

McKinney-Vento Homeless Education



**presented by
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The Education for Homeless Children and Youth (EHCY) program is authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) (McKinney-Vento Act). The McKinney-Vento Act was originally authorized in 1987 and most recently re-authorized in December 2015 by the Every Student Succeeds Act (ESSA).

The McKinney-Vento Act is designed to address the challenges that homeless children and youths have faced in enrolling, attending, and succeeding in school. Under the McKinney-Vento Act, state educational agencies (SEAs) must ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youths. Homeless children and youths must have access to the educational and related services that they need to enable them to meet the same challenging State academic standards to which all students are held.



Local Liaisons

Every local educational agency (LEA) must designate a liaison, whose duties include:

- Identify McKinney-Vento students.
- Post public notice of McKinney-Vento rights to parents and youth.
- Provide professional development and support on McKinney-Vento to school staff.
- Connect young children to preschool, Head Start, and early intervention.
- Connect families and youth to housing, health, mental health and other services. 11432(g)(6)
- Liaisons must be “able to carry out” their duties. 11432(g)(1)(J)(ii)
- Liaisons must participate in that professional development as determined by the State Coordinator. 11432(g)(1)(J)(iv)



Additional Duties

- Maintain records of all homeless students, services for these students (Birth Certificate, school records, food, clothing, etc.) and records of any transportation.
- Maintain records of all fees that are waived for identified homeless students.
- Contact businesses, churches, and civic clubs in the community to create collaborations for the program. Maintain collaboration forms for each group. Liaison also must collaborate with others in the district---Title 1, Special Ed., Federal Programs Coordinator, and others. Keep a list of all donations received.



McKinney-Vento Definition of Homeless

Children and youth who lack a *fixed, regular, and adequate nighttime residence*. 11434a(2)

- Sharing the housing of others due to loss of housing, economic hardship, or similar reason.
- Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations.
- Living in emergency or transitional shelters.
- Living in a public or private place not designed for or regularly used as accommodations.
- Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or similar settings.
 - What is substandard? Check utilities; infestations; mold; dangers.



Definition of Unaccompanied Youth

Child or youth who meets the McKinney-Vento definition of homelessness and is not in the physical custody of a parent or guardian. 11434a(6)

- Youth run away due to abuse or neglect.
- Parents force youth out of the home due to conflicts.
- The circumstances of homelessness force families apart.



Identification Tips

- **Training, training, training.**
- Don't say homeless!
- School counselors, registrars, teachers, bus drivers, resource officers, nurses, drop out prevention specialists, attendance officers, principals, food service staff...
 - Educate students, parents and community partners.
 - Put information on the school and district websites.
 - Posters in school buildings, libraries, motels, camp grounds, service providers. Order posters at:
https://nche.ed.gov/online_order.php
 - Meet with teen parent programs, LGBTQ youth organizations, youth organizations, homeless service providers, health, housing and social service agencies.
- Use housing questionnaires upon enrollment of every student.
- Ask about preschool-aged siblings.



State Housing Form



HOUSING INFORMATION FORM

Your answers will help determine if the student meets eligibility requirements for services under the McKinney-Vento Act.

List all children in your family birth through age 21.

Name of Child	School	Age	Grade	Date of Birth



Immediate Enrollment

- McKinney-Vento students are entitled to immediate enrollment in any public school that students living in the same attendance area are eligible to attend, even if: 11432(g)(3)(C)
 - Students do not have required documents, such as school records, records of immunization and other required health records, proof of residency, guardianship, or other documents; or
 - Students have missed application or enrollment deadlines during any period of homelessness.
- “Enrollment” includes attending classes and participating fully in school activities. 11434a(1)
- The liaison must assist in obtaining immunization and other health records or screenings, and immunizations if needed; the student must be enrolled in the interim. 11432(g)(3)(C)(iii)



Immediate Enrollment continued

- Immediate enrollment applies even without parent or guardian.
11432(g)(1)(H)(iv)
 - Typically, unaccompanied youth enroll themselves.
- Enrolling schools must obtain school records from the previous school; the student must be enrolled while records are obtained. 11432(g)(3)(C)(ii)
- Immediate enrollment applies to preschools, as long as there is space.
 - McKinney-Vento children should be prioritized on wait lists.
 - Some preschool programs holds slots open for McKinney-Vento children.
- Head Start, Early Head Start and subsidized child care programs (CCDF) have special requirements for children experiencing homelessness.
- **Residency forms are distributed at the beginning of each year. Districts must identify each year!**



Determining Eligibility

Step 1: Get the facts. What is the family's or youth's situation?

- Explain that the purpose for asking questions about their living arrangement is to determine if they are eligible for some additional educational supports and request that the parent/guardian or youth provide you with the information needed to make a determination.
- Respect the family's or youth's privacy by talking to them in a private space where other students and faculty members cannot overhear the conversation.
- Do not contact persons or agencies outside the school system to obtain information about the student's living situation; this likely would violate the family's or youth's privacy and dignity as well as the Family Education Rights and Privacy Act (FERPA).



