

Homeless Education 101: A Closer Look at McKinney-Vento Requirements

Georgia Department of Education
Homeless Education Conference
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Georgia's Systems of Continuous Improvement



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Georgia's School Superintendent
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Georgia

Education

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General Overview McKinney-Vento Law

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General Overview McKinney-Vento Law



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SEAs and LEAs must develop, review and revise their policies to remove barriers to the enrollment and retention of children and youth in homeless situations. [722(g)(1)(I)]

- Immediate enrollment of homeless students, regardless of missing documentation.
- Transportation to and from the “school of origin.”
- Homeless children and youth are not stigmatized or segregated on the basis of their status as homeless.

General Overview McKinney-Vento Law



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- Definition of Homeless Students
- Individuals whose nighttime residence is NOT:
 - Fixed—stationary, permanent, and not subject to change
 - Regular—used on a predictable, routine, or consistent basis
 - Adequate—sufficient for meeting both the physical and psychological needs typically met in the home (42 U.S.C. §11434A(2)(B)(i))

Can the student go to the SAME PLACE (fixed) EVERY NIGHT (regular) to sleep in a SAFE AND SUFFICIENT SPACE (adequate)?

General Overview

McKinney-Vento Law



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The homeless definition includes children and youth who are:

- **Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;**
- **Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations;**
- **Living in emergency or transitional shelters;**
- **Abandoned in hospitals;**

General Overview

McKinney-Vento Law



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The definition also includes children and youth who are:

- **Living in 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;**
- **Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus stations, train stations, or similar settings;**
- **Migratory – who qualify as homeless living in circumstances described above.**

McKinney-Vento Act



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Definition of Unaccompanied Homeless Youth (UHY)

- **Unaccompanied = not in the physical custody of a parent or guardian; in practical terms, this means the youth does not live with the parent or guardian.**
- **2-Step Process:**
 1. **Does the student's living arrangement meet the McKinney-Vento Act's definition of homeless?**
 2. **Once homelessness is determined, is the student unaccompanied?**

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General Overview McKinney-Vento Law



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Unaccompanied Youth

- Unaccompanied youth have the same rights as other students experiencing homelessness
- Unaccompanied youth have run away from home, been thrown out of their homes, and/or been abandoned by parents or guardians. These young people are separated from their parents for a variety of reasons:
 - Over half report being physically abused at home
 - Over one third report sexual abuse
 - Over two-thirds report that at least one of their parents abuses drugs or alcohol

Program Accountability

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Accountability



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- **ENVIRONMENT CODE** indicates the type of residential environment in which a student resides or the type of school the student attended at anytime during this school year at this school. Code only those students for whom one of the codes below apply. For students where codes do not apply, leave blank.
- **Data Element ID: STU045**
- **Layout ID: C045**

Environment Code	Description
1	Resides in a local institution for neglected
2	Resides in a local institution for delinquent
3	Homeless
4	Unaccompanied Homeless Youth

Accountability



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Primary Nighttime Residence

- Shelters
 - Transitional housing, Awaiting Foster Care
- Doubled-up
 - Living with another family
- Unsheltered
 - Cars, Parks, Campgrounds, Abandoned buildings, Temporary trailer
- Hotels/Motels

