



CYPRESS SCHOOL DISTRICT

Office of the Superintendent

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August 18, 2023

The Honorable Maria D. Hernandez  
Presiding Judge  
Orange County Superior Court  
700 Civic Center Drive West  
Santa Ana, CA 92701

To the Honorable Maria D. Hernandez:

RE: Cypress School District's Response to the 2022-23 Orange County Grand Jury Report on *The ABCs of Educating Children Experiencing Homelessness in Orange County*

The Cypress School District commends the Grand Jury for its time and attention devoted to studying this very important issue and publishing the Grand Jury Report dated May 25, 2023, entitled: *The ABCs of Educating Children Experiencing Homelessness in Orange County* (Report). The district is committed to serving all students and recognizes that there are unique challenges facing children and families experiencing homelessness as well as challenges for our district and school personnel devoted to identifying and serving these students and families.

The district has thoroughly reviewed and considered the Findings and Recommendations in the Report. In accordance with California Penal Code sections 933 and 933.05, the Grand Jury has requested that the district respond to the Findings and Recommendations made in the Report. The district responds to the Grand Jury's Findings and Recommendations with the following:

**Finding 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.**

The Cypress School District partially disagrees with the finding.

The district cannot verify that "many" children experiencing homelessness in Orange County are not identified as such and therefore do not receive McKinney-Vento services. As a result, the district cannot wholly agree or wholly disagree with this finding. The district partially disagrees with this finding because it has processes and procedures in place to identify and serve students experiencing homelessness. The district provides opportunities for families to be identified under McKinney-Vento which include the annual data confirmation process for returning students and required residency questionnaires for new students. Furthermore, school office staff confirm the status of previously identified students who do not self-identify in the current school year. The district partially agrees with this finding because not all families choose to self-identify due to fear, legal status, embarrassment, or other factors. The district agrees that students whose families do not self-identify do not often receive the support and benefits authorized by the McKinney-Vento Act.

*We inspire and empower . . . Every student. Every moment. for Every opportunity!*

Board of Trustees: Candice Kern • Sandra Lee • Brian Nakamura • Lydia Sondhi, Ph.D. • Troy Tanaka

Superintendent: Anne Silavs

**Finding 2: The lack of mandatory McKinney-Vento Act training of school site office staff, counselors, and teachers contributes to a failure to identify children experiencing homelessness.**

The Cypress School District partially disagrees with the finding.

The district does not have firsthand information regarding whether or not districts across Orange County mandate McKinney-Vento training and, therefore, cannot wholly agree or wholly disagree with this finding. The district partially agrees with this finding because the training of key staff members supports the effective identification of students experiencing homelessness. The district partially disagrees with this finding because it provides annual training for key staff members (school administrators, school office staff, health assistants, and nurses) on the McKinney-Vento Act.

**Finding 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.**

The Cypress School District partially disagrees with the finding.

The district does not have firsthand information regarding whether there is a disparity across all districts in Orange County leading to unequal access to educational benefits and, therefore, cannot wholly agree or wholly disagree with this finding. The district partially disagrees with this finding because once it identifies students experiencing homelessness, families are provided with their educational rights and access to resources. Furthermore, the district ensures all of its students, including students experiencing homelessness, receive equal access to all educational benefits regardless of actual or perceived characteristics.

**Finding 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.**

The Cypress School District partially disagrees with the finding.

The district does not have firsthand information regarding the workload of McKinney-Vento Liaisons throughout the county and, therefore, cannot wholly agree or wholly disagree with this finding. The district partially agrees with this finding because, as a small elementary school district with limited resources, it does not have a dedicated, full-time McKinney-Vento Liaison. Rather, its Liaison is a full-time district administrator who is also assigned multiple non-McKinney-Vento responsibilities. The district partially disagrees with this finding because its Liaison effectively ensures the district is compliant with McKinney-Vento Act requirements.

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

The Cypress School District partially disagrees with the finding.

The district does not have firsthand information regarding the experience and turnover rate for McKinney-Vento Liaisons throughout the county and, therefore, cannot wholly agree or wholly disagree with this finding. The district partially disagrees with this finding because its McKinney-Vento Liaison has been in the position for 10 years and has extensive experience in assisting students experiencing homelessness. Furthermore, its Liaison was assigned McKinney-Vento responsibilities in the school district where she was previously employed.

