

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

Georgia Department of Education
Homeless Education Conference
September 24, 2019

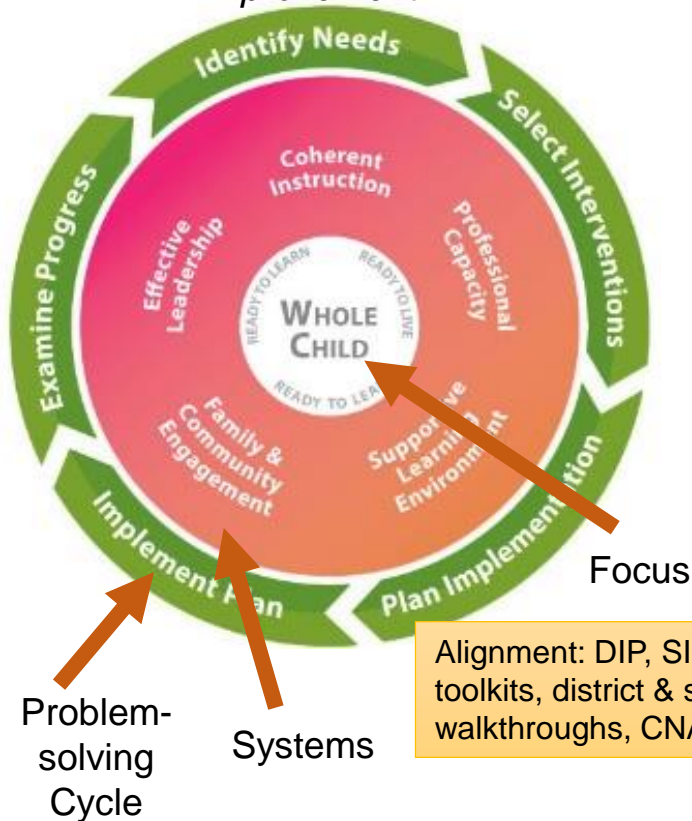
Presented by:

Eric McGhee, Grants Program Manager

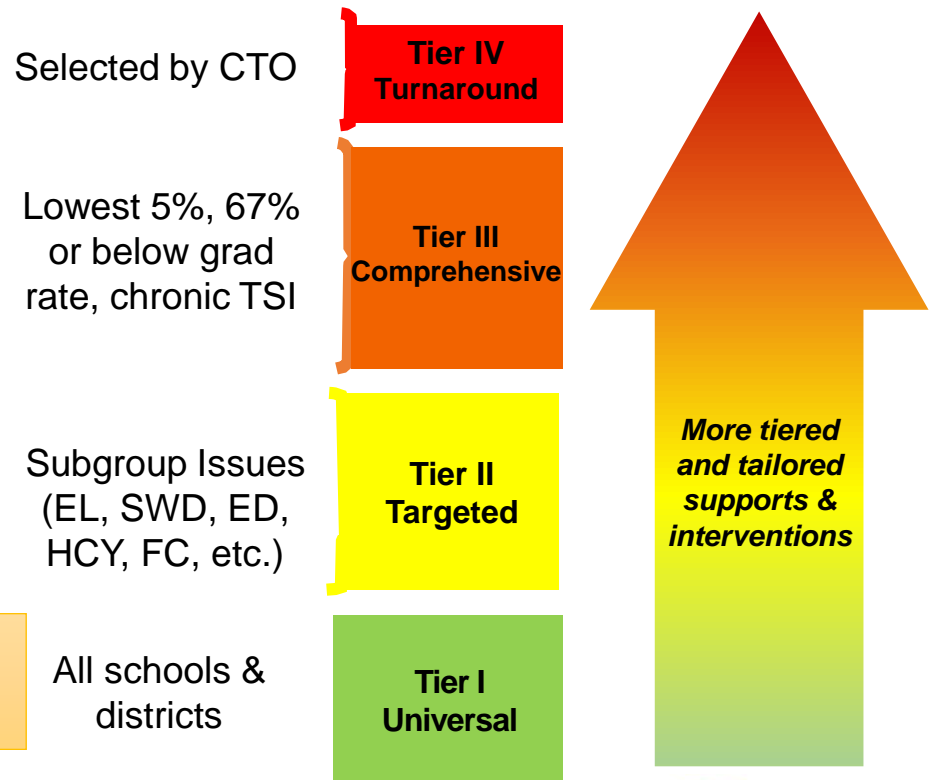
Background

GaDOE commitment to continuous improvement in ESSA

Georgia's Systems for Continuous Improvement –
A common framework for improvement



Georgia's Tiered System of Supports –
All Students, All Schools, All Districts – All Hands on Deck!



