

Local Homeless Education Liaison Toolkit



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Revised September 2005

SERVETM
*Improving Learning through
Research & Development*

Local Homeless Education Liaison Toolkit



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Project HOPE

The College of William and Mary, Virginia

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National Center for Homeless Education at SERVE

Funded by the U.S. Department of Education, Office of Elementary and Secondary Education (OESE), the National Center for Homeless Education (NCHE) was established at SERVE to provide critical information to those who seek to remove barriers to education and to improve educational opportunities and outcomes for children and youth experiencing homelessness. SERVE is a consortium of educational organizations associated with the School of Education and headquartered at the University of North Carolina at Greensboro.

The goals of NCHE are to:

-  Collect and disseminate important resource and referral information related to the complex issues surrounding the education of children and youth in homeless situations
-  Provide rapid-response referral information
-  Foster collaboration among various organizations with interests in addressing the education of children and youth experiencing homelessness
-  Synthesize and apply existing research and guide the research agenda to expand the knowledge base on the education of children and youth who are homeless

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Foreword

These are exciting times for educators, service providers, and advocates who seek to improve the lives of children and youth experiencing homelessness. The 2001 reauthorization of the McKinney-Vento Homeless Education Assistance Act ensured the educational rights and protections of these children and youth so that they may enroll in school, attend regularly, and succeed in educational opportunities. Dr. Joseph Johnson, speaking on homeless education programs at the 2001 annual conference of the National Association for the Education of Homeless Children and Youth (NAEHCY), said, "We have come a long way [in meeting educational needs of these children], but we can do better." The local liaison for homeless education is the key to helping children and youth in homeless situations access and succeed in school.

The reauthorized legislation requires a local homeless education liaison in every school district to assist children and unaccompanied youth in their efforts to achieve high standards in school. Many liaisons are new to their positions and may be unfamiliar with their duties as well as with the McKinney-Vento Act. Veteran liaisons may need assistance with understanding the new provisions in the legislation.

NCHE, in collaboration with The College of William and Mary, developed the *Local Homeless Education Liaison Toolkit* to orient liaisons to their responsibilities and to the 2001 McKinney-Vento Act. The College of William and Mary staff conducted a survey of state coordinators for homeless education during the summer of 2001 to determine the number of states that already require local liaisons in every district, the current roles and responsibilities of the liaisons, resources available to the liaisons that could be shared across states, and the desired content and format of a proposed toolkit for local liaisons. The resulting *Toolkit* reflects data gathered from the surveys. An overview of the survey results can be found in the companion document, *State Coordinator's Handbook for Supporting Local Homeless Education Liaisons*. The complete survey report is available upon request from the NCHE and as a PDF file on the Project HOPE (at The College of William and Mary) website at www.wm.edu/education/HOPE/homeless.html.

The *Toolkit* is now available to download in PDF format from the NCHE website or to receive electronically from NCHE. Visit the NCHE website at www.serve.org/nche or e-mail homeless@serve.org to request an electronic or hard copy if you are unable to download the PDF file from the website. (Multiple printed copies will not be available.)

Additional publications and fact sheets on the reauthorized McKinney-Vento legislation are available on the NCHE website or upon request by calling NCHE. Also, NCHE hosts the listserv of the National Association for the Education of Homeless Children and Youth (NAEHCY). The listserv provides a forum for communication on and discussion of emerging issues in homeless education. To join the listserv, send your request to homeless@serve.org.

The *Toolkit* will allow easy tailoring of sample materials to local needs and the option to incorporate new additions suggested by the field. Your suggestions and stories of successful practices are most welcome. If you would like to share information for possible inclusion in an updated copy of the *Toolkit*, please contact:

The National Center for Homeless Education at SERVE
P.O. Box 5367
Greensboro, NC 27453
800-308-2145
homeless@serve.org

The following organizations will assist in providing further information and answering questions on implementing the McKinney-Vento legislation and meeting the needs of children and youth experiencing homelessness:

National Association for the Education of Homeless Children & Youth (NAEHCY)
www.naehcy.org

National Center for Homeless Education (NCHE)
www.serve.org/nche
800-308-2145

National Law Center on Homelessness & Poverty (NLCHP)
www.nlchp.org
202-638-2535

U.S. Department of Education Homeless Education Program
www.ed.gov
202-260-4412



Please be aware of the following changes to the *Toolkit*, Revised 2005:

- ⤴ Updated memos regarding the USDA free and reduced lunch program. These memos may also be accessed online at www.serve.org/nche/legis_resources.php
- ⤴ Updated information regarding the Individuals with Disabilities Act (IDEA)
- ⤴ Inclusion of new information briefs on Introduction to the Issues, Domestic Violence, and IDEA

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Chapter One: Overview



Do you know that

- Homeless children and youth must have access to a public education?
- Barriers that may inhibit the ability of homeless children and youth to access schools must be eliminated?

Do you know

- What potential barriers to school enrollment, attendance, and success may exist in local policies and procedures?
- How those barriers may be alleviated?
- How many homeless students reside and/or attend schools within your school district?

The purpose of the *Local Homeless Education Liaison Toolkit* is to provide local education agencies (LEAs) with background information and sample resources to ensure the answer to the aforementioned questions can be a resounding, “Yes!”

In districts that operate successful programs to serve students in homeless situations, there is one common denominator: a homeless liaison. Whether funded through the McKinney program or another source, the liaison is the person who orchestrates opportunities for students and families to begin to break the cycle of homelessness.¹

It is anticipated that local liaisons using this resource will be able to improve their schools’ and school district’s effectiveness in working with homeless children and youth through

identification, provision of appropriate services, and increased awareness and sensitivity among school personnel working with homeless students. The *Toolkit* provides a wealth of information on the McKinney-Vento Act, roles and duties of local liaisons, successful strategies and practices for building awareness and collaborating with school district and community contacts, and additional resources that can support local efforts. Case studies in every chapter enable readers to apply the information to solve problems related to issues affecting children and youth experiencing homelessness. Sample forms and handouts may be adapted to individual districts. Transparency masters and a PowerPoint presentation may be used for awareness trainings for school and district staff.

This toolkit is intended to support local liaisons in fulfilling legislative requirements and offer suggestions for promising practices by addressing:

- LEAs’ responsibilities to fulfill legislative requirements in educating homeless children and youth
- Potential roles and responsibilities local homeless education liaisons may assume
- Identification of homeless children and youth
- Guidance in identifying common barriers to educational access and success and creating solutions to address them

¹ Charles A. Dana Center. 1997. *Pieces of the puzzle: Awareness, understanding, opportunity: Creating success for students in homeless situations*. Austin, TX: Author.



- Sample tools to develop collaborative efforts, build awareness, and meet the educational needs of homeless children and youth
- Identification of supplemental resources for further study and support

The McKinney-Vento Act, federal legislation in effect since 1987 (formerly the Stewart B. McKinney Homeless Assistance Act), has always required a designated liaison for all LEAs with sub-grant funding, and responsibilities of sub-grantee liaisons have been outlined in legislation. A local liaison is a staff person responsible for working with homeless education issues locally in a school district. In addition, USDE Preliminary Guidance² and Policy Studies Associates³ recommended that *all* school districts assign a liaison to “ensure that homeless children and youth enroll in and succeed in school, and that such children and youth and their families receive the educational services for which they are eligible.”⁴

The information in the *Toolkit* is consistent with the U.S. Department of Education initiative, “No Child Left Behind.” The No Child Left Behind Act of 2001 (P. L. 107-110), the most recent revision to the 1965 Elementary and Secondary Education Act (ESEA), embraces each of the following four pillars of President George W. Bush’s educational reform plan:

- Accountability—Collecting data that shows results for all students
- Local control and flexibility—Designing programs based on documented needs of students

- Parental choice—Involving parents in a meaningful way in their child’s education
- Doing what works—Using strategies that have data to show their effectiveness

These elements are reflected within the McKinney-Vento Homeless Education Act, which became effective July 1, 2002. Highlights of new provisions in the revised act for children and youth experiencing homelessness include:

- Maintaining students in their school of origin
- Providing transportation to ensure access to the school of origin
- Enrolling homeless students immediately, even if regularly required documentation is missing
- Increasing funding for states to administer effective programs and provide greater funding to LEAs
- Requiring a local liaison in *all* school districts with specific responsibilities to ensure that the provisions listed above will be met⁵

Local homeless education programs that align themselves with the Department of Education initiative will produce stronger results for children and youth and will find themselves integrated more fully with other school district programs.

By requiring all LEAs, regardless of sub-grant funding, to designate a local homeless education liaison, a new position for many school districts, resources are needed to support

² U.S. Department of Education. (1995). *Preliminary guidance for the Education for Homeless Children and Youth Program, Title VII, Subtitle B*. Washington, DC: Author.

³ Anderson, L. M., Janger, M. I., & Pantan, K. L. M. (1995). *An evaluation of state and local efforts to serve the educational needs of homeless children and youth*. Washington, DC: U.S. Department of Education.

⁴ U. S. Department of Education. (1995). p. 11.

⁵ National Coalition for the Homeless. (2002). President Bush signs Education Reform Bill. Retrieved January 8, 2002, from www.nationalhomeless.org/edannouncement.html.



staff assigned this role. This toolkit is intended to provide introductory information that new liaisons will need, along with a variety of tools that have been collected and adapted from states and local programs across the country, to make the transition to this new role smoother. While geared toward school districts not receiving McKinney-Vento funds that may have less experience serving homeless students, suggestions throughout the *Toolkit* may be valuable for experienced liaisons, as well.

As the following list indicates, the *Toolkit* is divided into seven chapters with multiple appendices and a glossary of terms. Table 1 identifies the types of materials included in the appendices for each chapter.

- Chapter 1:** Overview
- Chapter 2:** Homeless Education and the Law
- Chapter 3:** Liaison Roles and Responsibilities: Policies and Procedures on the Local Front
- Chapter 4:** Strategies for Meeting the Educational Needs of Homeless Children and Youth
- Chapter 5:** Developing Collaborative Efforts
- Chapter 6:** Getting the Message Out
- Chapter 7:** Research and Resources
- Appendices:** Sample Materials to Adapt and Reproduce
- Glossary of Terms**

Table 1: Chapter Content and Related Appendices

Chapter	Focus	Types of Resources in Appendices		
		Flyers/Handouts	Sample Forms	PowerPoint Presentation
1	<i>Toolkit Purpose</i>			
2	Legislation			
3	Liaison Responsibilities			
4	Strategies			
5	Collaboration			
6	Building Awareness			
7	Research & Resources			



Chapter Two: Homeless Education and the Law



Maria and her seven-year-old and nine-year-old daughters have just moved into a homeless shelter. Maria visits the neighborhood school to enroll her daughters. She is given a list of required documents—items she does not have. Maria leaves, believing her daughters cannot attend the school.