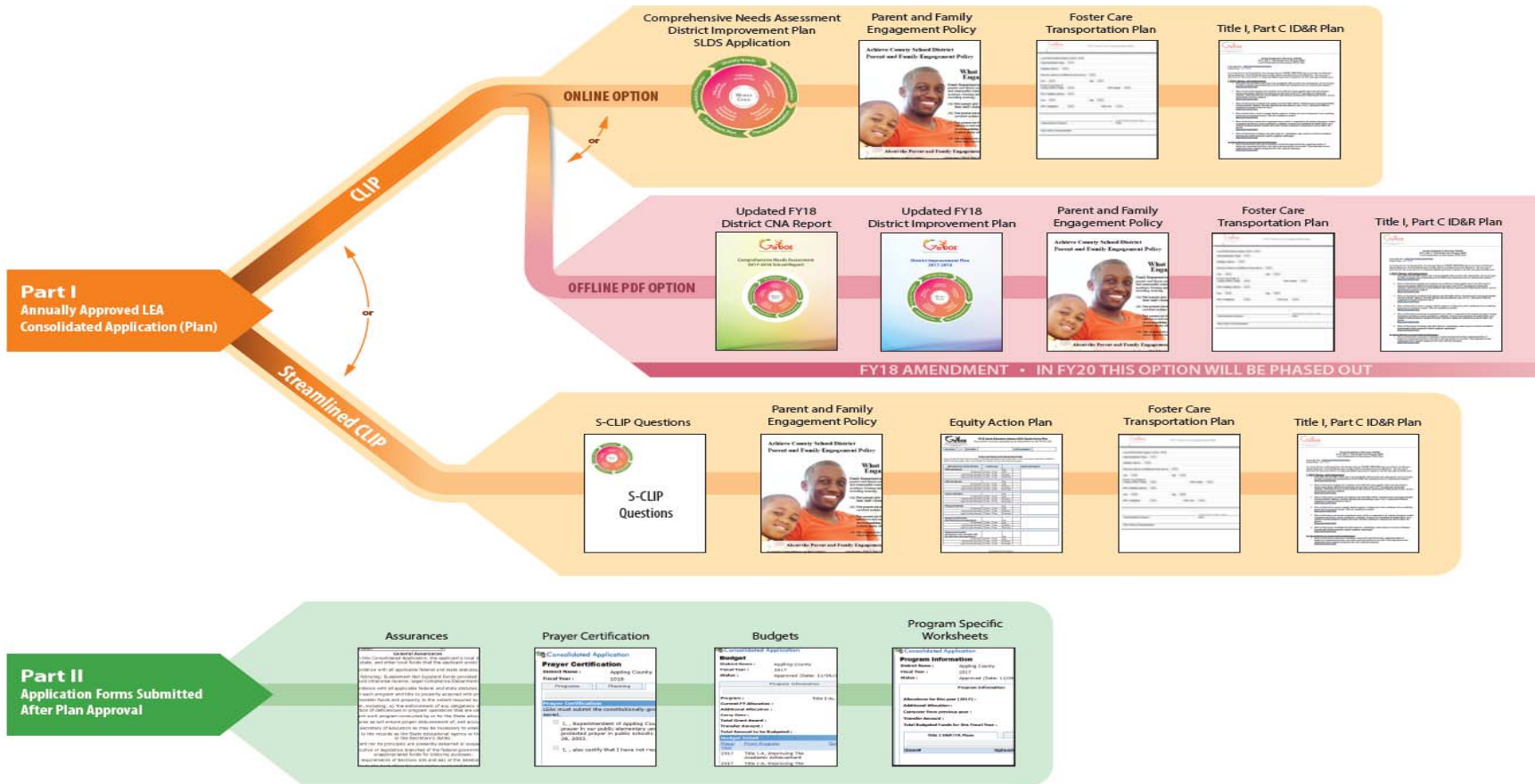
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Accountability: CLIP



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What is the Consolidated LEA Improvement Plan (CLIP) for FY19?



Accountability: CLIP

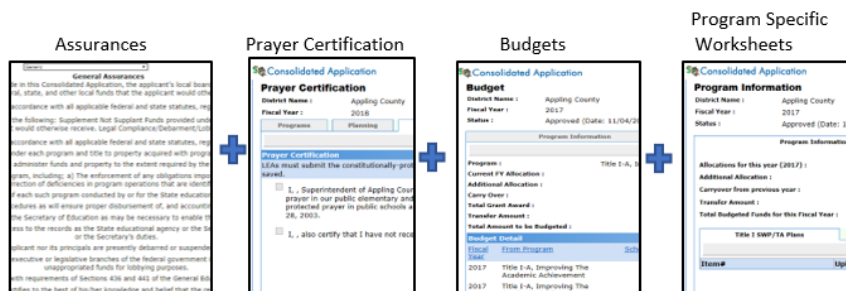


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Part I – Annually Approved LEA Consolidated Application (Plan)



Part II – Application Forms Submitted After Plan Approval



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GaDOE Annual Compliance Monitoring

- Homeless Policy
 - Identification
 - School Selections
 - Immediate Enrollment
 - Transportation to/from school of origin
 - Dispute resolution process
 - **Credit for full or partial coursework**
- All compliance areas
 - Liaison designated and reported to GaDOE
 - Public notice provided
 - Title I and other comparable services provided
 - All levels of staff trained on requirements of HCY
 - Referrals made to appropriate agencies for, preschool, medical, dental, etc.
 - Homeless set-aside