Content

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McKinney-Vento Law**
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- **Common Disputes**
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- **Enrollment**
- **Transportation**
- **Dispute Procedures and
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- **Full or Partial
Coursework**
- **Questions and
Discussion**

General Overview McKinney-Vento Law

General Overview McKinney-Vento Law

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

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;
- 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.

General Overview

McKinney-Vento Law

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?

General Overview McKinney-Vento Law

HUD and ED McKinney-Vento

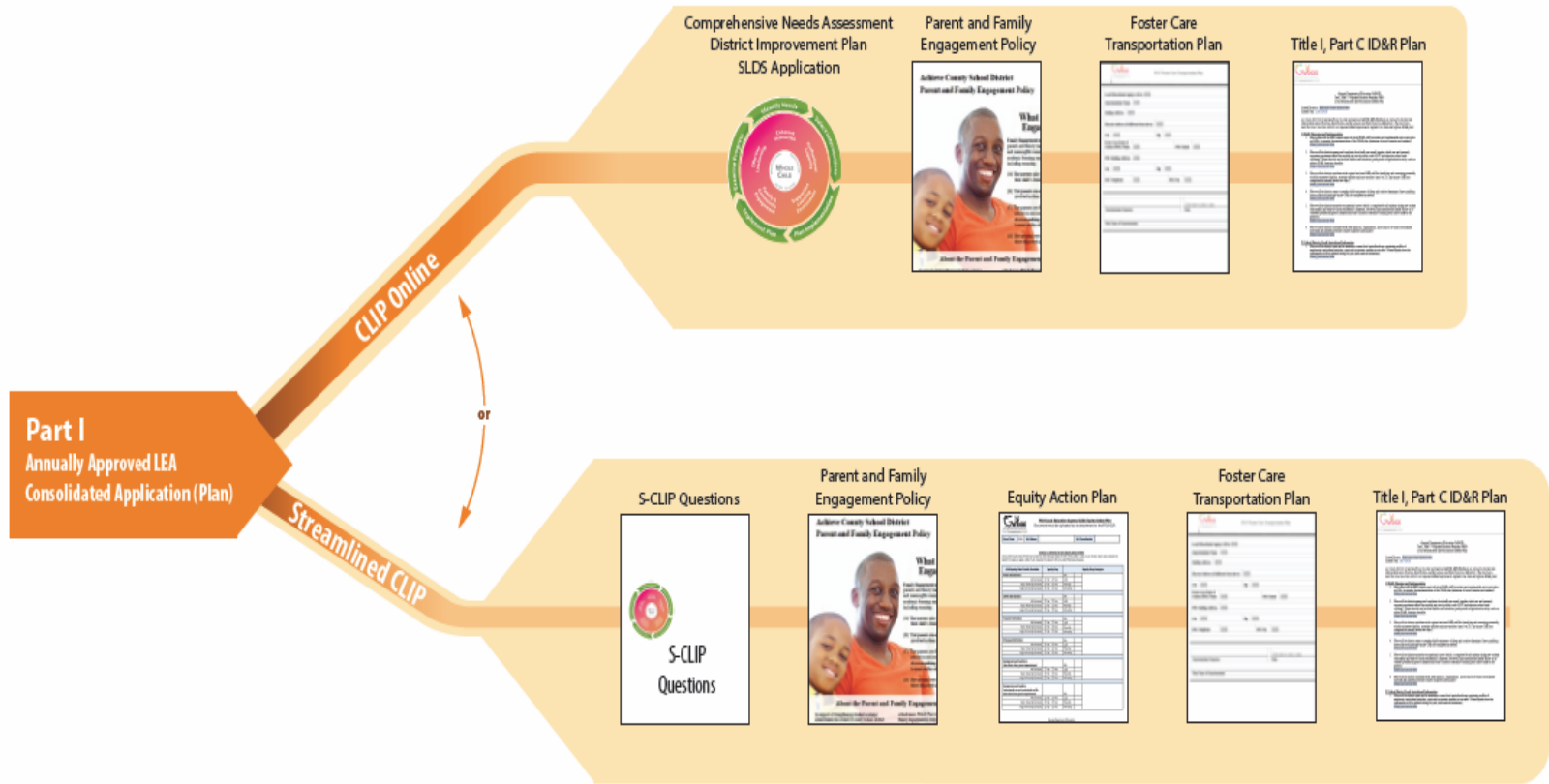
- Local homeless liaisons are authorized to affirm whether children and youth meet the U.S. Department of Housing and Urban Development (HUD) definition of homelessness, to qualify them for HUD homeless assistance programs. Liaisons must refer homeless families and students to housing services, in addition to other services.
- ED and HUD programs use the definition of children and youth experiencing homelessness established in the education subtitle of the McKinney-Vento Act.
- The ED McKinney-Vento definition is broader than the HUD definition and includes children and youth:
 - Sharing the housing of other persons, due to loss of housing, economic hardship, or a similar reason.
 - Living in motels or hotels due to the lack of alternative adequate accommodations, regardless of who pays for the motel or hotel.