Consider:

- *Should Maria be able to enroll her children?*
- *What went wrong?*
- *What should be done?*
- *What could you do to prevent this from happening in a school in your district?*

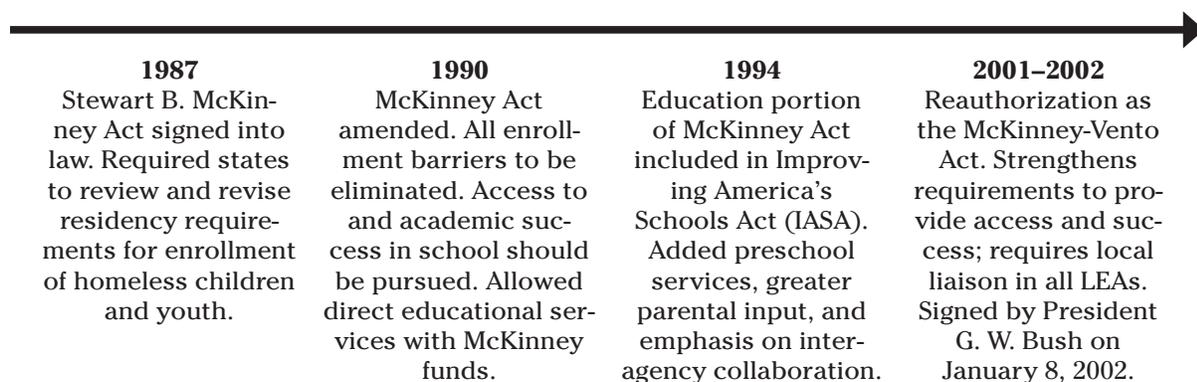
Responses to these questions are presented at the end of the chapter.

When determining how to meet the educational needs of homeless students, an early consideration of school districts is ensuring that the LEA is in compliance with federal and state legislation. Chapter 2 reviews key components of federal legislation and offers suggestions regarding what actions local liaisons can

undertake to meet the legal requirements for educating homeless children and youth.

In 1987, legislation was passed to address growing concerns about the plight of individuals experiencing homelessness. This law contained emergency relief provisions for

Figure 1: Brief History of the Stewart B. McKinney Act



shelter, food, mobile health care, and transitional housing. At the time, the homeless population was increasing rapidly, and there were early indications of changing demographics, with women and children representing a growing portion of the homeless population. Recognizing this growing diversity within the homeless population, Congress included provisions requiring states to ensure that all children experiencing homelessness have the same rights to a free and appropriate public education as housed children. Provisions were adopted requiring states to review and undertake steps to revise residency requirements for school attendance to ensure that homeless children do not experience delays with school enrollment. After the death of its chief Republican sponsor, Stewart B. McKinney of Connecticut, the act was renamed the Stewart B. McKinney Homeless Assistance Act (P.L. 100-77). President Ronald Reagan signed it into law on July 22, 1987.

To help meet the new requirements, states received funds to establish or designate an office of coordination for the education of homeless children and youth. In addition to other responsibilities, the state coordinator's office was given authority to gather data on homeless children in the state and develop a state plan providing for their education. These provisions sought to give states the ability to better understand the challenges facing homeless students and increase responsibility for ensuring homeless children were not denied access to a free and appropriate public education.

Under the McKinney-Vento Act, a state coordinator is designated for each state. Listings of state coordinators can be found on the websites of the National Center for Homeless Education and the National Coalition for the Homeless. The coordinator for your state can also be identified by contacting your state department of education.

In 1990, educational opportunities for the nation's homeless children and youth were further enhanced. Provided with new information and data collected by state coordinators that revealed homeless children encountered significant obstacles in obtaining free and appropriate educational services, Congress amended the McKinney Act (P.L. 101-645). The Act reflected an intolerance for any barrier that prohibited the enrollment of homeless children and youth, along with a recognition that the true challenge was not simply to enroll homeless children, but to promote their academic success in public school.

Specifically, the McKinney amendments required state homeless education coordinators to look beyond residency issues toward other potential barriers that keep homeless children and youth out of school. As a result, states were required to review and revise all policies, practices, laws, and regulations that might act as barriers to the enrollment, attendance, or academic success of homeless children and youth. In addition, states were responsible for assuming a leadership role in ensuring that local education agencies reviewed and revised policies and procedures that might impede the access of homeless children and youth to a free and appropriate public education.

To promote the academic success of homeless students, the reauthorization provided for direct educational services. Prior to passage of the 1990 amendments, states were prohibited from using McKinney funds to provide such services. Today, school districts that apply for and receive McKinney-Vento funds may use them to provide before- and after-school programs, tutoring programs, referrals for medical and mental health services, preschool programs, parent education, counseling, social work services, transportation services, and other services that may not otherwise have been provided by the public school program. To meet this expanded role, appropriations were increased significantly from 1987 levels.



When amended again, the education component of the McKinney Act was incorporated into the Improving America's Schools Act (IASA, Section 323 of P.L. 103-382), the 1994 reauthorization of the Elementary and Secondary Education Act, which contains many other education programs, such as Title I and Migrant Education. As part of IASA, the McKinney Act increased legal protections for homeless children and youth to ensure greater access to the appropriate education services provided under federal, state, and local law. Under the new amendments, states were authorized to extend services funded by McKinney to preschool children. Additionally, categorical spending limits within the law were removed, giving LEAs with McKinney funds greater flexibility in developing programs to meet the educational, social, and health needs of homeless children and youth. The law stated that a homeless child may be enrolled in the school of origin (the school attended before becoming homeless or the last school attended by the student) or the school attended by other students residing in the area. States were charged with ensuring that school districts abide by a parent's or guardian's preference, to the extent feasible, when making enrollment decisions. Finally, the Act strengthened provisions requiring interagency coordination and collaboration between state and local education agencies and other agencies and organizations that provide services to homeless people.

In 2001, the Education of Homeless Children and Youth Program was reauthorized by the No Child Left Behind Act and was signed by President George W. Bush on January 8, 2002. National statistics showed that over one million children and youth are likely to experience homelessness in a given year and that extreme poverty, coupled with high mobility and loss of housing, places these children at great risk for educational challenges. These data resulted in additional supports being incorporated into the law. Among the changes for the Office of State Coordinator is the requirement to

strengthen state support to *all* school districts by coordinating with local liaisons to ensure accountability, greater flexibility to use McKinney-Vento funds, and increases in funding. The reauthorization strengthens the policy that homeless students should be integrated with their housed peers by explicitly prohibiting the segregation of homeless students through the creation of new separate schools or separate programs within schools and by requiring the Office of State Coordinator to provide technical assistance to promptly integrate homeless children and youth attending separate schools and programs into schools and programs serving non-homeless students. Clarification of who is considered homeless is addressed by describing specific situations that qualify students as homeless. Prior to this version of the law, educators were dependent upon descriptions found in the U.S. Department of Education's Preliminary Guidance. The explicit categories are described later in this chapter.

Legal Responsibilities of LEAs

As mentioned in Chapter 1, a new 2001 reauthorization requirement is the need for each LEA to designate a homeless education liaison to ensure that homeless children and youth are identified, enrolled in school, and receive appropriate services to meet with success in school. This liaison must assist the school district in its compliance with federal and state regulations related to the education of homeless children and youth.

A list of LEA responsibilities for serving children and youth experiencing homelessness (with examples of appropriate activities) follows in Table 2. This list provides LEAs with an outline for shaping the roles and responsibilities to be assigned to local liaisons, discussed in greater detail in Chapter 3. (A copy of the complete McKinney-Vento Homeless Education Act can be found in Appendix A.)

In addition to federal requirements, LEAs must consider any state legislation that may further shape the responsibilities of local liaisons. Local



liaisons should contact their state coordinator for state-level information related to the education of homeless children and youth.

The text of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001 and additional information on the law may be found at the following websites:

NCHE: *www.serve.org/nche*

NCH: *www.nationalhomeless.org*

NLCHP: *www.nlchp.org*

U.S. Department of Education: *www.ed.gov/nclb/landing.jhtml?SRC=MR*

Table 2: LEA Responsibilities and Activities

Areas of Responsibility	Activities and Responsibilities to Support Area Compliance
<p>1. Ensure access to school and appropriate services.</p>	<ul style="list-style-type: none"> • Designate a contact person as a liaison for homeless children and youth, ensuring that homeless children are identified, enrolled, and receive equitable access to high-quality education and support services. • Review and revise policies that may impede homeless students' access to school. • Disseminate public notice of the educational rights of homeless children and youth, increasing awareness of homeless children's educational rights. • Ensure identification of children and youth experiencing homelessness. • Immediately enroll homeless children and youth, eliminating delays caused by lack of records or other enrollment requirements. • Offer services to homeless students that are offered to non-homeless students, including transportation services and educational services for which the student is eligible (e.g., Head Start, Even Start, preschool, Title I, programs for students with limited English proficiency (LEP/ESL), programs for gifted and talented students, special education, etc.). • Ensure that homeless children are not segregated or stigmatized because of their homelessness.



Table 2: LEA Responsibilities and Activities (continued)

Areas of Responsibility	Activities and Responsibilities to Support Area Compliance
1. Ensure access to school and appropriate services. (continued)	<ul style="list-style-type: none"> • Maintain and transfer records in a timely fashion. • Assist with immunizations. • Promote awareness among staff of the needs of students experiencing homelessness.
2. Reduce school transfers and enhance educational stability and continuity.	<ul style="list-style-type: none"> • Keep children in their school of origin to the extent feasible, except when doing so is contrary to the wishes of parents/guardians. • Ensure the right to attend school of origin extends for the entire duration of homelessness and that children who become housed during the academic year may continue their education in the school of origin for the remainder of the academic year.
3. Strengthen parental choice and involvement.	<ul style="list-style-type: none"> • Ensure homeless parents are fully informed of the enrollment options and educational opportunities available to their children. • Provide written explanation to parents should disputes arise over school selection or school enrollment and refer parents to liaisons to mediate such disputes. • Provide homeless parents with meaningful opportunities to participate in the education of their children.
4. Ensure educational rights of unaccompanied youth.	<ul style="list-style-type: none"> • Immediately enroll unaccompanied youth. • Maintain unaccompanied youth in school of origin to the extent feasible, unless this is against the youth's wishes. • Immediately enroll youth in the school to which they seek enrollment pending resolution of any disputes regarding such placement. • When applying for McKinney-Vento funding, include an assessment of the needs of unaccompanied youth in the application.