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Common Disputes

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Common Disputes



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Eligibility

Transportation

Immediate Enrollment

Best Interest
Determinations

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Common Disputes



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Student Eligibility

- Lack of verifiable address to assess school of origin
- Lack of history of economic hardship
- Refusal of student, parent, or guardian to provide required information

Immediate Enrollment

- Missing school records (academic or immunization)
- School capacity concerns
- Suspected fraud
- School attendance zone concerns

Common Disputes



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Transportation

- Cost
- Bus routing delays
- Mileage or fuel cost reimbursement methods
- Lack of inter-district collaboration

Best Interest Determination

- Special Education needs
- Full participation in school
- Distance
- Transportation

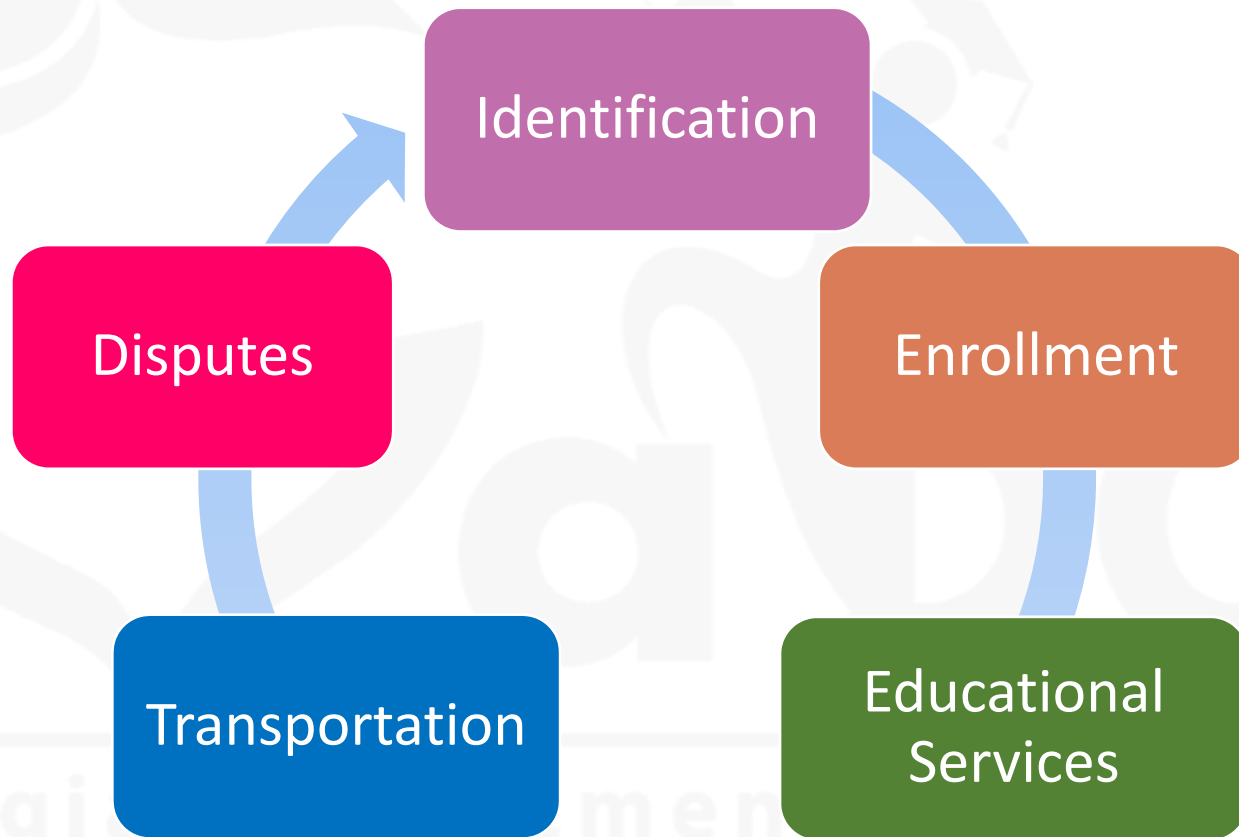
Identification

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McKinney-Vento Objectives and Services



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Identification

Identification Strategies

- Enrollment procedures
 - Questionnaire
 - Interviews
- Building awareness with all staff
 - Bus drivers
 - Teachers
 - Cafeteria workers
 - Etc.
- Coordination with agencies
 - CPS
 - Police
 - Shelters
 - Refugee Resettlement

