



Schoolhouse
WASHINGTON



McKinney-Vento 101

Understanding the Basics

August 21, 2018

Presentation Goals

We want everyone to be able to answer the following three questions:

1. Who is considered homeless under McKinney-Vento?
2. How can McKinney-Vento help students who are experiencing homelessness?
3. Who can help you troubleshoot McKinney-Vento issues?

Your role is important!



What is McKinney-Vento?

Main tenets:

- School access
- School stability
- Support for academic success
- Child-centered, best interest decision making
- Critical role of the local homeless education liaison

Important Terms & Acronyms

Every Student Succeeds Act (ESSA) - reauthorized the Elementary and Secondary Education Act, which provides financial assistance through SEAs to LEAs and schools with high percentages of low-income children. McKinney-Vento is included under ESSA in Title IX, Part A.

McKinney-Vento Act (McKinney-Vento) – primary piece of federal law related to the education of children and youth experiencing homelessness.

Local Education Agency (LEA) – public authority that administrates control, direction, or performs a service function for public elementary or secondary schools. Commonly used to refer to school districts.

State Education Agency (SEA) - the agency primarily responsible for the State supervision of public elementary schools and secondary schools.

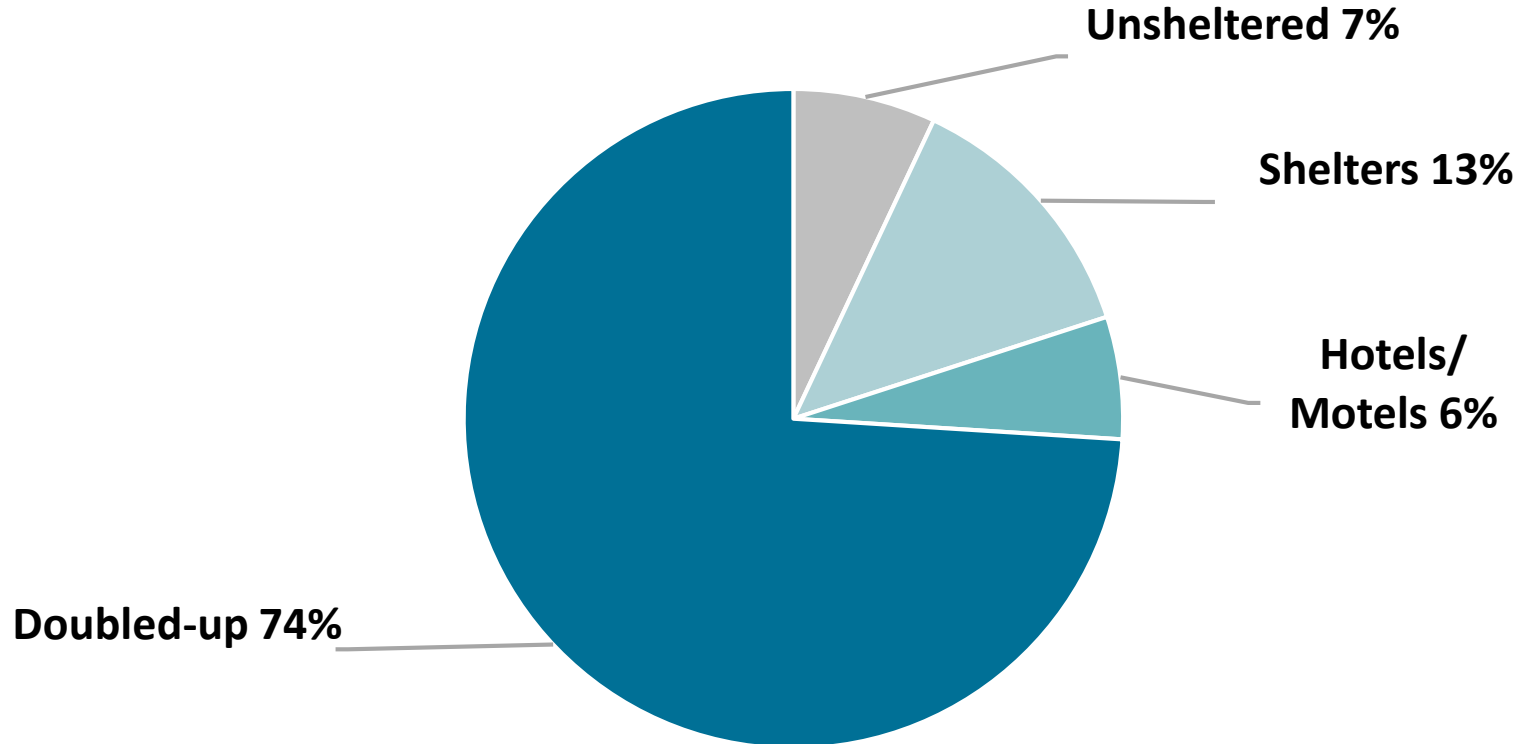
Unaccompanied Homeless Youth (UHY) - child or youth experiencing homelessness who is not in the physical custody of a parent or guardian.