Impact of Other Educational Legislation

The McKinney-Vento Act states that homeless children and youth must have access to the same educational services provided to other students. In addition, other educational legislation makes reference to serving homeless students. For example:

- Head Start has added homeless preschoolers as a targeted population to be served. Background on homelessness and its impact on young children, as well as implementation guidance, can be found in a 1992 Information Memorandum from the Head Start Bureau (U.S. Department of Health and Human Services, Log Number: ACF-IM-92-12). Just as the legislation requires public schools to identify and remove barriers that may delay enrollment, the same requirement applies to preschool programs, such as Head Start.
- The Individuals with Disabilities Act (IDEA) was amended in 2004 to facilitate the timely assessment, appropriate service provision and placement, and continuity of services for children and youth with disabilities who experience homelessness and high mobility. The reauthorized law requires greater coordination and compliance with the McKinney-Vento Act. IDEA also requires that homeless preschoolers and all homeless children be included in the Child Find process for early identification of special education needs. For unaccompanied youth, IDEA specifically requires LEAs to appoint surrogate parents, and to make reasonable efforts to complete the appointment process within 30 days. (See the IDEA information brief included in Appendix G).
- Title I targets students most at risk of failing in school. A child who is homeless and attending any school in the district is eligible for Title I services. This includes schoolwide Title I programs, targeted assistance Title I schools, and non-Title I schools. LEAs must reserve (set aside) a portion of Title I funds needed to provide services to homeless students in non-Title I schools that are comparable to those being received by other Title I students. In addition, in order to receive their allocation of Title I funds, the LEA must include how the district will coordinate with the McKinney-Vento Homeless Assistance Act when filing their plan with the SEA. (Suggested methods for determining set asides are located in Appendix R.) For specific legislative language found in the No Child Left Behind Act, see Section 1111(a)(1); Section 1112(a)(1); Section 1112(b)(1)(E)(ii); Section 1112(b)(1)(O); Section 1112(b)(15); Section 1113(c)(3)(a); and Section 1115(b)(2)(E) for specific details of Title I/McKinney-Vento coordination requirements.
- The Child Nutrition and WIC Reauthorization Act of 2004 makes runaway, homeless, and migrant children categorically eligible for free school meals. To implement expedited procedures detailed in the memos (included in Appendix P), school officials must work closely with the local liaison and directors of homeless shelters to ensure that children are provided free meal benefits as promptly as possible, as well as to ensure that the school food service is promptly advised when children leave the school or are no longer considered homeless. The local liaison should be familiar with the appropriate school district contacts for free and reduced price meals programs and explore opportunities to collaborate. Suggestions for such collaborative efforts can be found in Chapter 5.



Defining Homelessness

Before schools can be certain they are complying with legislation related to educating students experiencing homelessness, they must understand who can be considered homeless. The McKinney-Vento Act (Section 725) defines homeless children and youth as follows:

- Children and youth who lack a fixed, regular, and adequate nighttime residence, and includes children and youth who are:
 - ⓪ Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
 - ⓪ Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations.
 - ⓪ Living in emergency or transitional shelters.
 - ⓪ Abandoned in hospitals.
 - ⓪ Awaiting foster care placement.
- Children and youth who have 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.
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- Migratory children who qualify as homeless because they are living in circumstances described above.
- The term “unaccompanied youth”

includes a youth not in the physical custody of a parent or guardian. This would include runaways living in runaway shelters, abandoned buildings, cars, on the streets, or in other inadequate housing; children and youth denied housing by their families (sometimes referred to as “throwaway children and youth”); and school-age unwed mothers living in homes for unwed mothers because they have no other housing available.

In determining whether or not a child or youth is homeless, the LEA should consider the *relative permanence of the living arrangements*. Determinations of homelessness should be made on a case-by-case basis. Note that incarcerated children and youth are not considered homeless. Appendix B contains a flyer that defines homelessness and describes these living arrangements. This flyer can be used for awareness building and training. An additional resource is an issue brief available on the NCHE website and in Appendix G.

Many staff members within a school district may encounter homeless students while carrying out their responsibilities. In addition, the community and schools must work together to reach homeless families and unaccompanied youth and ensure they are aware of their educational rights. To successfully fulfill the intent



Return to the case of Maria presented at the beginning of this chapter.

Consider:

Should Maria be able to enroll her children?

Yes, lack of records cannot delay enrollment for students experiencing homelessness.

What went wrong?

Maria did not have information about the educational rights of her children. Possibly, the school was unaware of these rights as well.

What should be done?

Basic information about the McKinney-Vento Act should be available to school personnel and homeless families.

What could you do to prevent this from happening in a school in your district?

- *Ensure an individual in the school district assumes the role of local homeless education liaison, as required by the McKinney-Vento Act.*
- *Encourage the identification of school-level contacts to work with the district liaison.*
- *Place posters in community areas and at the school where enrollment occurs.*
- *Have brochures in shelters and other community services offices explaining the educational rights of homeless children and youth.*
- *Provide staff responsible for enrollment (principals, secretaries, attendance officers, guidance counselors, etc.) with training to recognize who may be considered homeless and to comply with the enrollment requirements of the McKinney-Vento Act.*
- *Implement additional support strategies in the succeeding chapters of this toolkit.*



Chapter Three:

Liaison Roles and Responsibilities Policies and Procedures on the Local Front



Principal Phil Branton has noticed that students are arriving at his school from a recently opened shelter in the neighborhood. This is a new development, and Principal Branton has had no experience working with homeless families. Shelter workers are telling him the children can enroll even if they cannot fulfill the school district's enrollment requirements.

Consider:

- *Who can Principal Branton contact to learn about his responsibilities when enrolling students experiencing homelessness?*
- *What other information and resources might Principal Branton need to best serve these new students?*

Responses to these questions are presented at the end of the chapter.

The establishment of local homeless education liaisons addresses the questions posed in the previous scenario. All local school districts must comply with the basic requirements for serving homeless children and youth outlined in the McKinney-Vento Act. However, without an individual identified by the district to coordinate such efforts, there may be many Principal Brantons with little experience and little knowledge of the legal requirements for serving homeless students. In Chapter 2 we reviewed local requirements required by the federal legislation. This chapter provides suggestions for local policies and procedures and outlines the responsibilities a local liaison may be assigned to ensure compliance and improve services for homeless children and youth.

Identifying Homeless Children and Youth

Look at the picture below. Can you determine which child is homeless?



Appearance alone is insufficient to identify a child or youth as homeless. There is no simple method to make such identification—that’s part of the challenge schools face when attempting to meet the needs of students experiencing homelessness.

Knowledge of the definition of homelessness and legal requirements will not ensure homeless children and youth have access to and receive the educational services to which they are entitled. Schools may not be aware that a family arriving at the school to enroll is homeless or that the students they serve are experiencing homelessness. Homelessness can be “invisible.” Schools may not be aware of the indicators that suggest homelessness exists, and families may be reluctant to share such information.

So, how can homelessness become more visible for school personnel? Strategies include:

- Collaborating with community agencies, including shelters, to identify homeless children who require access to the public school system
- Offering professional development opportunities to support staff in learning how to identify children and youth experiencing homelessness and their educational needs
- Recognizing the warning signs of homelessness
- Providing a supportive, welcoming setting for families

Such efforts must be in place if the full intent of the legislation to meet the educational needs of homeless children and youth is to be realized. This section includes potential warning signs and tips for identification procedures. In addition, common signs of homelessness can be found in Appendix C, formatted for use as a handout or flyer.

Warning Signs of Homelessness

Note: While these are considered warning signs, please recognize that they only offer general guidance. There is significant variability within the school-age homeless population. Individual students may differ significantly from the following general characteristics.

Lack of Continuity in Education

- Attendance at many different schools
- Lack of personal records needed to enroll
- Inability to pay fees
- Gaps in skill development
- Mistaken diagnosis of abilities
- Poor organizational skills
- Poor ability to conceptualize

Poor Health/Nutrition

- Lack of immunizations and/or immunization records
- Unmet medical and dental needs
- Increased vulnerability to colds and flu
- Respiratory problems
- Skin rashes
- Chronic hunger (may hoard food)
- Fatigue (may fall asleep in class)

Transportation and Attendance Problems

- Erratic attendance and tardiness
- Numerous absences
- Lack of participation in after-school activities
- Lack of participation in field trips
- Absences on days when students bring special treats from home
- Inability to contact parents



Poor Hygiene

- Lack of shower facilities/washers, etc.
- Wearing same clothes for several days
- Inconsistent grooming (well-groomed one day and poorly groomed the next)

Lack of Privacy/Personal Space After School

- Consistent lack of preparation for school
- Incomplete or missing homework (no place to work or keep supplies)
- Unable to complete special projects (no access to supplies)
- Lack of basic school supplies
- Loss of books and other supplies on a regular basis
- Concern for safety of belongings
- Refusing invitations from classmates

Social and Behavioral Concerns

- A marked change in behavior
- Poor/short attention span
- Poor self-esteem
- Extreme shyness
- Unwillingness to risk forming relationships with peers and teachers
- Difficulty socializing at recess
- Difficulty trusting people
- Aggression
- “Old” beyond years
- Protective of parents
- Clinging behavior
- Developmental delays
- Fear of abandonment
- School phobia (student wants to be with parent)

- Need for immediate gratification
- Anxiety late in the school day

Reaction/Statements by Parent, Guardian, or Child

- Exhibiting anger or embarrassment when asked about current address
- Mention of staying with grandparents, other relatives, friends, or in a motel, or comments, such as
 - “I don’t remember the name of our previous school.”
 - “We’ve been moving around a lot.”
 - “Our address is new; I can’t remember it” (may hide lack of permanent address).
 - “We’re staying with relatives until we get settled.”
 - “We’re going through a bad time right now.”
 - “We’ve been unpacking, traveling, etc.” (to explain poor appearance and/or hygiene).