Identification

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Identification



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Primary Nighttime Residence Definitions:

- **Sheltered:** Students living in temporary shelters, such as homeless shelters, domestic violence shelters, or transitional housing programs, or temporary foster care placements.
- **Doubled Up:** Students temporarily sharing the housing of other persons (friends or relatives) due to loss of housing, economic hardship, or a similar reason.
- **Unsheltered:** Students living in abandoned buildings, campgrounds, and vehicles, inadequate trailer parks, bus and train stations, substandard housing or abandoned in the hospital.
- **Hotel/Motel:** Students temporarily living in a hotel or motel due to lack of alternative adequate accommodations.

Identification



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Potential Warning Signs of Homelessness

- **Lack of Continuity in Education**
 - Lack of personal records needed to enroll
 - Attendance at multiple schools
 - Poor organizational skills
 - Gaps in skill development
- **Poor Health, Nutrition, and/or Hygiene**
 - Lack of immunizations or immunization records
 - Unmet medical and dental needs
 - Wearing the same clothes for several days
 - Inconsistent grooming- well groomed one day, poorly groomed the next day

Identification



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Potential Warning Signs of Homelessness

- **Social and Behavioral Concerns**
 - Extreme shyness
 - Difficulty socializing with classmates
 - Anxiety late in the school day
 - Protective of parents
 - Clinging behavior
 - Poor/short attention span
- **Reactions or Statements by Parents, Guardians, or Children**
 - "I don't remember the name of our previous school."
 - "We're staying with relatives until we get settled."
 - "We've been moving around a lot."
 - "Our address is new; I can't remember it."

Identification



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Plyler v. Doe [457 U.S. 202 (1982)]

- Undocumented children and youth have the same right to attend public primary and secondary schools as U.S. citizens and are covered by the McKinney-Vento Act to the same extent as other children and youth.
- "It is well established that states cannot exclude children who are undocumented immigrants from public schools, *Plyler v. Doe*, 457 U.S. 202 (1982), and Proposition 200 does not attempt to do so."

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Impact of Homelessness on Children...

- 83% of homeless children have been exposed to at least one serious violent event
- Four times more likely to have health problems
- Twice as likely to go hungry
- Three times more likely to have emotional and behavioral problems
- Fewer than 25% of homeless children graduate from high school

Merkert and Wintermute - CLN Kids, 2015

Identification



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Impact of Homelessness on Children...

- Half of homeless mothers experience severe depression
- One-third of mothers have made at least one suicide attempt
- Over one-third have a chronic physical health condition
- 30% of homeless adults in the U.S. were foster children; these adults are twice as likely to have their own children placed in foster homes
- 30% of foster care children could return home – if they had a home

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Identification



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Scenario

Sam is a 17- year- old high school senior in Shaw County. At the beginning of the school year Sam's mother left Georgia to move to San Diego to live with her boyfriend. Sam initially lived alone in the apartment that he shared with his mother because she continued to pay rent; however, Sam was recently evicted because his mother refused to pay for the apartment. Sam has been sleeping on the couch at a friend's house in Sampson County, (the neighboring community to Shaw that is 35 minutes away), but he wants to continue attending Shaw High School. Sam has contacted Sabrina, the Homeless Education Liaison in Shaw County to find out if he is eligible for McKinney-Vento services.

- **Is Sam eligible for McKinney-Vento services?**
- **What additional information might be needed to assist Sam?**
- **What other services should Sabrina consider when working with Sam?**
- **What LEA departments or administrators should Sabrina consult with in preparation to work with Sam? (In Shaw County or in Sampson County?)**

School Selection

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School Selection



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Placement Options

- **School of Origin**
 - The term school of origin means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled. [722(g)(3)(G)]
- **School of Residency**
 - The school designated for the attendance area in which the student currently resides.

Local Educational Agencies (LEAs) must keep students in homeless situations in their school of origin unless it is against the wishes of the student's parent or guardian.