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

The Cypress School District partially disagrees with the finding.

The district does not have firsthand information regarding whether or not districts across Orange County mandate McKinney-Vento training and, therefore, cannot wholly agree or wholly disagree with this finding. The district partially disagrees with this finding because its McKinney-Vento Liaison annually participates in county-level and state training.

**Finding 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.**

The Cypress School District partially disagrees with the finding.

The district does not have firsthand knowledge regarding whether or not all elementary school districts in Orange County share student information with receiving high school districts and, therefore, cannot wholly agree or wholly disagree with this finding. However, as an elementary school district, the district partially disagrees with this finding because it consistently shares information, including McKinney-Vento status, of all its matriculating sixth-grade students with the receiving high school district. Furthermore, FERPA does not prevent elementary school districts from sharing matriculating student information with the receiving high school district unless families have indicated they will be enrolling elsewhere. Under these circumstances, families authorize the release of student records to an alternative school district. Furthermore, FERPA does not prevent elementary school districts from sharing matriculating student information with the receiving high school district. FERP Subpart D, §99.31 states that an educational agency may disclose personally identifiable information from the education record of an enrolled student without consent to officials of another school, school system, or postsecondary education institution where the student seeks or intends to enroll, or where the student is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer.

**Finding 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.**

The Cypress School District partially disagrees with the finding.

The district does not have firsthand information on whether or not school districts in Orange County have employees trained in writing grant applications and, therefore, cannot wholly agree or wholly disagree with this finding. The district partially disagrees with this finding because receiving funds for McKinney-Vento services is not dependent on grant applications; therefore, employees do not require training on how to write them. Rather, funds for providing McKinney-Vento services come in the form of Supplemental Grant Funds, which are an entitlement of the Local Control Funding Formula (LCFF), and do not require a written grant application. Supplemental Grant Funds are distributed by the state based on the unduplicated count of English learners, low-income students, and foster youth enrolled in each school district. The LCFF requires school districts to write a Local Control and Accountability Plan that outlines how Supplemental Grant Funds will be expended to support these students. While the LCFF does not specifically reference "students experiencing homelessness" as a target group for whom Supplemental Grant Funds must be spent, students experiencing homelessness receive McKinney-Vento services with these funds because they are also low-income students.

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

The Cypress School District partially disagrees with this finding.

The district partially agrees with this finding because grants do exist to provide funds for additional programs and services that would benefit students experiencing homelessness. The district partially disagrees with this finding because the demographic characteristics of the student population it serves make it ineligible for most of these grants.

**Finding 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.**

The Cypress School District partially disagrees with the finding.

The district partially agrees with this finding because the McKinney-Vento Act is an unfunded mandate. The district partially disagrees with this finding because federal Title I, Part A funds awarded to qualifying school districts can be used to support students experiencing homelessness. While the district agrees it could provide more services with additional federal funding, the Title I, Part A funds it receives, in combination with state Supplemental Grant Funds, enables the district to be compliant with McKinney-Vento Act requirements.

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

The Cypress School District partially disagrees with the finding.

The district partially agrees with this finding because a lack of reliable transportation for children experiencing homelessness can result in chronic tardiness and absenteeism. The district partially

disagrees with this finding because it provides reliable transportation for students experiencing homelessness who have this need.

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

The Cypress School District agrees with this finding.

**Finding 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.**

The Cypress School District agrees with this finding.

However, as an elementary school district, it does not have firsthand information concerning high school graduation rates for students experiencing homelessness.

**Finding 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.**

The Cypress School District agrees with this finding.

However, as an elementary school district, it does not have firsthand information concerning the academic achievement levels of graduating students experiencing homelessness.

**Finding 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.**

The Cypress School District partially disagrees with the finding.

The district does not have firsthand information on whether or not school districts in Orange County operate in isolation and, therefore, cannot wholly agree or wholly disagree with this finding. The district partially disagrees with this finding because it collaborates with its receiving high school district and with other McKinney-Vento Liaisons in neighboring Orange County school districts to better address the issue of students experiencing homelessness and the challenges of their education.