HUD & DOE Definition Misalignment

Living Situation	Department of Education (DOE)	Housing (HUD)
Unsheltered Locations	Yes	Yes
Emergency Shelters/ Transitional Housing	Yes	Yes
Hotels and Motels	Yes, due to lack of adequate accommodations	Yes, if paid for by government/ charity
Doubled-up	Yes, if due to loss of housing, economic hardship, or similar reasons	Only under extremely narrow conditions

HUD & DOE Definition Misalignment

Distribution of Students Experiencing Homelessness by Nighttime Residence, 2016-17



McK-V Definition: Who is eligible?

Children and youth who lack a fixed, regular, and adequate nighttime residence. [11434a\(2\)](#)

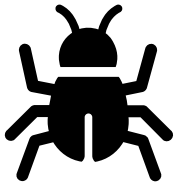
- Sharing the housing of others **due to loss of housing, economic hardship, or similar reason.**
- Living in motels, hotels, trailer parks, camping grounds **due to lack of alternative adequate accommodations.**
- Living in emergency or transitional shelters.
- Living in a public or private place not designed for or regularly used as accommodations

McK-V Definition: Who is eligible?

Children and youth who lack a fixed, regular, and adequate nighttime residence. [11434a\(2\)](#)

- Living in cars, parks, abandoned buildings, **substandard housing**, bus or train stations, or similar settings.

Factors school districts may consider in determining substandard housing. Guidance A-3



- A Lack of fundamental utilities (water, heat, electricity).
- A lack of a basic functional part such as a working kitchen or toilet.
- An Infestation of vermin or mold.
- Unreasonable dangers to adults, children, or persons with disabilities.

McK-V Definition: Who is eligible?

Unaccompanied Youth

- A youth not in the physical custody of a parent or guardian and who lacks a fixed regular and adequate nighttime residence.
 - Maybe residing with a caregiver who does not have legal guardianship
 - Maybe living on their own
 - Eligible for services regardless of the reasons that led to separation from family
 - They have the right to immediate enrollment without proof of guardianship
 - They face many barriers to enrolling, attending and succeeding in school

McK-V Definition: Who is eligible?

Children and youth who lack a fixed, regular, and adequate nighttime residence. [11434a\(2\)](#)

Fixed: Stationary, permanent, and not subject to change

Regular: Used on a predictable, routine, or consistent basis (*e.g. nightly*)

Adequate: Sufficient for meeting both the physical and psychological needs typically met in home environments

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

Do you consider Alison to be homeless?

Alison's parents were both recently laid off and can no longer pay rent. The family of three moved in with her grandparents.

Is Alison homeless?

Alison and her parents are living with her Aunt while their kitchen is being remodeled.

Is Alison homeless?

Alison lives in a mobile home with her parents. The mobile home has 2 bedrooms, 1 bathroom, running water, electricity, and is well-kept.

Is Alison homeless?

Alison ran away from home 6 months ago. She sleeps on her best friend's couch 4 nights a week and stays with her cousin 3 nights a week.