[722(g)(3)(B)(i)]

School Selection



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Best Interest

In determining the best interest of the child or youth, the local educational agency shall:

- Keep a homeless child or youth in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian
- Provide a written explanation, including a statement regarding the right to appeal to the homeless child's or youth's parent or guardian, if the local educational agency sends such child or youth to a school other than the school of origin or a school requested by the parent or guardian
- In the case of an unaccompanied youth, ensure that the homeless liaison assists in placement or enrollment decisions considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal

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Factors

The placement determination should be a student-centered, individualized determination. Factors that an LEA may consider include:

- The age of the child or youth
- The distance of a commute and the impact it may have on the student's education
- Personal safety issues
- A student's need for special instruction (e.g., special education and related services)
- The length of anticipated stay in a temporary shelter or other temporary location
- The time remaining in the school year

Enrollment

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Enrollment



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Each local education agency liaison for homeless children and youth shall ensure that...

(ii) homeless children and youth enroll in, and have a full and equal opportunity to succeed in, schools of that local education agency. [722(g)(6)(A)(ii)]

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Enrollment

Immediate

Children and youth have the right to enroll in school immediately, even if they do not have required documents, such as school records, medical records, proof of residency, or other documents.
[722(g)(3)(C)(i)]

- If a student does not have immunizations, or immunization or medical records, the liaison must immediately assist in obtaining them, and the student must be enrolled in school in the interim. [722(g)(3)(C)(iii)]
- Enrolling schools must obtain school records from the previous school, and students must be enrolled in school while records are obtained. [722(g)(3)(C)(ii)]
- Schools must maintain records for students who are homeless so they are available quickly. [722(g)(3)(D)]



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Enrollment



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Scenario

Marie and her three children moved from Mississippi to Menlo County Georgia to flee domestic violence. When Marie arrived at the office of the LEA's school registrar for assistance, the registrar required Marie to provide proof of residency and immunization records for her children before she would enroll them. Marie is very hesitant and refuses to provide any information to the registrar. Marie becomes irate and during the course of the following week, she visits the LEA's central office three times to demand assistance.

- **What are the next steps that Central Office staff at the LEA should take to assist Marie?**
- **Based upon the facts provided, are Marie's children eligible for McKinney-Vento classification?**
- **What should Marie be required to provide in accordance with the McKinney-Vento Act?**
- **What key questions should LEA staff be prepared to ask Marie when attempting to provide assistance?**

Educational Services

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Educational Services



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Each local education agency liaison for homeless children and youth, designated under paragraph (1)(j)(ii), shall ensure that –

Homeless families, children, and youth receive educational services for which such families, children, and youth are eligible, including Head Start and Even Start programs and preschool programs administered by the local educational agency, and referrals to health care services, dental services, mental health services, and other appropriate services; [722(g)(6)(A)(iii)]

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- **Title I**

- A child or youth who is homeless and is attending any school in the district is automatically eligible for Title I services. [1115(b)(2)(E)]
- This includes support services and supplemental educational programs such as tutoring, summer school, preschool, after-school programs and flexible learning programs (FLP), if applicable. FLP is available at Priority Schools and Focus Schools.

- **Free and Reduced Breakfast/Lunch**

- For LEAs with National School Lunch Programs
- As of 2002, USDA policy permits liaisons to obtain free school meals for students by providing a list of names of students experiencing homelessness with dates.
- This became law with The Child Nutrition and WIC Reauthorization Act of 2004
- <http://frac.org/federal-foodnutrition-programs/snapfood-stamps/homeless-persons-rights-under-the-snapsnapfood-stamp-program/>

Educational Services



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- English Acquisition Services/ELL
- Migrant
- Gifted
- Counseling
- Head Start/Even Start
 - Liaisons must ensure that families and children receive Head Start, Even Start programs and preschool programs. [722(g)(6)(A)(iii)]
- Preschool
- Special Education (if eligible)

Transportation

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Transportation



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- Local homeless education liaisons must ensure that the parent or guardian of a homeless child or youth, or any unaccompanied homeless youth, is fully informed of all transportation services, including transportation to and from the school of origin, and is assisted in accessing transportation to the school selected
- Local educational agencies (LEAs) must provide students experiencing homelessness with transportation to and from their schools of origin, if requested by a parent or guardian, or if requested by the local liaison on behalf of an unaccompanied homeless youth

Transportation



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Interdistrict Collaboration

- In cases where it is determined to be in a student's best interest to attend the school of origin, but the student is living in another LEA, the LEA of origin and the LEA in which the student is living must agree upon a method to apportion the responsibility and costs for providing transportation to and from the school of origin
- If the LEAs are unable to reach an agreement, the responsibility and costs for transportation must be shared equally