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

The Cypress School District agrees with the finding.

While homelessness is a complex problem with many different causes, the district agrees that the lack of affordable permanent housing is one factor that contributes to the cycle of homelessness.

**Recommendation 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. (F1, F2, F3)**

The recommendation has been implemented. The district's McKinney-Vento Liaison provides annual, mandatory McKinney-Vento Act training for principals, school office staff, health assistants, and nurses. The recommendation to require McKinney-Vento Act training for all teachers and counselors will not be implemented because it is neither warranted nor reasonable. In the Cypress School District, identifying students experiencing homeless and providing required McKinney-Vento services is not a classroom teacher responsibility; therefore, all teachers do not require training. The district does not employ any school counselors.

**Recommendation 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. (F1, F3, F5, F6)**

The recommendation has been implemented. The district's McKinney-Vento Act Liaison annually participates in McKinney-Vento Act training that is offered by the state and the Orange County Department of Education.

**Recommendation 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. (F4)**

The recommendation will not be implemented because it is neither warranted nor reasonable. The district serves a small number of students experiencing homelessness. As a result, the district's McKinney-Vento Liaison is able to effectively complete required McKinney-Vento work even with the assignment of other duties. Hiring additional staff to do required McKinney-Vento work is unnecessary.

**Recommendation 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. (F7)**

The recommendation has been implemented. Parents are informed the district will share student information with the receiving high school district and give their passive consent during the annual data confirmation process at the beginning of each school year.

**Recommendation 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. (F8, F9, F10)**

The recommendation will not be implemented because it is neither warranted nor reasonable. The district serves a small number of students experiencing homelessness. Federal Title I, Part A and Local Control Funding Formula Supplemental Grant Funds are sufficient for providing McKinney-Vento Act services for district students experiencing homelessness.

**Recommendation 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. (F11, F12, F13, F14, F15)**

The recommendation has not yet been implemented, but will be implemented in the future if such a task force is formed by the Orange County Department of Education and the district is invited to participate. The district is unable to identify a timeframe for implementation of this recommendation as it depends upon action by the Orange County Department of Education which is beyond the district's control.

**Recommendation 7: To address one of the primary barriers to the education of minors experiencing homelessness, the County of Orange should develop a plan to increase the number of family shelters, permanent supportive housing, and low-cost/long-term housing for families by January 1, 2024. (F16)**

The recommendation is not applicable to the Cypress School District.

**Recommendation 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. (F11, F12)**

The recommendation will not be implemented because it is neither warranted nor reasonable. The state monitors school district performance in a variety of areas, including chronic absenteeism. When school districts do not meet established performance levels, they are required to develop strategies to effectively address identified needs and include them in their Local Control and Accountability Plan which is presented to the Board of Trustees annually for approval. Furthermore, the state requires individual schools that do not meet established performance levels to develop a plan for improvement that is also approved by the Board of Trustees. The recommendation to develop a separate plan to lower chronic absenteeism rates of homeless students is duplicative and unnecessary.

**Recommendation 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. (F13, F14)**

The recommendation will not be implemented because it is neither warranted nor reasonable. The state monitors school district performance in a variety of areas, including English language arts. When school

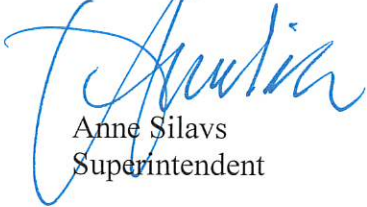
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districts do not meet established performance levels, they are required to develop strategies to effectively address identified needs and include them in their Local Control and Accountability Plan which is presented to the Board of Trustees annually for approval. Furthermore, the state requires individual schools that do not meet established performance levels to develop a plan for improvement that is also approved by the Board of Trustees. The recommendation to develop a separate plan to improve the performance of homeless students in English language arts and math is duplicative and unnecessary.

Please accept the information provided herein as the district's responses to the Orange County Grand Jury's Factual Findings and Recommendation in the Report. Once again, we appreciate the time and attention that the Grand Jury devoted to this very important issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anne Silavs".

Anne Silavs  
Superintendent