



# CAPISTRANO UNIFIED SCHOOL DISTRICT

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## SUPERINTENDENT

CHRISTOPHER BROWN, Ed.D.

August 17, 2023

The Honorable Maria Hernandez  
Presiding Judge of the Superior Court  
700 Civic Center Drive West  
Santa Ana, CA 92701

RE: 2022-2023 Orange County Grand Jury Report  
*The ABC's of Educating Children Experiencing Homelessness in Orange County*  
Response of Capistrano Unified School District

To the Honorable Maria Hernandez:

In accordance with California Penal Code section 933.05, the Orange County Grand Jury has requested that Capistrano Unified School District respond to findings and recommendations in the 2022-2023 Orange County Grand Jury report entitled: *The ABC's of Educating Children Experiencing Homelessness in Orange County*.

## FINDINGS

**F.1.** *Many children experiencing homelessness are not identified as such, and therefore do not receive the support and benefits authorized by the McKinney-Vento Act.*

**Response to F.1.:** The Capistrano Unified School District disagrees wholly or partially with the finding. Overwhelmingly, Capistrano Unified staff believe that families are familiar with the McKinney-Vento program and enroll if they meet one of the qualifying designations. Over the past four years, there has been only one instance that the McKinney-Vento Homeless Liaison has been aware of where a McKinney-Vento expressed concern regarding how enrolling would affect their legal status.

**F.2.** *The lack of mandatory McKinney-Vento Act training of school site office staff, counselors,*

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*and teachers contributes to a failure to identify children experiencing homelessness.*

**Response to F.2.:** The Capistrano Unified School District disagrees wholly or partially with the finding. As a condition of receiving federal funding through the Consolidated Application and Reporting System (CARS), Capistrano Unified ensures the District Homeless Liaison provides training annually, including: Orange County Department of Education (OCDE) videos for teachers and counselors, California Department of Education (CDE) posters are visible at each school site; specific poster cards for teachers, counselors, office staff, and nurses; training at annual District wide attendance clerk and office manager meetings; training at all school counselor, District Nurse, and LVN nurse meetings; and 40 Homeless Site Liaisons conduct training at staff meetings.

**F.3.** *There is disparity in the application of McKinney-Vento regulations across Orange County public school districts which results in unequal access to educational benefits for children experiencing homelessness.*

**Response to F.3.:** The Capistrano Unified School District disagrees wholly or partially with the finding. Capistrano Unified ensures that all students complete the McKinney-Vento Assistance Act Declaration Form at the time of initial registration or when returning for the new school year. Additionally, our outreach efforts of our District McKinney-Vento Liaison and Site McKinney-Vento Liaisons ensure students in need receive all the support and assistance they are entitled to receive. Capistrano Unified participates in OCDE and CDE training on the McKinney Vento rights, regulations, and benefits to support students experiencing homelessness with access to educational benefits.

**F.4.** *The majority of McKinney-Vento Liaisons are in full-time positions, but because their work includes multiple non-McKinney-Vento responsibilities, most do not have sufficient time to do the work required by the McKinney-Vento Act.*

**Response to F.4.:** The Capistrano Unified School District disagrees wholly or partially with the finding. The District McKinney-Vento Liaison is full-time and 90% of her time is spent on work required by the McKinney-Vento Act. The District Homeless Liaison has indicated that she has sufficient time to do the work required by the McKinney-Vento Act.

**F.5.** *Many McKinney-Vento Liaisons lack needed experience due to a high turnover rate in those positions.*

**Response to F.5.:** The Capistrano Unified School District disagrees wholly or partially with the finding. The Capistrano Unified's McKinney-Vento Liaison has been in her position for four years. She is well-trained due to her participation in a variety of opportunities, including OCDE

Homeless Outreach Promoting Educational Success (HOPES) meetings, CA Homeless Education Technical Assistance Center (HETAC) webinars, and CA Department of Education conferences. The District Homeless Liaison collaborates with OCDE and CDE Homeless Liaisons for questions and support when needed.

**F.6.** *McKinney-Vento Act training is not mandatory for the majority of McKinney-Vento Liaisons.*

**Response to F.6.:** The Capistrano Unified School District disagrees wholly or partially with the finding. The Federal Program Monitoring Program Instrument for Homeless Education states that the LEA Liaison duties (3.0) include: (h) School personnel, including principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel, that provide services to homeless children, youths, and their families receive professional development and other support. (42 U.S.C. Sections 11432[g][1][D], 11432[g][6][A][ix]; EC Section 48852.5[c]). To effectively conduct this professional development and support, the McKinney-Vento Liaison must also attend training.

CARS also asks if the Homeless Liaison has attended or participated in training within the past two years which implies that this is required.

The District Homeless Liaison attends National Center for Homeless Education (NCHE), Homeless Education Technical Assistance Center (HETAC), and SchoolHouse Connection webinars and the annual CDE Homeless conference to receive ongoing training.