(These warning signs were adapted from flyers developed by the Illinois and Pennsylvania Departments of Education.)

Tips for Identifying Homeless Children and Youth

Familiarity with potential warning signs is a first step in identifying children and youth who may be homeless. Effective identification also requires additional analysis of information already being collected by the district and community outreach. Consider the following strategies suggested by local school districts:

- Access student management software. Make use of the capabilities of the administrative software at your school.



Sort and list students by address and note occurrences of the same address for more than one family.

- Review mailing labels. When printing newsletters or other mailing labels, note occurrences of the same address for more than one family.
- Become familiar with local motel addresses. Look up the addresses of low-cost motels, and note when families/students list them as their own.
- Make personal contacts with the front desk staff at motels, low-cost health facilities, police stations, and other public service facilities. Ask them to notify you when they meet homeless families with children.
- Post educational rights of homeless children in areas throughout the community and school areas where families will see them when they enroll. (NCHE has a poster downloadable from its website at www.serve.org/nche or by calling 800-308-2145 for printed copies. Contact your state coordinator for a state version or modify the sample in Appendix D.)
- Disseminate brochures or flyers that explain the educational rights of homeless children; offer suggestions to ensure children are enrolled in school quickly and offer contact information for additional help. Send a supply to each shelter that accepts children in your area, department of social services, health department, and other service providers that may work with homeless families.
- Familiarize staff with the McKinney-Vento Act's definition of homelessness.
- Enroll the child or youth immediately. Missing records may be an indicator of homelessness. Contact the previous school to have the records sent. Develop a procedure to assess students for placement purposes if academic records are not immediately available.

- Offer assistance if you think a family may be homeless.
 - Assure families that their children can enroll even if the family does not have a "regular place to live" right now.
 - If possible, take the family to a private location when enrolling.
 - Offer help in completing forms. Hesitation may indicate an inability to read.
 - Provide the student with supplies needed to take into the classroom.
 - Arrange for free and reduced-price lunch. (See Appendix P for procedure.)
 - Be sensitive, patient, calm, and reassuring.

(Identification tips adapted from Illinois Department of Education.)

Identification processes can be made systematic through tracking with appropriate documentation. Challenges of sharing information across agencies while maintaining appropriate confidentiality (such as FERPA) may require interagency agreements. Data management systems are becoming more common to assist multiple agencies that serve homeless individuals and families to share information. As these become more prevalent, districts should explore how they could participate in the process. Contacting local HUD officials may be a logical first step in identifying the appropriate channels. Several localities have developed district-level systems for identifying and tracking homeless students, including San Antonio, Texas; Richmond, Virginia; and West Contra Costa Unified School District in California. Appendix E contains forms adapted from the documentation used by these LEAs. The effectiveness of such a system for collecting information related to homeless status upon enrollment will require appropriate training of staff responsible for the school district's enrollment process, such as secretaries,



guidance counselors, and principals. Such information can then be used to improve services for students experiencing homelessness such as:

- Referrals to counselors or social workers when additional services are needed
- A means of identifying mobility patterns
- A way to disaggregate achievement data

Refinements to the services being provided by the school district could then be made using data-driven decision making.

Facilitating Enrollment

According to the McKinney-Vento Act, local school districts must review local policies and procedures and revise those that may act as barriers that prevent homeless children and youth from accessing the appropriate services. The 2001 reauthorization further states that homeless students must be enrolled immediately. This section identifies common barriers homeless children and youth encounter and offers suggestions for alternatives that could be incorporated into local policies and procedures to ensure compliance with the McKinney-Vento Act.

Review and revision of legislation, policies, and procedures have been required at the state level as well. Despite efforts to comply, some state laws and policies may continue to conflict with the requirements of the McKinney-Vento Act. An important reference when this occurs is the United States Constitution, Article VI, known as the Supremacy Clause, which states that federal law supersedes state law when conflicts arise. In addition, to receive funds from other compensatory programs, including Title I, states and LEAs must provide assurances that they will comply with the requirements of the McKinney-Vento Act.

Local school districts should contact their state coordinator's office for guidance when reviewing policies and procedures. Your state

coordinator is a resource that can provide information related to state requirements and policies. In addition, the state coordinator may have additional guidance on local districts' policies and procedures tailored to your state. The U.S. Department of Education (website: www.ed.gov; e-mail: Gary.Rutkin@ed.gov; phone: 202-260-4412) and the National Law Center on Homelessness & Poverty (website: www.nlchp.org; e-mail: nlchp@nlchp.org; phone: 202-638-2535) are other resources that can assist in determining compliance with the McKinney-Vento Act.

Please note that significant changes in policies and procedures will likely involve the cooperation of the local school superintendent, local school boards, and possibly the district's attorney. Liaisons pursuing revisions to local policies and procedures should identify the appropriate channels and important contacts who should be involved. Support from high-ranking local administration is needed for significant changes to be acknowledged at the school level where students are served.

Residency Requirements

Homeless children and youth may move frequently and reside in places lacking traditional addresses. This makes residency difficult to verify. A form to assist in verifying homelessness can be found in Appendix E. In addition, federal law requires that students have the following two options for school enrollment: (a) the school of origin (that is, the school the child attended prior to becoming homeless or the last school attended) or (b) the school attended by other students residing in the same area as the current residence.

Determining residence of homeless children and youth for enrollment purposes must acknowledge these two options, with the goal being stability and continuity of the student's education. The wishes of the student's parents must be considered first. In the event that the school district's decision does not concur with the parents' preference, written documenta-



tion must be sent to the parents who have the right to appeal by following the state's enrollment dispute procedure. In the event that the student is an unaccompanied youth, the wishes of the youth must be considered. An unaccompanied youth also may appeal a school district decision using the dispute resolution process. A decision made at the school district level must be documented if a dispute occurs. The school district should be able to provide evidence that it acted in accordance with the McKinney-Vento Act to serve the best interests of the student. Appendix E also includes a checklist of issues to be discussed and considered when determining feasibility for school placement decisions. Residency concerns *cannot* delay the enrollment or attendance of a student experiencing homelessness. While disputes are being resolved, the student must be enrolled and attending the school requested by the parent, guardian, or unaccompanied youth.

Students' Documentation for School Enrollment

Frequent moves, lack of personal space, domestic violence, and many other factors can make it difficult for homeless families to maintain the documentation schools require for enrollment. Frequently, alternatives for the most common documentation or copies of originals, may be substituted. In addition, technology is useful in expediting the transmission of needed information. Phone calls and faxes can be used to quickly locate missing documentation, such as academic and special education records, immunization and health records, or birth certificates. The McKinney-Vento Act requires that the enrolling school must contact the last school attended to obtain student records. Suggestions for specific documents can be found in Table 3. While waiting for documentation, the school must enroll the student.

Guardianship and Unaccompanied Youth

Complications in family living arrangements may prevent homeless students from being able to reside with parents due to shelter restrictions or lack of adequate space. For example, a teenage son may not be allowed to stay with his mother in a domestic violence shelter. Children and youth may be living with other relatives or friends in areas far from the parents' residence. Runaway youth or youth whose families have abandoned them may have no recognized guardian. These children and youth cannot be denied enrollment due to the lack of a legal guardian. An affidavit signed by an adult willing to act in loco parentis (in the place of the parent) may be considered as an option. Schools should enroll these students immediately and work with the appropriate authorities to ensure their access to needed services. Appendix S contains more information on ensuring enrollment and access for unaccompanied youth.



Table 3. Potential Enrollment Barriers and Possible Solutions

Potential Enrollment Barriers	Possible Solutions
Residency requirements	<ul style="list-style-type: none"> • Check state law for specific exemptions for homeless children and youth. • Allow alternative proof: <ul style="list-style-type: none"> ⊙ Student Residency Form (See Appendix E) ⊙ Hotel or motel receipt ⊙ Letter from shelter, community agency, or parent verifying homelessness and indicating location of residence
Original birth certificate requirement	<ul style="list-style-type: none"> • Allow alternative proof: <ul style="list-style-type: none"> ⊙ Other original documents: baptismal record, passport, immigration certificate, notice of birth, or verification of birthdate from the hospital where the child was born ⊙ Copies of school records, birth certificate, or birthdate verification from appropriate social service agency ⊙ Affidavit (See Appendix E)
Social Security card or number	<ul style="list-style-type: none"> • May request card but cannot require it. • Assist family in obtaining cards or new copies, if lost, from Social Security (Social Security Hotline: 800-772-1213).
School records, including special education IEPs	<ul style="list-style-type: none"> • Accept parent report with phone call verification to previous school. • Have records faxed from previous school. • If previous school cannot be identified or the student was not previously enrolled, consider creating a procedure for immediate screening and placement.
Health records and immunizations	<ul style="list-style-type: none"> • Accept copies, phone calls, faxes, or references in previous school records as verification. • If no records exist or immunizations have not been received, have the school refer the family to the local liaison and to help the parents in obtaining the necessary immunizations and/or records. This is a requirement of liaisons, according to the McKinney-Vento Act. • If appropriate, the parent or guardian may sign a “personal beliefs” exemption stating such medical services run counter to personal or religious beliefs.

Table 3. Potential Enrollment Barriers and Possible Solutions (continued)

Potential Enrollment Barriers	Possible Solutions
Parent or guardianship verification	<ul style="list-style-type: none"> • Accept an affidavit (See Appendix E). • Accept documentation of a court date for pending custody hearings. <p><i>Note: Schools may be required to report circumstances where guardianship has not been verified.</i></p>
Unaccompanied youth	<ul style="list-style-type: none"> • Enroll student and work with appropriate agencies to assist the student. • Have adult living with the student complete a Caregiver’s Authorization Form (e.g., California’s “Caregiver’s Authorization Form” in Appendix E).

Dispute Resolution

Each state is required to have a process for resolving disputes related to enrolling homeless children and youth in school. This may occur when questions regarding school of origin or transportation services arise. The local liaison is frequently one of the first individuals to be informed of such a dispute and has specific responsibilities that should be outlined in the state’s enrollment dispute resolution process. Contact your state coordinator for a copy of your state’s procedure. In cases of a dispute, the student should be enrolled and attending the school preferred by the family while the dispute is being resolved.