Eligibility continued

Step 2: Analyze the facts. Is the student eligible for McKinney-Vento services?

- Determining whether a particular child or youth fits the definition of homeless is done on a case-by-case basis.
- Does the family or youth's living situation fit into one of the specific examples of homelessness listed in the law?
- If the child's, family's, or youth's situation does not fit the examples provided in the definition, is the child or youth living in another type of situation that is not fixed, regular, and adequate?



Regular, Fixed, Adequate

Fixed residence: one that is stationary, permanent, and not subject to change.

Regular residence: one which is used on a regular (e.g., nightly) basis.

Adequate residence: one that is sufficient for meeting both the physical and psychological needs typically met in home environments.



Disputes

If a dispute arises over eligibility, school selection or enrollment (including full participation), or if the LEA determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent, guardian or youth:

- The parent, guardian or unaccompanied youth must be provided a written explanation of decisions made by the school, LEA or SEA, and how to appeal them, in a manner and form understandable to the parent, guardian, or youth.
- The parent, guardian or youth must be referred to the liaison, who must carry out the dispute resolution process as expeditiously as possible.



Disputes continued

- The student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute (including all available appeals).
- The liaison shall ensure unaccompanied youth are immediately enrolled pending resolution of the dispute. 11432(g)(3)(E); 11432(g)(3)(B)(iii)
- Notice and written explanation from the LEA about the reason for its decision will be provided to parent or unaccompanied youth.



Written Explanation

An explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, which should include:

- A description of the action proposed or refused by the school;
- An explanation of why the action is proposed or refused;
- A description of any other options the school considered;
- The reasons why any other options were rejected;
- A description of any other factors relevant to the school's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources;
- Appropriate timelines to ensure any relevant deadlines are not missed.





School of Origin

The school attended when permanently housed or the school in which last enrolled, including a preschool. 11432(g)(3)(I)

Includes the designated receiving school at the next grade level for all feeder schools, when the student completes the final grade level served by the school of origin.

What is a “preschool”?

- Publicly-funded program for children 0-5 for which the LEA is a financial or administrative agent, or is accountable for providing early childhood education.
- Preschools operated, administered or funded by an LEA, including funded by Title I or similar govt. grants.
- Head Start programs receiving LEA funding or for which the LEA is the grant recipient.
- Preschool special education.
- LEA funded or administered home-based early childhood services.



Remaining in the School of Origin

Each LEA shall, according to the child's or youth's best interest:

- Keep the student in the school of origin for the duration of homelessness, and until the end of the academic year in which the student becomes permanently housed; or
- Enroll the student in any public school that housed students living in the attendance area where the student is living are eligible to attend.

11432(g)(3)(A)



Best Interest Determination

In determining best interest, the LEA shall:

- Presume that keeping the student in the school of origin is in the student's best interest. 11432(g)(3)(B)(i)-(ii)
 - Unless contrary to the request of the parent, guardian, or unaccompanied youth.
- Consider student-centered factors, including the impact of mobility on achievement, education, health, & safety.
 - For preschool children, consider attachment to teachers; availability and quality of services in the new area; and travel time.
- Give priority to the request of an unaccompanied youth.
- Give priority to the request of the parent/guardian.



School of Origin Transportation

LEAs must provide transportation to and from the school of origin (including preschools), including until the end of the year when the student obtains permanent housing, at a parent's or guardian's request (or at the liaison's request for unaccompanied youth).

- Even if transportation is not typically provided.
- If staying in the same LEA, that LEA must provide or arrange transportation to the school of origin.
- If crossing LEA lines, both LEAs must determine how to divide the responsibility and share the cost, or they must share the cost equally.

11432(g)(1)(J)(iii)



Transportation (cont.)

- LEAs must provide transportation to extra-curricular activities if lack of transportation is a barrier.
- LEAs also must provide students in homeless situations with transportation services comparable to those provided to other students.
11432(g)(4)(A)
- Transportation must be arranged promptly to ensure immediate enrollment and not create barriers to attendance, retention or success.



Title I, Part A

- McKinney-Vento students attending *any* school in the LEA are automatically eligible for Title IA services. 20 USC 6315(c)(2)(E)
- All LEAs that receive Title IA funds must set-aside the funds necessary to provide McKinney-Vento students with services comparable to services provided in Title IA schools. 20 USC 6313(c)(3)
 - Amount must be based on the total LEA allocation prior to expenditures or transfers.
 - Amount must be sufficient to provide comparable services to homeless students, regardless of other services provided with reserved funds.