**F.7.:** *Students experiencing homelessness who are enrolled in an elementary district often do not continue to receive McKinney-Vento benefits when they move to a high school district because the Federal Educational Rights and Privacy Act (FERPA) prevents the sharing of this information between districts.*

**Response to F.7.:** The Capistrano Unified School District disagrees wholly or partially with the finding. The McKinney-Vento Assistance Act Declaration Form is included in all registration packets for new and returning students. Participation is not based on the previous school district's records. It is based on the current living situation and can be re-submitted at any time during the year if the living situation changes.

**F.8.:** *McKinney-Vento funds depend on school districts submitting grant proposals, but not all districts have employees trained in writing grant applications, resulting in missed funding opportunities.*

**Response to F.8.:** The Capistrano Unified School District disagrees wholly or partially with the finding. Districts that receive Title I, Part A funding must reserve a portion to provide services to homeless children and youth. Training in grant writing is unnecessary to complete the CARS report to receive Title I funding. The CARS report is simple and requires a district to mark “yes” to receiving Title I, Part A. Homeless program reports are about 1.5 pages in total and include yes and no questions about training, expenditure data, and homeless services provided (Attachment 1).

**F.9.:** *School districts that do not apply for grants which fund programs benefiting children experiencing homelessness miss potential revenue opportunities.*

**Response to F.9.:** The Capistrano Unified School District agrees with the finding. The CDE’s Education for Homeless Children and Youth (EHCY) Grant (if awarded) is an excellent way to enhance homeless services.

**F.10.:** *McKinney-Vento is an unfunded federally mandated program; however, school districts which qualify and apply for Title I, Part A funds may obtain revenues that can be used for children experiencing homelessness. These funds are insufficient to meet the needs of the school districts supporting children experiencing homelessness.*

**Response to F.10.:** The Capistrano Unified School District disagrees wholly or partially with the finding. If the funds are insufficient, Capistrano Unified can opt to increase the amount of Title I funding set aside for homeless services. We have not had to do this in the past, but given economic uncertainty and one-time funding expiration, the district will reexamine as needed.

**F.11.:** *A lack of reliable transportation for children experiencing homelessness often results in chronic tardiness and absenteeism.*

**Response to F.11.:** The Capistrano Unified School District disagrees wholly or partially with the finding. Transportation is a barrier for some McKinney-Vento families. The District tries to mitigate this barrier by reserving seats for McKinney-Vento students on District bus routes, deploying OCTA bus passes, and providing parent mileage reimbursement. In special circumstances, the District has provided train passes and door-to-door transportation for McKinney-Vento students.

**F.12.:** *Chronic Absenteeism Rates of Homeless Students are disproportionately high in comparison with the Chronic Absenteeism Rates of All Students and Socio-Disadvantaged Students.*

**Response to F.12.:** The Capistrano Unified School District agrees with the finding. Capistrano Unified Chronic Absenteeism Rates are disproportionate. Attendance data from the 2021-2022 school year indicates that 21.5% of all students are chronically absent, which on the California School Dashboard is at the Very High category. In contrast, 30.7% of socioeconomically disadvantaged students are chronically absent and Very High on the California School Dashboard. Additionally, 32% of students experiencing homelessness are chronically absent and also Very High on the California School Dashboard.

**F.13.:** *Children experiencing homelessness in Orange County perform at a lower level on standardized tests and have a lower graduation rate than All Students and Socioeconomically Disadvantaged Students.*

**Response to F.13.:** The Capistrano Unified School District agrees with the finding. Smarter Balanced Assessment results in English Language Arts percent met or exceeded standard in 2021-2022 for all students was 70.03% (California School Dashboard, Very High, 46.4 points above standard). In contrast, 47.43% of socioeconomically disadvantaged students met or exceeded standard (California School Dashboard, Low, -8.5 points below standard). Additionally, 32.63% of students experiencing homelessness met or exceeded standard (California School Dashboard, Low, -44.7 points below standard).

Smarter Balanced Assessment results in Mathematics percent met or exceeded standard in 2021-2022 for all students was 57.62% (California School Dashboard, High, 12.2 points above standard). In contrast, 32.49% of socioeconomically disadvantaged students met or exceeded standard (California School Dashboard, Low, -49.2 points below standard). Additionally, 20.51% of students experiencing homelessness met or exceeded standard (California School Dashboard, Low, -84.2 points below standard)

However, although there is a gap in graduation rates between student groups, the discrepancy is not as significant compared to Smarter Balanced results. For the class of 2022, 95.9% of all students graduated (California School Dashboard - Very High). For students socioeconomically disadvantaged, 94.7% of students graduated (California School Dashboard - High). For students experiencing homelessness, 94.3% of students graduated (California School - High).