Is Alison homeless?

Alison doesn't live with her parents. She has a good relationship with them, but they moved out of state to look for work, and Alison chose to stay with her Aunt so she could finish school with her friends. She has her own room and her aunt really enjoys her company.

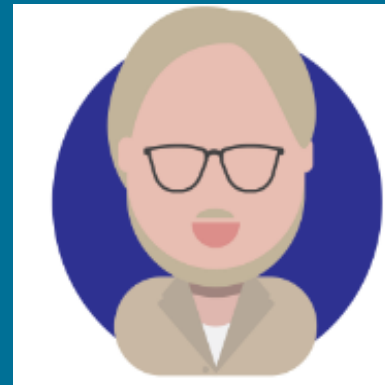
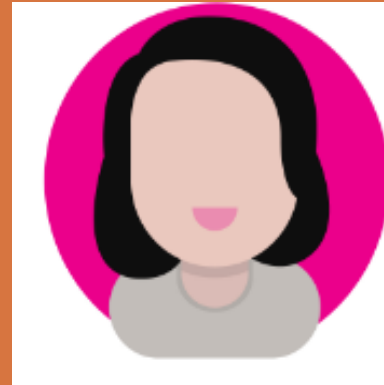
Is Alison homeless?

School District Duties

School districts must:

- Designate a homeless liaison in every district.
- Immediately identify, enroll, and provide all services.
- Provide the dispute resolution process as needed.
- Remove barriers and update policies.
- Provide meaningful parent involvement.
- Provide information, including the rights of homeless students.
- Provide assistance on the FAFSA and other higher education efforts.
- Support early learning through coordination with preschool.
- Set aside adequate Title I funds to serve homeless students.
- Provide referrals for services such as medical, dental, mental health, housing, etc.

School District Duties: Homeless Liaison



Liaison Duties

Liaisons must:

- Ensure that students are identified by school personnel through outreach and coordination with other agencies.
- Coordinate transportation to and from “School of Origin”
- Ensure enrollment
- Ensure immediate access to free breakfast and lunch
- Ensure families receive educational services for which they are eligible
- Inform families and students about educational opportunities and ensures they are provided with opportunities to participate.

Liaison Duties

Liaisons must:

- Provide referrals to community resources for students and families
- Offer dispute resolution
- Train and consult with school staff providing McK-V services.
- Community Advocacy – ensuring public notice of students rights is disseminated in locations frequented by parents and students.
- Ensures unaccompanied youth are enrolled in school, have opportunities to meet academic standards, receive partial credit , and are informed of and receive verification of independent status through FAFSA.

School of Origin

The school attended when permanently housed or the school in which last enrolled, including a preschool.

11432(g)(3)(I)(i)



Last Permanently Housed

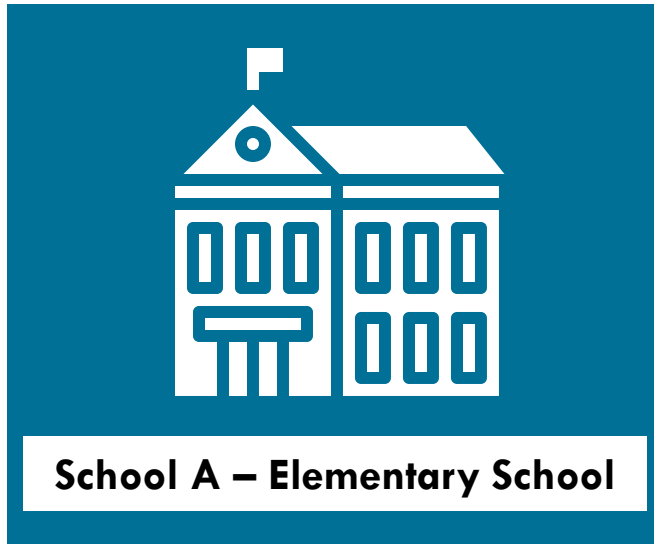
or



**Last Enrolled/
Most Recently Attended**

School of Origin: Feeder School

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. *11432 (g)(3)(I)(ii)*



and

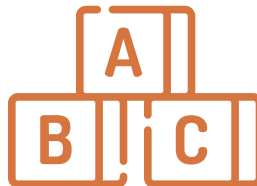


Student was last enrolled in School A in grade 5, which is the final grade level served by School A. Students at School A are designated to attend School B beginning in the next grade level, grade 6. The **school of origin** for this student would therefore **include School A and the designated receiving school at the next grade level, School B.**