Be sure to consider the following programs when reviewing local policies and procedures to decide if homeless students do have the appropriate access:

- Free or reduced-price breakfast and lunch
- Title I
- Special education
- Talented and gifted
- Transportation
- After-school and summer programs
- Head Start and other early childhood programs in the district

Ensuring Access to Educational Services

When students experiencing homelessness enroll in school, they will frequently require access to special school programs. The students and families should be connected with appropriate services as soon as possible. Homeless students must have access to all educational programs and services for which they are eligible. Unfortunately, the normal referral process may delay services, and if families move frequently, the process may not be complete before students move again.

A local homeless education liaison should contact offices that provide these educational services in the school district to discuss how homeless students receive such services and to determine if any revisions in policies or procedures would ensure greater access. For example, a homeless student who is being referred for special education eligibility testing may be given higher priority to shorten the time between referral and eligibility if the family has made multiple moves and previous efforts at testing were not completed.



Suggestions to initiate collaboration with other departments can be found in Chapter 5.

Evaluating the Effectiveness of Local Programs

Documenting the efforts made by local school districts in serving homeless children and youth can be formalized through an evaluation process. More and more, educators are being asked to measure their successes as a form of accountability. Evaluations can serve a number of purposes. The information obtained can be used to improve programs and current efforts, to document compliance, and to leverage supplemental funding when sought.

One resource a local school district may consult is the Texas Self-Assessment Guide for Schools. Listing major objectives of McKinney-Vento legislation, the Guide leads school districts through a series of questions to determine how well objectives are being met. The Guide addresses enrollment, training of school personnel, service delivery to homeless students, and community outreach and collaboration. To obtain the Guide, contact Barbara James, Texas State Coordinator for Homeless Education. Barbara can be reached either by phone at 512-475-8765 or by e-mail at babawawa@mail.utexas.edu.

A second resource based on the reauthorized act entitled *McKinney-Vento Data Standards and Indicators Guidebook* is available through the National Center for Homeless Education (800-308-2145) and on the NCHE website at www.serve.org/nche. NCHE has developed a series of standards and indicators for local programs focusing on student outcomes and traditional process documentation. Indicators are identified that provide a means for evaluating the following standards:

Standard 1: Within one full day of an attempt to enroll in a school, children and youth experiencing homelessness are in attendance.

Standard 2: Pre-K–12 children and youth experiencing homelessness have stability in school.

Standard 3: Children and youth experiencing homelessness receive specialized services when eligible.

Standard 4: Parents or persons acting as parents of children and youth experiencing homelessness participate meaningfully in their children's education.

Standard 5: Children and youth experiencing homelessness in grades 3–12 meet their state's academic standards.

LEA Responsibilities a Homeless Education Liaison May Fulfill

A local homeless education liaison can fulfill many roles. The liaison can be an administrator, a professional development coordinator, a collaborator, or an outreach specialist. The local school district will need to shape the position, based on its current needs in serving homeless children and youth. These responsibilities should be revisited over time with some items being deleted and others added, depending on the composition of the community, the level of awareness established in the schools, and the level of implementation that has occurred for revised policies and procedures. Table 4 lists many of the responsibilities that a local liaison is required to fulfill. In addition, the table includes responsibilities that are suggested as good practice.



Table 4: Responsibilities for Local Homeless Education Liaisons

Issue	Responsibility	Legally Required
Policies and procedures	<ul style="list-style-type: none"> Review local policies and procedures that may impact homeless children and youth, such as school enrollment and access to school programs (LEA requirement, may be assumed by liaison). Revise local policies and procedures determined to be potential barriers for homeless children and youth (This is an LEA requirement that may be assumed by liaison). Ensure that homeless students are identified by school personnel. 	
Enrollment and access to educational services	<ul style="list-style-type: none"> Ensure that homeless students enroll in, and receive equal opportunity to succeed in, the schools of the LEA. Ensure that homeless families, children, and youth receive educational services for which they are eligible, including Head Start, Even Start, and pre-school programs administered by the LEA, and referrals to health, mental health, dental, and other appropriate services. Ensure that parents or guardians are informed of educational and related opportunities that are available to their children and are provided meaningful opportunities to participate in their children's education. Assist with enrollment dispute cases and ensure they are mediated in accordance with the state's enrollment dispute resolution process. 	
Outreach	<ul style="list-style-type: none"> Ensure that the parent or guardian of a homeless child or youth, as well as any unaccompanied youth, is fully informed of all transportation services, including to the school of origin. Ensure that assistance to access transportation services is provided. Post educational rights of homeless children and youth in all schools. Post educational rights of homeless children and youth in the community where homeless families and youth may receive services (e.g., shelters, public health offices, libraries, and soup kitchens). Inform school personnel, service providers, and advocates who work with homeless families of the duties of the liaison. Collaborate and coordinate with state coordinators, community service providers, and school personnel responsible for the provision of education and related services to homeless children and youth. 	

Table 4: Responsibilities for Local Homeless Education Liaisons (continued)

Issue	Responsibility	Legally Required
Unaccompanied youth	<ul style="list-style-type: none"> • Assist unaccompanied youth in placement/enrollment decisions, including considering the youth’s wishes in those decisions, and providing notice to the youth of the right to appeal such decisions under the enrollment disputes provisions. (See Appendix S for more information on ensuring enrollment for unaccompanied youth.) • Ensure that unaccompanied youth are immediately enrolled in school pending resolution of disputes that might arise over school enrollment and placement. • Assist children and youth who do not have immunizations or medical records to obtain the necessary immunizations or medical records. 	
Suggested activities to ensure districtwide compliance	<ul style="list-style-type: none"> • Provide professional development for school district staff to build awareness of the educational needs of homeless students, legal responsibilities of the school, and local policies and procedures. • Provide outreach to community service providers through presentations, announcements, and dissemination of relevant publications. • Provide training for parents. • Distribute materials, tutoring supplies, and clothing to schools. • Conduct a needs assessment. • Conduct an evaluation of the local homeless education program. 	

The list of responsibilities in Table 4 is in no way exhaustive, yet may appear overwhelming at first glance. Many of these responsibilities will require outreach and collaboration with the community, other district-level personnel, and

school-level personnel. Chapters 5 and 6 contain suggestions and resources to begin such outreach and to build partnerships to meet the educational needs of homeless children and youth.

Return to the case of Principal Phil Branton presented at the beginning of this chapter.

Consider:

Who can Principal Branton contact to learn about his responsibilities when enrolling students experiencing homelessness?

- *The local homeless education liaison is the most appropriate contact for the principal. The local liaison not only has information on federal and state requirements but also can explain how these requirements are implemented at the local level.*
- *The state coordinator for homeless education can also be a useful resource, especially when discussing general information related to state/federal requirements.*



Chapter Four: Strategies for Meeting the Educational Needs of Homeless Children and Youth



An advisory board for homeless education met to discuss what they could do to promote access to and success in schools for children and youth experiencing homelessness. Around the table sat individuals who worked with students in shelters, a local homeless education liaison, a classroom teacher, and several school district administrators. Ideas flowed about methods to get information to staff involved in educating students. The board members realized that building awareness was key and talked about mailings, personal contacts, training opportunities, and the successes and frustrations that they had faced. In addition to the ever-present need to build awareness was the question of how to actually meet the educational needs of children and youth. The team came to the following conclusions:

- 1) Get students enrolled in school.*
- 2) Identify their individual needs.*
- 3) Connect the students with the appropriate services.*

The board members realized that homeless students are a diverse group whose educational needs vary greatly and that the community and school district had resources available that could meet many of the potential needs. The conversation returned to awareness. The academic success of homeless children and youth could be increased if staff:

- Had information about students experiencing homelessness.*
- Were able to identify the potential needs of homeless students.*
- Could refer students to the appropriate school district and community supports.*

Consider:

- Given this scenario, what steps would you recommend be taken next?*
- Do other people need to be included in the planning? If so, who?*

Responses to these questions are presented at the end of the chapter.



The McKinney-Vento Act calls for states and localities to eliminate enrollment barriers. Chapter 3 reviewed common barriers and suggested potential remedies. Underlying any endeavor taken on behalf of students who are experiencing homelessness is the need to ensure that people understand what the law allows and how the state expects localities to implement the requirements. If compliance is to be realized and homeless children are to be served appropriately, school personnel must know what rights these children have. Building awareness across various levels is a major responsibility of local liaisons.

- At the school district level, the local liaison may assist the school district in identifying any existing barriers to the enrollment of homeless children and youth and take steps to alleviate them.
- At the school level, individuals responsible for student enrollment must be aware of the mandates in federal and state law related to students who meet the definition of homelessness.
- At the classroom level, teachers must know how to meet the needs of the highly mobile homeless students and the class as a whole.

Promoting awareness of the educational needs of children and youth experiencing homelessness among staff at all levels is needed to provide educational access and effective strategies that lead to greater success in school.

Awareness Building

A three-pronged approach to awareness building can be taken in the school district by addressing specific issues at three levels: (a) the school district/community level, (b) the school level, and (c) the classroom level. In order to build awareness, the local liaison must decide where to target such efforts, what channels to access, and what message to provide. The issue of homelessness is complex

and can be overwhelming. In reality, most local liaisons have time limitations, with homeless education accounting for a small portion of the multiple responsibilities they must fulfill. Therefore, efforts must be targeted. Chapter 4 offers suggestions for building awareness and developing strategies from the school district level to the classroom level. Many reproducible resources to support such efforts can be found in the Appendices.

What Can School Districts Do?

Designate a Local Liaison

School districts must have procedures to ensure that students experiencing homelessness have access to school. Designating a local liaison is the first step, one that is now mandated by the McKinney-Vento Act. Once a liaison has been identified, the liaison may need to become familiar with the educational needs of homeless children and youth. Becoming familiar with the contents of this toolkit will be helpful. Chapters 2 and 3 discuss local responsibilities and potential roles for liaisons. Once the liaison has a basic understanding of legislative requirements and educational needs, strategies to provide outreach to the school district can be developed.

Conduct a Needs Assessment

Best practice suggests that a needs assessment be conducted to shape the development of an action plan. (Appendix F includes a sample needs assessment.) Taking the time in the initial phase to conduct a needs assessment and create a service plan provides the liaison with a clear sense of where to start and a vision of anticipated goals to be realized. Needs can be identified, grant-writing opportunities targeted, and collaboration initiated to meet the educational needs of students. If the district is considering applying for McKinney-Vento funds, a needs assessment will be required as part of the application process.