General Overview McKinney-Vento Law

- The **local liaison** has the authority and responsibility to ensure that eligible students are identified; this should be a collaborative effort with school personnel, and through outreach and coordination activities with other entities and agencies [42 U.S.C. § 11432(g)(6)(A)(i)].
- Eligibility determinations should be made on a **case-by-case basis**, considering the circumstances of each student.
- Pay close attention to the legislative wording, as it may provide needed clarity.
- Download *Determining Eligibility for McKinney-Vento Rights and Services* at <https://nche.ed.gov/pr/briefs.php> for more information.

Program Accountability

Accountability



Accountability

Homeless Survey

- Annual requirement to collect the number of homeless students enrolled and the educational support services provided by LEAs. All LEAs, regardless of receiving McKinney-Vento funds or not, are required to submit this report.
- The LEA, typically the homeless liaison, is required to collect the required data, verify that the information is correct, and complete the survey. Each LEA superintendent assures the accuracy of these data by making the final submission to GaDOE through the consolidated application approval process.
- The survey is located under the Data Collection tab of the Homeless Education program.
- Although some information is pre-populated from the student information system (SIS), other data must come directly from the LEA. The survey is divided into two parts.
 - The first part contains all program data and includes all fields that require LEA data submission.
 - The second part contains academic data related to homeless children and youth within the LEA.

Accountability

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
 - McKinney-Vento Grant, if applicable

Liaison Duties

Liaison Duties

All school districts, including those with McKinney-Vento subgrants, must appoint a local homeless education liaison for students experiencing homelessness.

Local liaisons must:

- Provide identification and enrollment support and coordinate services within the school district and through community agencies in order to ensure that each child or youth experiencing homelessness has equal access to an education in the district.
- Have the ability to carry out their duties described in the law.
- Ensure that children and youth experiencing homelessness are identified by school personnel and through coordination activities with other entities and agencies.
- Ensure that school personnel providing McKinney-Vento services receive professional development and other support.
- Ensure that children and youth experiencing homelessness enroll in and have a full and equal opportunity to succeed in district schools.
- Ensure that homeless families and children receive the educational services to which they are entitled, such as preschool care, and referrals to services, such as health, dental, and mental health care.

Liaison Duties

Local liaisons must:

- Distribute public notice of McKinney-Vento rights in locations frequented by parents, guardians, and unaccompanied youths, such as schools, clinics, laundromats, family shelters, and soup kitchens, among others. Such public notices must be in a manner and form understandable to parents, guardians, and unaccompanied youths.
- Ensure that the parents and guardians of children and youth experiencing homelessness are informed of the educational opportunities available to their children and are given opportunities to participate.
- Ensure that parents, guardians, and unaccompanied youths are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing transportation services.
- Ensure that enrollment disputes are mediated appropriately. This means that if a dispute arises between a district and parents about school selection or enrollment, the district must immediately enroll the student in the requested school, pending resolution of the dispute.
- Ensure that children and youth experiencing homelessness and families can access early intervention services under IDEA Part C if they are eligible.