School of Origin: Preschool

What is a pre-school of origin? *2019 NCHE Data Guide C-7*

- Publicly-funded program for children 0-5, funded through tax dollars or other public funds, for which the LEA is a financial or administrative agent, or is accountable for providing early childhood education;
- Preschools operated, administered or funded by the LEA and considered mandatory under state law;
- Preschool programs and services administered or funded by the LEA through the use of Title 1 or similar government grants’;
- Head Start programs receiving LEA funding or for which the LEA is the grant recipient;
- Preschool special education services operated or funded by the LEA or mandated under IDEA.; or
- LEA funded or administered home-based early childhood services.



School of Origin: School Selection

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.
 - In any case in which a family becomes homeless between academic years or during an academic year.
 - For the remainder of the academic year **11432(g)(3)(A)(i)**; or

- Enroll the student in any public school that housed students who live in the attendance area in which the child or youth is actually living are eligible to attend. **11432(g)(3)(A)(ii)**

School Selection: Best Interest

How does an LEA determine the child or youth's best interest?

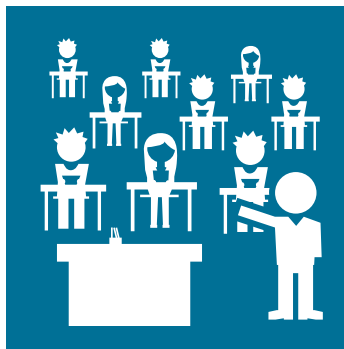
- Presume that keeping the student in the school of origin is **in the student's best interest**, unless contrary to the request of the parent, guardian, or unaccompanied youth.

11432(g)(3)(B)(i)

- Consider student-centered factors, including
 - ✓ Impact of mobility on achievement
 - ✓ Education
 - ✓ Health
 - ✓ Safety
 - ✓ School placement of siblings

11432(g)(3)(B)(ii); Guidance I-3

Immediate Enrollment



- **Enrollment** includes attending classes and participating fully in school activities. ***11434a(1)***

- McKinney-Vento does not define “immediate”, but the standard dictionary definition is “**without delay.**” Therefore, the student must begin attending classes and participating fully in school activities without delay.

FAQ – Question 52 & NCHC Brief

Immediate Enrollment

Under McKinney-Vento students are entitled to immediate enrollment.

11432(g)(3)(C)(i)

- In any public school that students living in the same attendance area are eligible to attend, even if the student **does not** have required documents, such as:
 - Previous academic records
 - Immunization or other required health records
 - Proof of residency
 - Proof of guardianship
 - Birth certificate or other documents; or
- If the student has missed application or enrollment deadlines; or
- Has outstanding fees. *Guidance I-5*

Immediate Enrollment

The enrolling school must:

- Obtain school records from the previous school; and the student must be enrolled while records are obtained. **11432(g)(3)(C)(ii)**
- Immediately refer the parent, guardian, or unaccompanied youth to **the local liaison** who must assist in obtaining immunizations, screenings or immunizations or other health records. **11432(g)(3)(C)(iii)**
- Immediately enroll students even without a parent or guardian. **11432(g)(1)(H)(iv)**
 - Typically, unaccompanied youth enroll themselves.

Immediate enrollment applies to preschools, as long as there is space.

NCHE

- Children identified as McKinney-Vento eligible should be prioritized on waitlists.
- Some preschool programs hold slots open for McKinney-Vento children.

Guidance N-2

Transportation: School of Origin

When must LEAs provide transportation?