Since LEAs not receiving McKinney-Vento funding may have limited resources to conduct a needs assessment, the state homeless education coordinator could be contacted for basic information collected at the state level. For example, state coordinators will have estimates on the number of homeless children and youth identified in each district, barriers that continue to be challenging, and examples of practices that have been successful at the local level. Liaisons in nearby school districts with sub-grants can be another valuable resource. The state coordinator will have contact information for such liaisons.

Identify Community Contacts

Local liaisons will need basic information about the community related to issues impacting homeless students. For example, knowledge of the location of all shelters that accept children and youth in the school district and surrounding communities and the populations they serve is needed to build relationships with shelter workers who may assist families enrolling students. A similar approach could be used with low-income motels. It is important that the schools serving areas with shelters and hotels be informed of the existence of these residences to encourage school-level outreach.

Localities receiving HUD funds have participated in a continuum of care process that includes an extensive needs assessment, including the identification of existing resources, agencies, and their services. This information would be very valuable when referring homeless families for needed services and building collaborative networks with the schools. Other potential sources for this information would be state or local interagency groups working with homeless families. Again, your state homeless education coordinator may be able to identify agencies and contacts. Children and youth experiencing homelessness

have many needs beyond those addressed by schools. Assisting families through appropriate referrals for additional services, such as housing, medical services, and social services, can increase stability and ensure students are more ready to learn when they reach the classroom.

Provide Outreach to Schools and Community

As noted in Chapter 2, LEAs, with the assistance of local liaisons, must ensure access of children and youth experiencing homelessness to school by:

- Educating school personnel about the federal, state, and local (if applicable) laws and guidelines regarding the education of students experiencing homelessness.
- Posting signs (in multiple languages, if applicable) in schools and where homeless families receive services to let parents/guardians know of their student's educational rights.
- Collaborating with community organizations.

In addition, it is recommended that liaisons:

- Contact local shelters and inform shelter directors or children's coordinators of the appropriate contact for assistance with school-related issues.
- Distribute materials about the educational needs of homeless children and youth.
- Meet district-level directors of departments such as guidance, special education, gifted education, transportation and Title I to identify collaborative efforts to benefit students experiencing homelessness.



Review, Revise, and Develop Local Policies and Procedures

The local homeless education liaison should ensure that local policies and procedures are reviewed and recommend changes to facilitate the enrollment and academic success of homeless students as needed. Since no requirements can act as barriers to delay enrollment, all enrollment requirements should be identified and alternatives generated that could satisfy requirements or expedite their fulfillment. For example, the McKinney-Vento Act states that a student who lacks proof of residency cannot be denied access to school. A logical substitution could be an affidavit stating where the student is currently staying at night in place of a utility bill. Chapter 3 of the *Toolkit* contains additional examples of barriers and potential solutions.

The requirement to keep a homeless student in his or her school of origin when it is in the child's best interest necessitates a process to make such a determination. Schools must first consider the school of origin and the preference of the parents, guardians, or unaccompanied youth. If the school disagrees with the family's or youth's preference, the school must provide written documentation of their decision and its justification. The family then has the option to follow the procedures established by the state's enrollment dispute resolution. Having such procedures in place will support schools in collecting information to best serve their students experiencing homelessness while not delaying enrollment.

Districtwide procedures for working with students who are homeless increase the consistency of school responses. Such procedures should address the following:

- Enrollment
- School of origin
- Transportation
- Access to educational programs
- Enrollment dispute resolution (developed by the state)

Appendix G includes reauthorization briefs that have been jointly created with the support of multiple national homeless-education organizations with input from state and local programs. These resources may be helpful in developing effective policies and procedures consistent with the reauthorized legislation. An additional resource in Appendix G is a sample local policy that LEAs may use as a model.

Collaborate with Other School District Programs

The local liaison also may serve as a resource to other school district departments to ensure students experiencing homelessness have access to the appropriate educational services. The liaison may identify ways for the departments to use what they are already doing to assist students experiencing homelessness. Table 5 offers suggestions for potential departments to contact and actions to take.



Table 5: Ensuring Access to Other Educational Programs

Department	Suggestions of What Can Be Done
Federal Programs (e.g., Title I, Title II, Safe & Drug Free Schools, Migrant Education)	<p>Look for overlap in missions and populations to collectively serve homeless children and youth.</p> <p>Review the legislative requirements for these programs and their references to serving homeless students.</p>
Special Education	<p>Ask that schools expedite requests for child studies and eligibility determinations since homeless children often move before the process is complete and, as a result, experience delays in obtaining services. Homeless children must be included in Child Find efforts. The liaison's contacts in the community would assist in this effort.</p>
Staff Development	<p>Offer a session on meeting the needs of highly mobile students.</p> <p>Provide short information "blurbs" for inclusion in district newsletters.</p>
Student Support Services	<p>Using the local databases, track student movement within the school district and target students moving frequently to determine if homelessness is a factor. If so, the student's school placement can be stabilized despite future moves.</p>
Transportation	<p>Include shelters on bus routes so stops are located nearby, and be responsive to changes as needed. If possible, arrange for students in shelters to be the first on and last off to avoid stigmatizing.</p>

What Can School Personnel Do?

In general, building-level administrators need information to share with staff members responsible for enrolling new students. This information should include the rights of homeless children and youth to a free and appropriate public education and examples of best or promising practices that promote compliance. Staff development may initially target schools in the district with the greatest likelihood of serving homeless students. All schools in the district will need information on homeless education to ensure doubled-up populations and children staying at their school of origin are served appropriately as well.

One way to disseminate information is to request a slot on the agenda of the school-district principals' meeting. During a brief presentation, the local liaison can explain his/her role in ensuring student access to school and request that principals designate a homeless education contact for each school. Local liaisons who have developed school-level contacts report that this has been a critical element of their success in reaching homeless students. With a point of contact's name, it is more likely that materials sent to the school will get to the appropriate staff and be read. The contact becomes a resource to call when problems arise. Given principals' limited time, a form the principal completes and returns via intra-district mail is recommended. A flyer could be included providing general information on



enrollment requirements and tips for the designated contact. A sample form and flyer are included in Appendix H.

A variety of professionals work in schools and impact the experiences of students who are homeless. Tip sheets that local liaisons can distribute to critical personnel, such as guidance counselors, school secretaries, administrators, and school nurses, are provided in Appendix I.

What Can Classroom Teachers Do?

The local liaison for homeless education can provide teacher tips for working with homeless students that:

- Heighten teacher awareness of the issues and needs associated with working with children and youth who are homeless.
- Promote sensitivity to the issue of homelessness.
- Support effective teaching strategies.
- Ensure all students participate in local and statewide assessments.

Most educators feel a connection to the students they teach. They want the best for them. However, few educators have had the experience of being homeless and may not be aware of what it is like to live in a shelter. They may not know the telltale signs of homelessness. While there are volumes of information that one could give educators, brief lists that can be read quickly and incorporated into the classroom environment with relative ease may be most useful.

When a student is identified as homeless, the teacher should be told privately and confidentially. Prior districtwide training and dissemination of information may prepare teachers for such an occurrence. Sensitivity can be nurtured in advance, but concrete strategies to meet the educational needs of homeless students may need to be revisited. Resources should be readily available for teachers who have not had homeless students in their

classes before. If school-level contacts have been identified, these contacts could have pre-made packets to share with teachers as needed. (Handouts on recognizing signs of homelessness and teacher tips for creating a successful school experience for students experiencing homelessness are included in Appendices B, C, and J.)

What Can Parents Do?

Parents and guardians play an important role in shaping how students perceive the change in their living arrangements. Parents may be disillusioned about the school experience from their own K–12 experiences or from frustrations of trying to get their children enrolled. Families may need some tips to assist their child during this time, for example:

- Keep the child's routine as consistent as possible.
- Look for any positive outcomes of the change (because offering reassurance in the midst of the upheaval that homelessness entails benefits children).
- Talk about the child's day at school, and ask the child to discuss the materials he or she brings from school.

A sample parent tip sheet can be found in Appendix I. In addition to helping parents, the tip sheet may be beneficial to enrollment staff, shelter staff, and teachers. For enrollment staff, the tip sheet will help them know what kind of questions the parents may ask. For the shelter worker, the sheet will assist in coaching parents who need to enroll students in school. For the teacher, the sheet may identify activities that could be incorporated into the classroom. The experience will more likely be a positive one if individuals are sensitive and welcoming to the parents.

Teachers may offer to assist parents by explaining report card information such as their children's state assessment scores. This information will assist parents in making good decisions about their children's education.



Keeping the Main Thing the Main Thing

The local homeless education liaison must support awareness building among all school district personnel. Teachers, administrators, secretaries, guidance counselors, social workers, and other staff are constantly changing,

just as the homeless population seems to be in constant motion. Attending to awareness one year will not be sufficient. Awareness must be an integral part of the local liaison's responsibilities. Using lists for quick reminders and reference will link what people need to know with what the child or youth is experiencing.

Return to the case of the local advisory board in the beginning of this chapter.

Consider:

Given this scenario, what steps would you recommend be taken next?

First, the board should be applauded for having a formal mechanism for dialogue across agencies. If they have not done so, the board may wish to:

- *Conduct a needs assessment or tap into an existing resource such as required for Continuum of Care.*
- *Be sure schools have contact information for local shelters and low-income motels in their attendance zones.*
- *Identify contacts in other education programs homeless students may access.*
- *Provide easy-to-read reference lists to education and related professionals.*

Do other people need to be included in the planning? If so, who?

Others are probably needed, although the board already includes multiple perspectives. Some potential future participants include administrators for Title I, special education, staff development, student support services, and transportation.



Chapter Five:

Developing Collaborative Efforts



It's 7:45 a.m. and Isaac, a local homeless education liaison, walks into his office as the phone rings. He is relieved the coffee does not spill as he juggles putting down his briefcase and mug. He answers the phone. A shelter director is calling to tell him a family with two middle-school-aged children arrived during the night. The mother wants the children to stay at their former school in the district. Isaac knows that he does not have any money for bus tokens to get the children to a school outside the shelter's attendance zone. The shelter director says that she will drive the children to school today, but will need assistance in the future. Isaac says that he will call her back later in the day.