Transportation



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- If the student's temporary residence and the school of origin are in the same LEA, that LEA must provide or arrange the student's transportation to and from the school of origin
- If the student is living outside of the school of origin's LEA, the LEA where the student is staying and the school of origin's LEA must determine how to divide the responsibility and cost of providing transportation, or they must share the responsibility and cost equally
- In addition to providing transportation to the school of origin, LEAs must provide students in homeless situations with transportation services comparable to those provided to other students. (e.g. After school activities, summer school)



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Transportation

Scenario

Janice was subleasing her apartment from an owner who did not pay the mortgage, causing the property to go into foreclosure. After being evicted, Janice and her two children Jessica and John, move to an extended-stay hotel on the opposite side of Jolly County. Both children attend the local elementary school. Jackie Johnson, the homeless liaison provides public transportation vouchers until the bus routes can be arranged. Once the route is arranged, Jackie notifies Janice and gives her the logistical information regarding pick-up times and locations. Janice protests and insists that Jolly County keep providing the public transportation vouchers.

- **Are Jessica and John eligible for McKinney-Vento services?**
- **If Jessica and John are eligible, does Janice have a right to the public transportation vouchers?**
- **What additional steps would you take as the Homeless Education Liaison?**

Dispute Procedures and Appeals

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Dispute Procedures and Appeals



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Level I: Liaison Communication

- The parent or unaccompanied youth will file a request for dispute resolution with the District's Liaison by submitting an appropriate form
- The parent or youth may seek the advice of an attorney or advocate during this process
- Within five (5) business days of their receipt of the complaint, the Liaison should make a decision on the complaint and inform the parent or unaccompanied youth in writing of the result
- If the parent or unaccompanied youth disagrees with the decision made at this level, the parent or unaccompanied youth shall notify the District's Liaison of their intent to proceed to Level II within ten (10) business days of the Level I decision

Dispute Procedures and Appeals



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Level II: District Superintendent Communication

- The parent or unaccompanied youth may appeal the decision to the Superintendent, or the Superintendent's designee (the designee shall be someone other than the District's Liaison) using the appeals package provided at Level I
- The Superintendent or designee, will provide a decision in writing to the parent or unaccompanied youth with supporting evidence and reasons, within ten (10) business days of the Superintendent's or the designee's receipt of the appeals packet
- A copy of the appeals package, along with the written decision made at Level II is to be shared with the District's Liaison
- If the parent or unaccompanied youth disagrees with the decision made at Level II, the parent or unaccompanied youth shall notify the District's Liaison of their intent to proceed to Level III

Dispute Procedures and Appeals



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Level III: Georgia Department of Education, Deputy Superintendent of Teacher and Student Support Communication

- The District Superintendent or designee should forward all written documentation and related paperwork to the GaDOE Deputy Superintendent for School Improvement ("Deputy Superintendent") for review, within ten (10) business days of being informed that the parent or unaccompanied youth would like to appeal the decision
- The Deputy Superintendent will review all materials and address the issues in the dispute within ten (10) days from the receipt of a written request for resolution.
- If the issue is not resolved after the Deputy Superintendent submits his or her written review, the Deputy Superintendent may assign members of the Georgia Department of Education to make an on-site visit to further clarify or resolve the issue.

Dispute Procedures and Appeals



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- All disputes must be resolved within 60 days of initial presentment to the Department, unless a written extension is granted.
- If the dispute remains unresolved or is appealed after the Deputy Superintendent has issued his or her decision, the State Board of Education will review, hear, and rule on grievances from parents, students, or local boards of education.
- The student, parent, guardian, or local board must submit the request in writing within 30 days of the decision of the Deputy Superintendent to the Office of Legal Services at the Department of Education at the following address:

Office of Legal Services
2052 Twin Towers East
Atlanta, Georgia 30334
Tel. (404) 656-4689
Fax (404) 657-8376

Credit for Full or Partial Coursework

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Full / Partial Coursework



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A description of procedures that ensure that...

(ii) youths described in section 725(2) and youths separated from public schools are identified and accorded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youths described in this clause from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies. [722(g)(1)(F)]

Full / Partial Coursework



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LEAs should:

- Review existing policies regarding awarding full and partial coursework credit
- Revise any policies that act as a barrier to the fulfillment of the federal requirement to award full and partial coursework credit for students experiencing homelessness
- Modify existing McKinney-Vento policy to include written procedures to award full and partial coursework credit for students experiencing homelessness

Questions



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