- LEAs must provide transportation to and from the school of origin (including preschools):
 - At a parent or guardian’s request (or at the liaison’s request for unaccompanied youth). **11432(g)(1)(J)(iii)(i)**
 - This is true regardless of whether the district provides transportation for other students or in other circumstances. **Guidance J-3**
 - If a student becomes permanently housed, this transportation must continue to and from the school of origin until the end of the academic year. **11432(g)(3)(A)(i)(II); Guidance J-5**

Transportation: School of Origin

When must LEAs provide transportation?

- Even if the student is staying in the same LEA, that LEA must provide or arrange transportation to the school of origin. **11432(g)(1)(J)(iii)(I)**
- Based on the best interest of the student and in consultation with the parent, the LEA ultimately determines the mode of transportation.

Guidance J-3



Other Transportation

For other transportation that is not to the school-of-origin:

- LEAs must provide transportation comparable to what is available to housed students. **11432 (g)(4)(A)**
- LEAs must eliminate barriers to the identification, enrollment, attendance, or success in school of homeless children and youths. **11431(2)**
 - To the extent that lack of access to transportation is a barrier to extracurricular activities, an LEA would be required to provide transportation to or from extracurricular activities. **Guidance J-11**
- LEAs must arrange transportation promptly to ensure immediate enrollment and not create barriers to homeless students' attendance, retention, and success in school. **Guidance J-1**
- 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)(II); Guidance J-9**

Resolving Disputes

If a dispute arises over eligibility, school selection, or enrollment:

- ✓ The student must be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute (including all available appeals). *11432(g)(3)(E)(i)*
- ✓ The liaison shall ensure unaccompanied youth are immediately enrolled pending resolution of the dispute. *11432(g)(3)(E)(iv)*
- ✓ The parent, guardian or youth must be referred to the liaison, who must carry out the dispute resolution process as expeditiously as possible. *11432(g)(3)(E)(iii)*

Resolving Disputes

If a dispute arises over eligibility, school selection, or enrollment:

- The parent, guardian, or unaccompanied youth must be provided a **written explanation** of how the school, LEA, or SEA reached its decisions related to eligibility, school selection, or enrollment and include an explanation on how to appeal them.

11432(g)(E)(ii); Guidance K-3



Resolving Disputes

At minimum, the notice and written explanation 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; and
- ✓ Contact information for the local liaison and state coordinator, and a brief description of their roles.

Learning and Next Steps

- **This work takes time.** Increase alignment with the homeless/housing service system will remain the end goal.
- **Community and Housing Providers should deepen their connections with the schools.** We are often serving the same students and families. Through active collaboration and deepened involvement, we can connect those in need to services faster and more efficiently.
- **School and housing providers speak their own language.** Provide educational opportunities for both parties. Pursue more opportunities for students and families meeting the McKinney-Vento definition.

Sources

All statutory citations are to the McKinney-Vento Act unless otherwise indicated. Except slides 27-31, which cite Title I of the Elementary and Secondary Education Act, and slides 35, 36, and 38 cite the Revised Code of Washington.

All “guidance” citations are from, U.S. Dep’t of Educ., Education for Homeless Children and Youths Program Non-Regulatory Guidance, Title VII-B of the McKinney-Vento Homeless Assistance Act, as Amended by the Every Student Succeeds Act, Non-Regulatory Guidance, at

<https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidanceupdated082718.docx>

Slide 7

Lemon, M., and Pennucci, A. (2018). Students Experiencing Homelessness In Washington’s K-12 Public Schools: 2016-17 Trends, Characteristics and Academic Outcomes. Schoolhouse Washington, a project of Building Changes: Seattle, WA.

Slide 11

National Center for Homeless Education (2017). Identifying Children and Youth in Homeless Situations. Retrieved from <https://nche.ed.gov/wp-content/uploads/2018/10/identification.pdf>.