Consider:

- *What does the law require?*
- *What options does Isaac have?*
- *What would happen in your school district?*

Responses to these questions are presented at the end of the chapter.

What can our liaison in the above scenario do? Isaac wears several hats, and homeless liaison is just one of them. He *is* responsible for ensuring the enrollment of children and youth who are homeless, but his school district does not receive any McKinney-Vento funds. Isaac does have options. He could:

- Call the school district transportation coordinator to see if a bus could drive by the shelter and get the children to their school of origin.
- Contact the student support services coordinator to determine how that department could assist.

- Alert the school to the children's change in living arrangements so that school personnel can be sensitive to additional needs the students may have.

Finally, Isaac must ensure that the parent's preference regarding placement is followed to the extent feasible, and transportation must be arranged.

Isaac will not be able to resolve the transportation challenge alone. Relationships with other departments in the school and the community will be necessary to bring closure in this case. Chapter 5 focuses on building collaborative relationships using examples from the experiences of homeless education liaisons.



Basic Tips for Collaboration

Identifying Potential Partners

Collaboration is a two-way street. People who work with children and youth experiencing homelessness often do so with little or no targeted financial resources. Collaboration with other departments in the school district is an essential tool to access services for homeless students. When deciding to pursue a collaborative partnership, it is helpful to:

- Identify the needs of homeless students in your district.
- Know the responsibilities of other departments in your district.
- Identify areas of interest or overlap between homeless education and other departments.
- Consider how other departments can provide assistance and be sure to determine how the assistance can benefit the department, if undertaken.
- Consider how the homeless education liaison can provide reciprocal support, if possible.

Once a potential collaborative relationship is identified, determine your key contact person in the department. Communicate regularly, and keep the issues germane to students as your focus.

Realizing the Level of Involvement Needed

Collaborative efforts is used loosely here to describe a relationship where two or more individuals or groups work on behalf of the education of children and youth experiencing homelessness. The degree to which the parties share responsibilities and resources can vary greatly across partnerships as shown in Figure 2. Relationships can range from low-level networking to true collaboration, which by definition is the highest level of shared responsibility in which resources are integrated. Some examples of each level may be found in Table 6. When reaching out to other departments and agencies, it is important to consider the level of relationship that may be needed to realize goals and to build on existing relationships that may be expanded. When new partners are sought, consider working on lower-level relationships to build trust before attempting more complex interactions.

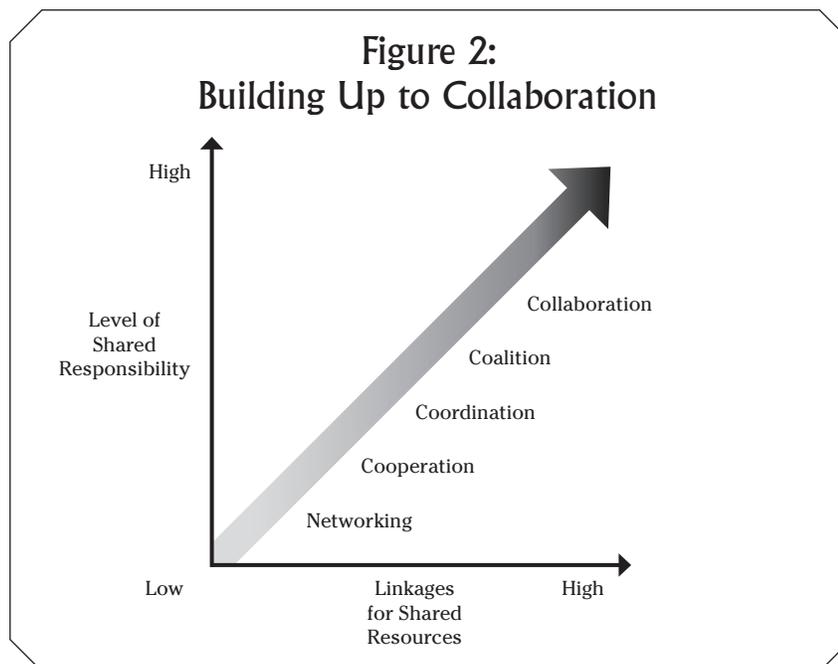


Table 6: Levels of Collaborative Efforts

Level	Description	Example
Networking	Making connections with individuals or groups whose purpose is related to your mission	Having copies of the transportation department's meeting minutes forwarded to you
Cooperation	Limited working together	Asking a Spanish teacher to translate a document to be used to promote the educational rights of students experiencing homelessness in the Spanish-speaking community
Coordination	Combined effort on an initiative that meets the needs of both parties	Arranging with school nurses to refer children experiencing homelessness for free or low-cost medical and dental care
Coalition	Regular communication and sharing of resources, but each group still retains control over its domain	Agreeing on a process to ensure that student services, the local homeless education liaison, and transportation communicate when a homeless student has a change of address to make sure that the bus gets the child to the location where he/she is currently staying
Collaboration	Working together and pooling resources to meet a common purpose or goal	The school and homeless education liaison work with the parents or guardians to provide the best educational program for the student and work together to make it happen

Initiating the Collaboration

Once you have considered how to make collaboration a win-win opportunity for students, it is time to approach the individuals, departments, or agencies with whom the prospective partnership will be formed. Appendix J provides a form developed by Miami-Dade, Florida, to identify future collaborative strategies. Suggested activities for accomplishing a collaborative partnership include the following:

- Schedule a time to meet with the individual in charge of the department or agency.
- Prepare for the meeting by identifying the key points to be discussed.

- Explain your role as homeless education liaison.
- Share what is needed in the district to support children and youth experiencing homelessness.
- Ask the individual for his/her support based on the department's or agency's responsibilities.
- Offer concrete suggestions for actions that can be taken by department or agency staff.
- Enter the meeting with a positive outlook and plan to leave with a specific commitment for support.



Developing the Collaboration

True collaborative relationships are often the result of growth. In fact, many collaborative agreements are sustained by building upon existing structures. While not all collaboration needs to be intense, key features of successful collaboration include the following:

- Establishing a common goal, purpose, or focus
- Communicating regularly
- Sharing resources
- Prioritizing and strategizing together

Be sure to build in opportunities to discuss and develop these features when creating and maintaining relationships with other departments and agencies.

Working with Other Departments in Your School District

Frequently, awareness of the needs and the issues associated with homeless students by central office staff is needed. Educating fellow central office personnel on the legal requirements for the education of homeless students is an important first step. The next logical step is opening a dialogue to determine how departments can help. Crucial to working with other departments is the elimination of barriers. Many departments can contribute to the access and success in school of students experiencing homelessness.

- The school board may need to address local policies that are potential barriers to enrollment, such as tuberculosis testing.
- Student support services may coordinate with homeless education to track intra-district transfers of homeless students.
- Student services may assist with record transfer and enrollment.

- The transportation department may allow shelters to call to arrange bus service for new children and youth at the shelter.
- District professional development provided at the start of each school year for the local school-records clerks may include homeless awareness training.

Collaboration yields understanding, new options, and coordination of resources. The key is identifying critical needs, key players, and potential actions at the start. Some departments are more likely than others to have a role to play in educating homeless children and youth. Special education and Title I are highlighted because of legislative references to homelessness in their respective laws.

Special Education

The Individuals with Disabilities Act (IDEA), amended in 2004, requires greater coordination and compliance with the McKinney-Vento Act. Local liaisons should work with special education coordinators to help establish procedures to ensure expedited assessment, appropriate service provision and placement, and continuity of services within required timelines for children who experience homelessness and have disabilities.

The Child Find component in IDEA includes identifying unserved children with disabilities who are homeless. The local liaison can provide information regarding the location of homeless families in the district, thereby assisting special education directors in the outreach required for Child Find. Linking young homeless children who may require special education with early intervention can be a powerful way to avoid more serious learning problems when students enter school.



Title I

Since approximately 4% of local school districts receive McKinney-Vento sub-grants, the majority of districts must consider other resources to meet the needs of children and youth experiencing homelessness. Title I funding is used by many school districts to improve the academic performance of children in poverty. Students experiencing homelessness are, by definition, part of the population that Title I serves. Title I and the local homeless education liaison can work for the benefit of homeless students by ensuring that they receive comparable services whether or not they attend a Title I school in the district. (As noted in Chapter 2, for specific legislative language in the No Child Left Behind Act, see Section 1111(a)(1); Section 1112(a)(1); Section 1112(b)(1)(E)(ii); Section 1112(b)(1)(O); Section 1112(b)(15); Section 1113(c)(3)(a); and Section 1115(b)(2)(E) for specific details of Title I/McKinney-Vento coordination requirements.) LEAs must reserve (or set aside) funds as are necessary to provide services comparable to those provided to children in Title I, Part A-funded schools to serve homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live.

Please note, however, that the U.S. Department of Education has stipulated that while Title I funds can be used for educationally related services, they may not be used to fund transportation to the school of origin for homeless children and youth. Because transportation services to the school of origin are mandated under McKinney Vento, the use of Title I or Title V funds for transportation would be considered supplanting, which is prohibited. However, Title I funds *may* be used to maintain school of origin, once a student is permanently housed, for the remainder of the school year. (This is addressed in the Supplementary Guidance from the U.S. Department of Education in Appendix Q.)

NCHE hosted a national symposium to explore potential collaboration between Title I and homeless education programs. Local liaisons may wish to explore the strategies that were identified at the symposium (see Table 7 on p. 36). Similar suggestions are being pursued at the state and national level. (Local liaisons may wish to review strategies from the symposium listed in the Title I and Homeless brief in Appendix G.)

Working with Families

Parents are logical partners in a child's education. The majority of families experiencing homelessness want their children to receive an education. They are interested in many of the same offerings as parents of housed children, such as tutoring, after-school activities, free and reduced price lunch, and special academic services. It is clear that facilitating family involvement will increase the success of students in school, as many research studies have shown.¹ Schools need to build trust, establish communication pathways, and provide opportunities such as offering transportation to nighttime events or parenting classes.

For families burdened with the additional stress of being homeless, greater outreach at the district and school level may be necessary. This may mean:

- Visiting the shelter or extending a personal invitation to visit the school.
- Acknowledging the family's critical role and requesting specific types of family participation in the school.
- Providing families with report cards that include their children's performance on state assessments.
- Providing families with information about their children's educational rights. For example, parents will need information related to educational programs

¹ Epstein, J. (1995) School, community, parent partnerships: Caring for the children we share. *Phi Delta Kappan*, 76, 701-712.