**F.14.:** *The percent of Homeless Students graduating who failed to meet state standards on English Language Arts and Math tests is significantly higher than it is for All Students and Socioeconomically Disadvantaged Students.*

**Response to F.14.:** The Capistrano Unified School District agrees with the finding.

**F.15.:** *There is a tendency by school districts to operate in isolation, which prevents productive collaboration on addressing the issue of children experiencing homelessness and the challenges*

*of their education.*

**Response to F.15.:** The Capistrano Unified School District disagrees wholly or partially with the finding. Capistrano Unified collaborates with community-based agencies to serve homeless students and has MOUs with: Laura's House domestic violence shelter; United Way of Orange County for the Sparkpoint financial literacy parent education program; and EverDriven for volunteers for Thanksgiving food distribution. CUSD also has a purchase order with Best Western for emergency housing (five nights or less per family). Families Forward provides Thanksgiving food baskets for over 100 CUSD families. The District McKinney-Vento Liaison makes referrals to Families Assistance Ministries and CHEC Family Resource Center for food and counseling services, respectively. The District Homeless Liaison attends the OCDE Homeless Liaison meetings and networks with other district Homeless Liaisons. The District Homeless Liaison communicates and collaborates with other district Homeless Liaisons to serve McKinney-Vento students when needed.

**F.16.:** *A significant lack of affordable permanent housing contributes to many families being caught in the cycle of homelessness.*

**Response to F.16.:** The Capistrano Unified School District agrees with the finding. Additional affordable housing and emergency shelters are needed in South Orange County. Family Assistance Ministries is a great resource in San Clemente, but more are needed.

## **RECOMMENDATIONS**

**R.1.:** *All Orange County school districts should develop a "Back to School" plan which includes mandatory McKinney-Vento Act training for all district and school administrators, teachers, office staff, and counselors by December 31, 2023, and annually thereafter.*

**Response to R.1.:** The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation. The training requirement has been added to the annual mandated training requirements for all employees and will be completed by December 31, 2023.

**R.2.:** *Participation in Orange County Department of Education (OCDE) McKinney-Vento Act training programs for all Local Education Agencies (LEA) McKinney-Vento Liaisons should be mandated by October 1, 2023, and annually thereafter.*

**Response to R.2.:** Recommendation has been implemented. McKinney-Vento Liaison participates in OCDE McKinney-Vento training as well as other California Department of Education and California's Homeless Education Technical Assistance Center (HETAC) training programs.

**R.3.:** *Given that most LEA McKinney-Vento Liaisons are responsible for a number of other duties, and do not have sufficient time to do their McKinney-Vento required work, school districts should identify ways to increase support and/or staff to address the numerous tasks of the Liaisons by October 1, 2023.*

**Response to R.3.:** Recommendation has been implemented. The Capistrano Unified School District currently allocates 0.9 full-time equivalent staff member (Special Projects and Grants Technician in the State and Federal Programs Department) dedicated solely to McKinney-Vento support and coordination.

**R.4.:** *By January 1, 2024, for children experiencing homelessness to receive uninterrupted McKinney-Vento benefits, Orange County school districts should add a section to their mandatory enrollment school form enabling parents/guardians to give permission for their school to share information regarding their child's McKinney-Vento status with other districts that their child may be attending.*

**Response to R.4.:** Recommendation will not be implemented because it is not warranted or reasonable. The Capistrano Unified School District is a K-12 system, and information sharing is not needed to serve our homeless students since services are centralized and have an appropriate system of support to ensure continuity of services across the district.

**R.5.:** *By October 1, 2023, each Orange County school district should develop and maintain a centralized list of district employees with grant application writing capability so that they are prepared to apply for available grants to assist in educating children experiencing homelessness.*

**Response to R.5.:** Recommendation will not be implemented because it is not warranted or reasonable. The Capistrano Unified School District staff have a large team with expertise in grant writing, so a centralized list of personnel is not needed. Additionally, retired staff are regularly utilized to serve in grant writing capabilities as the need arises.

**R.6.:** *By October 1, 2023, a joint task force should be formed by the OCDE comprised of a district-level administrator from each Orange County school district and leadership from non-profit organizations who serve homeless families, to address absenteeism, low test scores, and low graduation rates of children experiencing homelessness.*

**Response to R.6.:** Recommendation has not yet been implemented but will be with a time frame for implementation. Capistrano Unified will participate in OCDE-sponsored joint task force (AKA: "Steering Committee") beginning in September, 2023.

**R.8.:** *By May 1, 2024, each Orange County school district administration should develop, and present to the District Board of Education, a plan to lower the Absenteeism Rates of homeless students.*

**Response to R.8.:** Recommendation has not yet been implemented but will be with a time frame for implementation. The Capistrano Unified School District has developed a Plan to Address Attendance and Academic Achievement for Students Experiencing Homelessness. See Appendix A - Plan to Address Attendance and Academic Achievement for Students Experiencing Homelessness.

**R.9.:** *By May 1, 2024, each Orange County school district administration should develop, and present to the District Board of Education, a plan to improve the performance of homeless students in English Language Arts and Math.*

**Response to R.9.:** Recommendation has not yet been implemented but will be with a time frame for implementation. The Capistrano Unified School District has developed a Plan to Address Attendance and Academic Achievement for Students Experiencing Homelessness. See Appendix A - Plan to Address Attendance and Academic Achievement for Students Experiencing Homelessness.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris R', is written over a horizontal line.

Christopher Brown, Ed.D.  
Superintendent

cc: Orange County Grand Jury  
700 Civic Center Drive West  
Santa Ana, CA 92701