requirements, and **Program Improvement (PI) schools** meet even further requirements. Important NCLB information is contained in the *Facts for Parents* brochure that should be provided to parents as soon as possible upon receipt at schools. Site requirements and appropriate actions are described below.

Requirements for All Schools

1. **Process Parent Requests to Withhold Directory Information or Permit Media/Videotaping Activity.** Site actions required for general parent requests, requests specific to military recruiters, and permissions for media or videotaping activities are described in an Administrative Circular entitled, "Parent/Guardian Requests to Restrict Release of Student Information," that will also be issued in the Fall of 2008.
2. **Provide "Educating Students Living in Homeless Situations" information to affected families.** Schools must provide enrolling homeless students and their parents with the following information: the letter (Attachment 1) and a "Frequently Asked Questions and Answers" document (Attachment 2). More information is available on the district website at www.sandi.net/nclb.

Requirements for All Title I Schools

1. **Submit Parent Requests for Reports on Teacher/Paraprofessional Qualifications.** NCLB gives parents at Title I schools the right to request information about the qualifications of

teachers or paraprofessionals in their child's classroom(s). Sites should provide parents who request such information the attached form (Attachment 3; also available at www.sandi.net/nclb) and, once it is completed, send it to the Human Resources Division as indicated on the form.

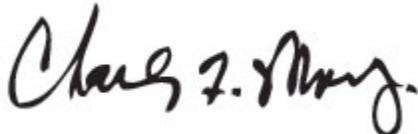
Requirements for Program Improvement (PI) Schools

1. **Distribute Program Improvement Materials.** Provide PI letter and attachments to families of all new students who enroll after the first week of school. Pre-enrolled students and those who enroll during the first week of school (and whose enrollment data have been entered in Zangle), will receive their PI materials via U.S. mail. PI packets were sent to schools the week of September 25. Supplemental Educational Services (SES) materials (SES program information, the Parent Selection Form, and the SES provider directory) were sent the week of August 11, via U.S. mail, to parents of students enrolled at the time. New students and others who did not receive materials in the August mailing will receive materials, via U.S. mail, in October. An informational copy of the SES packet will also be delivered to schools.
2. **Assist families with their PI choices.** NCLB states that schools must assist families who request help with:
 - Selecting a school under the Program Improvement School Choice (PISC) program. Sites may provide appropriate information and/or refer parents to the Office of Enrollment Options at 619-725-5672.
 - Selecting a Supplemental Educational Services (SES) provider (schools in Year 2 and higher of PI). Sites may provide appropriate information and/or refer parents to the Supplemental Educational Services Department at 619-262-0316.

For additional information about NCLB, please visit the district website at www.sandi.net/nclb. Questions about NCLB requirements may be directed to Federal and Special Programs at 619-725-5605 or via email <mailto:bbalser@sandi.net>.

Barbra Balsler, Interim Executive Director
Federal and Special Programs

APPROVED:



Chuck Morris
Deputy Superintendent

Attachments (3)

Distribution: Lists D, E, and F



San Diego Unified School District

EUGENE BRUCKER EDUCATION CENTER
4100 Normal Street, San Diego, CA 92103-2682

September 2008

Dear Parent/Guardian:

The *No Child Left Behind Act of 2001* and the McKinney-Vento Homeless Assistance Act are two federal laws designed to ensure that homeless students receive the educational opportunities that belong to all students. This letter informs you of the educational rights of children living in homeless situations. Although the information provided in the letter may not be applicable to you, you may know of a family for which the information may be useful.

According to federal law, homeless children or youth are those who lack a fixed, regular, and adequate nighttime residence. This definition includes children and youth who:

- live with a friend, relative, or someone else because they lost their homes and cannot afford housing;
- live in a motel or hotel because they lack adequate alternative accommodations; or
- live in emergency or transitional shelters, in domestic violence shelters or in another like setting, or are awaiting foster care placement.
- unescorted youth who are unsheltered.

It is the intent of the federal legislation as much as possible to keep homeless students in the schools they attended when permanently housed or in which they were last enrolled, unless doing so is against the parents' or guardians' wishes. Homeless students:

- may stay in those schools the entire time they are homeless and until the end of any academic year in which they move into permanent housing, including any extended school year program for which they are eligible, and
- must be provided, at parent/guardian request, with transportation to and from school, as long as it is feasible.

Parents/guardians of homeless students also may choose to enroll their children in any public school that students who live in the attendance area of the homeless family's temporary residence are eligible to attend. If the school district decides to send a homeless student to a school other than that school, the district must provide the parent/guardian with a written explanation of that decision and of the parent's/guardian's right of appeal. During an appeal process, the homeless student will be allowed to attend the school chosen by the parent/guardian.

Children living in homeless situations must be allowed to enroll in school and attend classes even if they do not have all of the required medical records and proof of residency. Personnel at the school of enrollment will work with the parents/guardians to obtain all required documents.

Please direct questions related to the education of homeless students to your child's principal or to district personnel at (619) 725-7326.

Sincerely,

Terry B. Grier, Ed. D
Superintendent



San Diego Unified School District

EUGENE BRUCKER EDUCATION CENTER
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Frequently Asked Questions and Answers Regarding the Education of Homeless Students Under the *No Child Left Behind Act*

1. How do we inform the parents of homeless students about their rights under NCLB?

Please use the enclosed letter to notify parents of homeless students of this important information. As a homeless student is registered, a copy of the letter should be provided to the student and/or parent present.