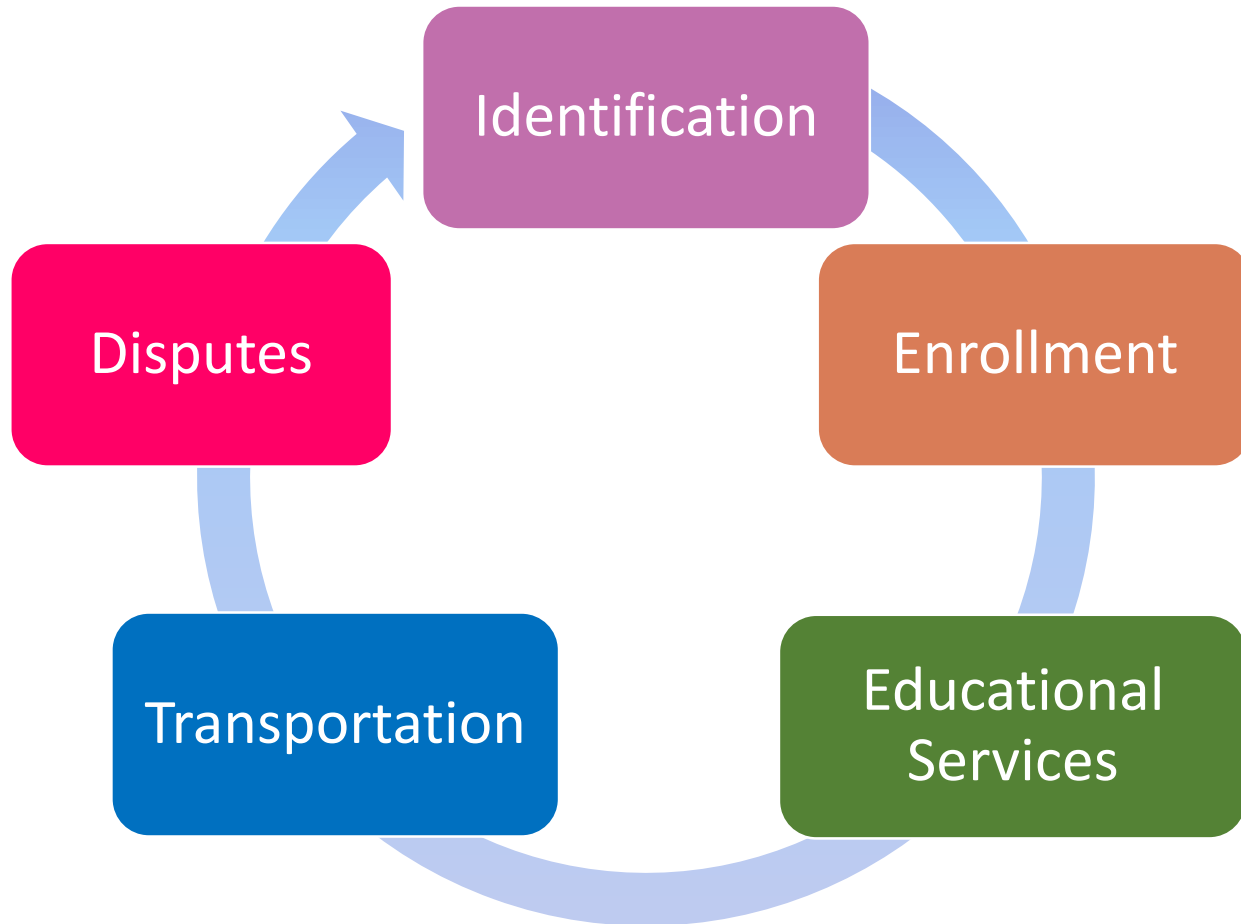
Liaison Duties

Local liaisons must:

- Affirm whether children and youths meet the U.S. Department of Housing and Urban Development definition of homelessness, which differs from the definition used in ESSA, to qualify them for HUD homeless assistance programs. Liaisons must refer children and youth experiencing homelessness and families to housing and other services as part of their duties.
- Ensure that unaccompanied children and youth experiencing homelessness are informed of their status as independent students for college financial aid and may obtain assistance to receive verification for the Free Application for Federal Student Aid (FAFSA).
- Assist children and youth experiencing homelessness and families to:
 - Enroll in school and access school services.
 - Obtain immunizations or medical records, as well as IEPs and other academic records.
 - Inform parents, school personnel, and others of the rights of children and youth experiencing homelessness.
 - Work with school staff to ensure that children and youth experiencing homelessness are immediately enrolled in school pending resolution of disputes that might arise over school enrollment or placement.
 - Help coordinate transportation services for children and youth experiencing homelessness.
 - Collaborate with community and school personnel responsible for providing education and related support services to children and youth experiencing homelessness.

Identification

McKinney-Vento Objectives and Services



Identification

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

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

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

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.”

Identification

Impact of Homelessness on Children...

- 83% of children and youth experiencing homelessness 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

Impact of Homelessness on Mothers...

- Half of 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 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

Merkert and Wintermute - CLN Kids, 2015

Identification

Importance of Discretion...

- Many children and youth experiencing homelessness and their families are extremely sensitive about their housing insecurity.
- LEAs must take measures to ensure families, children and youth are not stigmatized.
- Some districts have removed “homeless” from communications and use terms like “housing insecurity, families in transition, etc.”
- Instead of using the term “homeless students,” some districts refer to “students experiencing homelessness” in order to describe the situation without labeling the youth.

Questions to Consider...