Slide 19

National Center for Homeless Education (2019). Guide to Collecting & Reporting Federal Data: Education for Homeless Children and Youth Program. Retrieved from <https://nche.ed.gov/wp-content/uploads/2019/05/Data-Collection-Guide-SY-18.19.pdf>

Slide 22

National Association for the Education of Homeless Children and Youth and National Law Center on Homelessness and Poverty (2016). The Most Frequently Asked Questions on the Education Rights of Children and Youth in Homeless Situations. Retrieved from http://nlchp.org/wp-content/uploads/2018/10/McKinney-Vento_FAQs.pdf.

National Center for Homeless Education (2017). Transporting Children and Youth Experiencing Homelessness. Retrieved from <https://nche.ed.gov/wp-content/uploads/2019/01/transportation.pdf>.

Slide 24

National Center for Homeless Education (2018). Early Care and Education for Young Children Experiencing Homelessness. Retrieved from <https://nche.ed.gov/wp-content/uploads/2019/09/Early-Care-and-Education-for-Young-Children-Experiencing-Homelessness.pdf>.

Sources: Icons

Slides 9

Icon from Microsoft PowerPoint

Slide 14

Icons by [Freepik.com](https://www.freepik.com).

Slide 17

Icons by [Freepik](https://www.freepik.com) from www.flaticon.com

Slide 18

First image, School A

Icon made by [Iconixar](https://www.iconixar.com) from www.flaticon.com

Second image, School B

Icon made by [Freepik](https://www.freepik.com) from www.flaticon.com

Slide 19

Icons by [Freepik](https://www.freepik.com) from www.flaticon.com

Slide 22

First and last classroom icons made by [Freepik](https://www.freepik.com) from www.flaticon.com

All other icons from Microsoft PowerPoint

Slide 26

Bus icon made by [Freepik](https://www.freepik.com) from www.flaticon.com

Car and taxi icons from Microsoft PowerPoint

Slide 29

Icons by [Freepik](https://www.freepik.com) from www.flaticon.com

Case Scenario 1

Family: Susan, mother, Jacob 17, Jennifer 11, Molly 4

A family is living in a shelter after leaving their abusive father. The pre-school aged daughter (Molly) appears to shelter staff to have a learning disability, but the mom believes she doesn't qualify for any early learning services.

The elementary aged daughter (Jennifer) wants to still attend her original school, but the district is providing her with an Orca card. She has gotten lost on the bus before and is afraid to take it, especially since she doesn't have a phone and her mom's phone is usually out of minutes. Jennifer has been missing most of the school days since they arrived at the shelter as a result.

Shortly after arriving at the shelter the seventeen-year-old son (Jacob) is starting as a Running Start student at a nearby community college. He is not familiar with student support services at the community college and high school.

Case Scenario 2

Family: Angela, mother, Drew 16, Ben 13, Katie 12

Angela and her two children (Ben and Katie) move into a transitional housing program. A few weeks after arriving, the staff finds out there is a teenage son (Drew) who is not living with the family but is in frequent contact with them. They would like him to live with them, but the apartment they are in doesn't have enough beds and there aren't any larger units available in the program.

Drew is currently couch surfing with friends and seems to sometimes also stay at youth shelters or on buses. Angela says he used to like school. He has gotten so behind that he is now on the verge of dropping out, primarily since he can't get there regularly and doesn't have a place to do or store his homework. There have been a few times his mom needed to sign a document, but since the son isn't living with her, the documents were not able to be signed.

Angela shares with housing staff that she has no way to get her two kids to school. The new address has them in another school boundary/catchment area within their district and the current school doesn't provide a bus for her kids. On top of that, she is stressed out by the student's school attendance.

Case Scenario 3

Youth: Kae 17

Kae enters an under-18 shelter after running away from a home that was unsupportive of their gender identity. Kae has attended the same school since 9th grade and would like to stay there since they have a small group of close friends. However, it is in a bordering county.

Kae attended a few days while couch surfing with a friend before arriving at the shelter and they were worried the staff would call the police or CPS if they found out they weren't living at home. Kae shared that nearly all their money is going to buying food, and that they tried to get free breakfast and lunch at school, but the school said they needed proof of income, which they don't have access to.

Kae needs services and is on the verge of dropping out of school due to missed classes and the need to earn credits.