2. How do the No Child Left Behind Act (NCLB) and other related federal legislation define *homeless*?

According to federal law homeless children or youth are those who lack a fixed, regular and adequate nighttime residence. This definition includes children and youth who:

- live with a friend, relative or someone else because they lost their homes and cannot afford housing;
- live in a motel or hotel because they lack adequate alternative accommodations;
- live in emergency or transitional shelters, in domestic violence shelters or in other like settings or are awaiting foster care placement; or
- unescorted youth who are unsheltered.

3. What is the intention of NCLB and other related federal legislation regarding the education of homeless students?

The NCLB and other recent federal legislation seek to ensure educational rights and protections for children and youth experiencing homelessness. Congress clearly intends that students living in homeless situations should have access to the education and other services they need to ensure that they have an opportunity to meet the same challenging academic achievement standards to which all students are held in each state.

4. What services must school districts offer homeless students?

Public school districts must ensure the following:

- That children and youth living in homeless situations enroll in, and have full and equal opportunity to succeed in, the districts' schools.
- That homeless children and youth and their families receive the educational services for which they are eligible. These services include not only K–12 educational opportunities but also Head Start, Even Start and pre-school programs administered by the district, and referrals to health, mental health, dental and other appropriate services.
- That parents or guardians of homeless children and youth are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
- Students enrolled and added as homeless are immediately certified for free breakfast and lunch.

- That parents and guardians of homeless children and youth are fully informed of all transportation services, including transportation to the school of origin (see definition below), and are assisted in making use of the transportation services.

5. Which schools may homeless students attend?

It is the intent of the federal legislation as much as possible to keep homeless students in their *schools of origin*, that is, the schools they attended when permanently housed or in which they were last enrolled, unless doing so is against the parents' or guardians' wishes.

Homeless students:

- May stay in those schools the entire time they are homeless and until the end of any academic year (including any extended year program for which they are eligible) in which they move into permanent housing, and
- Must be provided, at parent/guardian request, with transportation to and from school, as long as it is feasible.
- Parents or guardians of homeless students also may choose to enroll their children in any public school that students who live in the school attendance area of the homeless family's temporary residence are eligible to attend.

6. What if homeless students whose parents or guardians seek to enroll them in my school do not have the documents that are customarily required for enrollment?

Homeless students must be allowed to enroll in school, attend classes and participate fully in school activities even if they do not have all of the required school records, medical records and proof of residency. Personnel at the school of enrollment must work with the parents or guardians to obtain all required documents.

7. What if a homeless student who is not in the physical custody of a parent or guardian seeks to enroll at my school?

Homeless students not in the physical custody of parents or guardians are called, for purposes of the law, *unaccompanied youth*. It is the responsibility of the school's principal, or a liaison designated by the principal, to ensure that all of the rights accorded to homeless students under the NCLB are explained to unaccompanied youth and enforced on their behalf.

8. What special residence code do I use to enroll a homeless student?

The following residential codes pertain to the enrollment of students living in homeless situations:

- Homelessness-hotel/motel
- Homelessness-doubling up (living with someone)
- Homelessness-sheltered
- Homelessness-unsheltered

9. Is there someone I may call if I have questions about enrolling students whose parents or guardians indicate they are homeless?

Yes, you may call the San Diego Unified School District at (619) 725-7326. Each school district is required by NCLB to establish a liaison for students in homeless situations. In San Diego Unified the liaison is Pam Hosmer. She may be contacted for any questions or needed support.

10. What if I have questions about providing transportation to homeless students?

Direct your questions about transportation to the district at (619) 725-7326. At a parent's or guardian's request, homeless students must be provided with transportation to and from their school of origin. The district liaison staff can provide information about the transportation services that are available and can explain how homeless students may gain access to them.

11. May I seek to place a student in another school, when I believe the alternative placement would be better for the student and the student's parents do not object?

There may be instances in which an alternative placement in a school other than a homeless student's school of origin or current neighborhood school may be beneficial to the student. The student, for example, may be overage and lacking sufficient credits. In that case placement in an alternative education program may be more appropriate for the student. Or the homeless student may require special education services not offered at the school of origin or neighborhood school. In such instances the reason(s) for the alternative placement, as well as the parent's/guardian's right of appeal, must be explained to the homeless student's parents/guardians both orally and in writing.

12. What if a dispute arises between parents or guardians seeking enrollment of their children under the provisions of the NCLB and school site personnel?

Whenever a dispute arises, the student must be immediately admitted to the school of choice while the dispute is being resolved. A written explanation of the school's decision must be provided if a parent or guardian disputes a school placement or enrollment decision. The school must refer the student, parent or guardian to the district at (619) 725-7326 to carry out the dispute resolution process.

Teacher Qualification Information Request Form

Parents of students at Title I schools may use this form to request information about the qualifications of their child's teacher(s). Please complete a separate form for each of your child's teachers for whom you request information. Return the completed form(s) to your school's office staff who will forward your request(s) to the district's Human Resources Division. Division staff will gather the information required and return it to you via the method you indicate below.

Please Print

Your name	Last:	First:
Your child's name	Last:	First:
Your child's school		
Your child's teacher's name	Last:	First:
Grade level and/or subject	Grade:	Subject:
Your address	Street:	
	City:	ZIP code:

Your signature

Date

Please send the information to me via *(check one box only)*:

my school

U.S. mail

FAX [FAX number (_____) - _____]

Please return this form to your school's office staff. Thank you.

School Staff: Send form to Human Resources Division, Education Center, Room 1241
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