Title I Plans for the LEA

- Must describe the services provided to McKinney-Vento students, including with reserved funds, to support their enrollment, attendance and success. 20 USC 6312(a)(1); (b)(6)
- Must be coordinated with McKinney-Vento programs.
- Should describe the method used to determine the amount of the set-aside for students experiencing homelessness;
- Should describe how the liaison was involved in determining the amount.



Title I Set-Aside

- LEA set-aside amounts may be determined based on a needs assessment that reviews homeless student enrollment averages and trends over 2-3 years and multiplies by the average per-pupil cost of providing Title I services.
- The needs of McKinney-Vento students should be reviewed at least twice per school year.
- Each year's set-aside should include an evaluation of the effectiveness of past activities in accomplishing the goals of both Title I and McKinney-Vento for individual students and the overall programs.



Title I Funds

Funds may be used: 20USC6313(c)(3)

- For McKinney-Vento children and youth attending *any* school in the LEA.
- For services not ordinarily provided to other students.
- To fund the McKinney-Vento liaison.
- To provide transportation to the school of origin.
- For educationally related support services, including preK.

Services must be reasonable and necessary to enable homeless students to take advantage of educational opportunities.



Financial Aid for College

Liaisons and counselors must ensure unaccompanied youth are informed they qualify as independent students for the FAFSA and assist the youth in obtaining verification of that status. 11432(g)(6)(A)(x)(III);

- Unaccompanied youth can complete the FAFSA without parental signature or income information.
- They need verification that they are unaccompanied and homeless from a liaison, shelter provider, or financial aid administrator.



Foster

Below are the basics to guide Arkansas as you transition away from qualifying students who are Awaiting Foster Care Placement (AFCP) as McKinney-Vento eligible.

As of December 10, 2017:

- Students who were AFCP but obtained permanent housing prior to December 10 will continue to be served under McKinney-Vento just as any other previously homeless student who has obtained permanent housing.
- Students who were AFCP and remain in the same housing situation will no longer be eligible for McKinney-Vento services because they do not meet the revised McKinney-Vento eligibility criteria.
- Students who do not meet the McKinney-Vento eligibility criteria and are not in foster care will not be served under McKinney-Vento or Title I.
- Students who are in foster care must be served under the Title I school stability provisions of ESSA.



Foster (cont.)

Because Arkansas provided students who were Awaiting Foster Care Placement (AFCP) and those who were in foster care with the same services, the Arkansas education point of contact will need to work closely with the state child welfare agency point of contact to determine which students are in foster care vs AFCP. The following definition should guide those decisions.



Foster (cont.)

“Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the Title IV-E [child welfare] agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and preadoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, Tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made” (Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351)).



References

National Center for Homeless Education (NCHE): NCHE operates the U.S. Department of Education's technical assistance center for the Education for Homeless Children and Youth program. NCHE provides a comprehensive website, webinars, onsite trainings, and publications that are updated on a regular basis. NCHE also hosts a listserv that provides updates, announcements, and links to resources. A Helpline to assist those who serve homeless children and youth with understanding and implementing the law is available via both phone (800-308-2145) and email (homeless@serve.org). <https://nche.ed.gov/>



References (cont.)

National Association for the Education of Homeless Children and Youth (NAEHCY): NAEHCY is a leader in advocacy and policy development in the area of homeless education. NAEHCY provides publications and activities to keep members abreast of emerging issues and proposed policy changes. In partnership with NCHE, NAEHCY hosts an annual conference that brings State Coordinators, local homeless liaisons, shelter and service providers, researchers, and advocates together to learn and network.

<http://naehcy.org/>

School House Connections

<http://www.schoolhouseconnection.org/>

Hear Us

<http://hearus.us/>



Recommendations from the National Center for Homeless Education

Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act (Education for Homeless Children and Youths) 42 U.S.C. §§ 11431-11434a <http://uscode.house.gov>

Education for Homeless Children and Youth Program Non-Regulatory Guidance

U.S. Department of Education

<https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716updated0317.pdf>

Issue Brief: *Local Homeless Education Liaisons*

<http://nche.ed.gov/downloads/briefs/liaisons.pdf>

Issue Brief: *Local Homeless Liaisons: Important Information for New Liaisons*

<http://nche.ed.gov/downloads/briefs/new-liaisons.pdf>

Issue Brief: *Local Homeless Liaisons: Making the Right Selection and Supporting Their Effectiveness*

<http://nche.ed.gov/downloads/briefs/liaison-selection.pdf>

Issue Brief: *Determining Eligibility for Rights and Services under the McKinney-Vento Act*

http://nche.ed.gov/downloads/briefs/det_elig.pdf

Issue Brief: *School Selection*

http://nche.ed.gov/downloads/briefs/sch_sel_checklist.pdf



Please take time to fill out an evaluation form for this conference at:
<https://www.surveymonkey.com/r/Y9NXYNL>

A Certificate of Attendance will be emailed to all attendees.

Creating Connections-Building Bridges...Together



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