- Are guardians and youth treated with discretion and confidentiality within the identification process?
- Are there policies in place to ensure that communication with host families, landlords, etc. protect confidential information that could result in a student losing his or her home?
- Is confidentiality protected in communications with other school districts to ensure that fleers of domestic violence cannot be tracked?
- In cases of domestic violence, does school staff know who is authorized to pick up students?
- Are transportation routes developed to avoid stigmatization?
- Are programs named so as to avoid identifying the program as specifically for homeless individuals?
- Do teachers provide a basic needs kit, for example, including soap, toothbrushes and a change of socks or underwear?

Identification

- **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

Identification

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.
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- **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

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

School Selection

School Selection

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

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

School Selection

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

School Selection

Duration of School of Origin Rights

Children and youth experiencing homelessness have the right to attend the school of origin for the duration of homelessness, including:

- In any case in which a family experiences homelessness between academic years or during an academic year.
- For the remainder of the academic year, if the child or youth becomes permanently housed during an academic year.

Enrollment

Enrollment

Immediate Enrollment

- Children and youth experiencing homelessness have the right to immediate school enrollment
 - Even if lacking paperwork (school records, medical records, proof of residency, or other documents) normally required for enrollment.
 - Even if having missed application or enrollment deadlines during any period of homelessness.
- 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.
- Enrolling schools must obtain school records from the previous school, and students must be enrolled in school while records are obtained.
- Schools must maintain records for students experiencing homelessness, so records are available quickly.
- Enrollment is defined as “attending classes and participating fully in school activities”.

Educational Services

Educational Services

- 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

Comparable Services

- 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)

Educational Services

Funding

There are numerous local, state and federal sources that can support children and youth experiencing homelessness; however, in the absence of other support, there are two main sources of funding to implement McKinney-Vento.

- **Title I, Part A** – All LEAs are responsible to reserve (set aside) a portion of Title I, Part A.
- **McKinney-Vento Grant** – LEAs with large numbers of children and youth experiencing homelessness may compete to receive a McKinney-Vento grant in addition to what the LEA normally reserves out of Title I, Part A.

Educational Services

Title IA and MV Grant Use of Funds

- Supplemental educational services, such as tutoring and other academic enrichment programs;
- Expedited evaluations for various educational services, such as eligibility for educational programs for gifted and talented students, special education and related services for children with disabilities, English language acquisition, vocational education, school lunch, and appropriate programs or services under the Elementary and Secondary Education Act;
- Professional development activities for educators and pupil services personnel working with homeless students;
- Health referral services, such as medical, dental, and mental;
- Defraying the excess cost of transportation in order to enable students to attend the school of origin;
- Early childhood education programs for pre-school-aged homeless children;
- Services and assistance to attract, engage, and retain homeless children and youth and unaccompanied youth in public school programs;
- Before and after-school, mentoring, and summer programs with educational activities;

Title IA and MV Grant Use of Funds

- Payment of fees and costs associated with tracking, obtaining, and transferring records of homeless children and youth;
- Education and training for parents of homeless children and youth about rights and resources;
- Development of coordination between schools and agencies providing services;
- Provision of pupil services (including violence prevention counseling) and referrals for such services;
- Activities to address needs that may arise from domestic violence;
- Adaptation of space and purchase of supplies for non-school facilities to provide services listed above;
- Provision of school supplies, including those to be distributed at shelters or other appropriate locations; and
- Other extraordinary or emergency assistance needed to enable homeless students to attend school.
- McKinney-Vento Liaison

Transportation

Transportation

- 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

- 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.
- In addition to providing transportation to the school of origin, LEAs must provide children and youth experiencing homelessness with transportation services comparable to those provided to other students. (e.g. After school activities, summer school)

Dispute Procedures and Appeals

Common Disputes

Eligibility

Transportation

Immediate Enrollment

Best Interest
Determinations

Common Disputes

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

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

Disputes and Appeals

Level I: Liaison Communication

- The parent or unaccompanied youth experiencing homelessness 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 a short period of time (*Suggested: No longer than 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 experiencing homelessness in writing of the result.
- If the parent or unaccompanied youth experiencing homelessness disagrees with the decision made at this level, the parent or unaccompanied youth experiencing homelessness shall notify the District's Liaison of their intent to proceed to Level II within a short period of time (*Suggested: No longer than ten (10) business days*) of the Level I decision.

Disputes and Appeals

Level II: District Superintendent Communication

- The parent or unaccompanied youth experiencing homelessness 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 experiencing homelessness with supporting evidence and reasons, within a short period of time (*Suggested: No longer than 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 experiencing homelessness disagrees with the decision made at Level II, the parent or unaccompanied youth experiencing homelessness shall notify the District's Liaison of their intent to proceed to Level III; appealing the decision to the Georgia Department of Education.

Credit for Full or Partial Coursework

Full / Partial Coursework

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

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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