Table 7: Collaboration Between Title I and Homeless Education Programs

Goals	Potential Strategies
<p>Increase awareness and understanding of the issues relating to homeless children and youth and how Title I funds may be used to serve them.</p>	<ul style="list-style-type: none"> • Communicate with a variety of Title I groups: conference presentations, staff development opportunities, public service announcements, and welcome packets with information for new staff. • Post the definition of homelessness and the legal rights of homeless children and youth, as required under reauthorization. • Use the training materials in this toolkit to present to Title I staff in your district.
<p>Eliminate organizational and attitudinal barriers, and strengthen programs.</p>	<ul style="list-style-type: none"> • Move beyond “turf issues” and build coalitions emphasizing common goals. • Partner with additional programs that support students with similar challenges, such as Migrant Education and special education. • Publicize successful Title I/homeless education collaborations (e.g., Minnesota; Oregon; Miami-Dade County, FL; Fresno, CA; and West Contra Costa, CA).
<p>Increase communication between Title I and homeless education.</p>	<ul style="list-style-type: none"> • Co-locate Title I and homeless education programs. • Include homeless representation on Title I committees. • Identify crossover policies—supporting homeless education programs can support fulfillment of Title I requirements, too.
<p>Clarify and strengthen policy areas.</p>	<ul style="list-style-type: none"> • Establish policy, procedures, and guidelines to identify and serve homeless children and youth. • Clarify how set-aside funds can be used to support homeless students and ensure training of appropriate staff.
<p>Build leadership at the LEA level.</p>	<ul style="list-style-type: none"> • Nurture high-level support through use of data collection and program evaluation. • Celebrate successes. • Identify and emphasize a common vision and common goals within the district and community.



available and placement options related to the school of origin.

- Helping families understand their children’s right to participate fully in decision-making can become a greater challenge when language barriers exist. The district’s English as a second language (ESL) or limited English proficiency (LEP) program may be a logical collaborator.
- Using outreach workers, such as those employed in migrant education, to meet with families and introduce them to the school district.

Regardless of the approach, the end goal is the same—to get the parent(s), guardian, or caregiver involved as partners in the student’s education.

Working with the Community

Students experiencing homelessness need all the support that can be mustered. School typically occupies less than one-third of a student’s day. Conducting a needs assessment (as introduced in Chapter 4) will help identify community contacts who offer services for homeless families. Both public and private resources can be used for referrals. This takes some time to develop initially. Start with the most common community resources and add to your listing as new contacts and needs are identified. Consider the following:

- The public health office is a source for immunizations.
- The U.S. Department of Housing and Urban Development (HUD) office will have a listing of communities that participate in the Continuum of Care process. Such communities have identified resources and areas of need and have developed a plan for serving persons who are homeless in their locality. If available, such a planning document will contain much of the community information that will be needed by schools. (In addition, the district may wish to be included in

the Continuum of Care process to ensure that children and youth’s educational needs are considered.)

- It is useful for both the school principal and local homeless education liaison to know the locations of shelters in the various attendance zones that serve children.
- The location of the community food pantry (often associated with churches) will assist in meeting the physical needs.
- A listing of local dentists, optometrists, and mental health professionals that will volunteer services can help meet the health needs of the children and youth.
- The local boys and girls clubs provide services that can benefit students.

Having a list of phone numbers and contacts for these places will be a handy reference when you get an unexpected call for a specific service. There is a blank phone list in Appendix K to help you create a contact list. Take some time with the business section of the phone book, get numbers, and call when you have a few moments. Homelessness can be frightening. By working with community groups, you can make a student’s life a little less scary.

Successful Models for Collaboration

The following examples demonstrate some of the ways local school districts have been able to successfully collaborate:

- In Miami-Dade County, Florida, Title I set-aside funds assist homeless students through an expanded tutoring program. The homeless education liaison learned to have a dollar amount targeted before approaching the Title I department. Her requests were honored, and she was able to use an increase in Title I funding to support students experiencing homelessness the following year.
- In Minnesota, all LEAs with significant homeless populations are required to set aside funds for homeless students.



Title I set-aside funds, used in collaboration with McKinney-Vento funds, provide programming that assists thousands of Minnesota homeless students experiencing enrollment and attendance barriers. In addition, many tutoring and support programs have been provided at homeless family shelters. Efforts have been made to provide transition, follow-up, and parent involvement services. Title I programs in schools with large homeless populations are encouraged to provide relevant and effective services for all children served, including those experiencing homelessness. (Contributed by Tom Gray, Minnesota's State Coordinator for Homeless Education.)

Collaboration Meets Many Needs

The federal law requires children and youth experiencing homelessness to be enrolled in school and receive comparable services to housed students. When a local homeless education liaison receives a call, action is needed to ensure that the student has access to school and the tools for success.

There are few full-time state homeless education coordinators in the country, and most school district homeless liaisons, like Isaac, are responsible for other programs. Unfortunately, if someone is experiencing homelessness, it is full time. By combining efforts, services to the homeless student may be increased. By collaborating with the community and various departments in a school district, the extension of services for the child or youth can become richer, more comprehensive, and more effective.

Recall the case of Isaac, the homeless education liaison with a transportation challenge, presented at the beginning of this chapter. The afternoon has arrived, and Isaac must return his call to the shelter director.

Put yourself in Isaac's shoes. . .

What does the law require?

With the 2001 reauthorization, the law clearly states that local school districts are responsible for providing transportation to the school of origin. If the parent wishes the children to stay in the school of origin and it is feasible, transportation must be provided.

What options does Isaac have?

Isaac could work to establish relationships with:

- *Transportation so that there is a bus with a nearby route that can stop by the shelter.*
- *Special education, which provides transportation to students out-of-zone for educational purposes.*
- *Title I for obtaining needed services.*
- *The district-level PTA board for funding emergency public transportation tokens for homeless students and their parents or guardians.*
- *Many varied and creative groups willing to assist, support, and reach out to homeless families.*

Isaac may seek out alternative ways of providing transportation using public transportation, taxis, and the family, possibly providing gas vouchers to cover the cost of gas for the commute in the family car, if the family has one. Isaac may need his wide array of contacts if additional services are required to meet students' needs.



Chapter Six: Getting the Message Out



Kenion is reading over the reauthorization of the McKinney-Vento Act to see what new information needs to be shared with his school district. As the LEA homeless education liaison, he must identify efficient and cost-effective ways to reach staff in his large urban school district. Personnel need information to ensure homeless children and youth have access to the appropriate educational services. In addition to working with families living in shelters, Kenion recently learned that older youth are living in makeshift camps by the river and in abandoned buildings downtown. He makes a list of the people who need information about the homeless education program and finds that they include school district personnel and community members.

Consider:

- *Who might be on such a list?*
- *What information should be shared?*
- *How do you deliver information? In other words: “Get the message out!”*

Responses to these questions are presented at the end of the chapter.

Vehicles for Communication

Communicating within the School District

Use interoffice systems for print materials.

School districts typically have mechanisms to get information and materials disseminated to central office and satellite locations. The interoffice mail or pony system can be used to distribute print materials (see Appendix H). The pony system is most effective if the local liaison has a building-level contact to whom materials can be addressed. This will increase the likelihood that information is read and, if needed, posted.

Posters and brochures informing parents of their children’s right to an education can be effective. Another alternative is an advertisement-style announcement that can be included

in newsletters and other print publications (see Appendix L). Some state coordinators produce posters, brochures, and announcements for use at the local level or provide originals that can be copied locally. A third option is using generic posters and brochures that have been created by national organizations, such as the National Law Center on Homelessness & Poverty and the National Center for Homeless Education, which can be copied and distributed. (Such resources are identified in Chapter 7. Sample posters and brochures are included in Appendix D.)

Employ technology. While print materials seem to be the most common medium for communication, electronic media are becoming more popular. As technology in schools advances, the Internet, e-mail, and listserves should be employed more frequently.



- A **school district web page** can link to the state homeless education web page and be used to post information germane to the school district's individual needs, policies and procedures, and contacts. Appendix M contains a template to create a web page. On the web page, the local liaison can post common questions and answers, such as the following:

- ⓪ Who is homeless?
- ⓪ How can homelessness be determined?
- ⓪ What are the rights of homeless children and youth?
- ⓪ What can school personnel do to support homeless students?
- ⓪ What should be done if a student is missing documents the school district requires for enrollment?
- ⓪ What are critical links? Be sure to include national resources, such as NCHE, NCH, NAEHCY, and NLCHP. Websites for these organizations are listed in the foreword of this document. Check with your state coordinator to determine if a state website has been developed.

- The local liaison can document communications and send messages more quickly through **e-mail** than by using the school district inter-office mail. Creating a general alias for a list of addresses will expedite the process. For example, the alias of "elemprincipals" would get a message to all the elementary principals in the school district just by typing the alias after the liaison established the group.
- The **listserv** option is useful primarily to the liaison who can get information, filter it, and distribute materials that the building-level contact should read. Local liaisons may wish to subscribe to the NAEHCY listserv to keep abreast

of national issues and have a forum for discussion with service providers facing similar challenges. (E-mail NCHE at homeless@serve.org to subscribe.)

- **School districts' cable television channels** offer another option for reaching school district personnel and the community. If available, the liaison could:
 - ⓪ Prepare a brief text message about the rights of homeless children and youth to enroll in school and the importance of doing so.
 - ⓪ Create a brief five- to ten-minute awareness video presentation, if production capabilities exist.
 - ⓪ Arrange for use of published videos (see Chapter 7 for potential sources).

Communicating Throughout the Community

As concerns and questions arise, the local homeless education liaison is the point of contact for many shelter care workers and homeless parents. Posters and brochures about the educational rights of students experiencing homelessness and how to access services should be available.

- Contact shelters as logical points for dissemination of family brochures.
- Post the rights of homeless children to a free and appropriate education on community bulletin boards and in areas where people congregate such as laundromats, soup kitchens, food pantries, libraries, and other service organizations.
- Since many churches have outreach efforts, let the pastors know about the rights of children and youth experiencing homelessness through an awareness flyer or brochure.
- Send postcards to the local boys and girls clubs and local HUD contact.



- Contact the HUD office in your area to obtain additional contacts.
- Run Public Service Announcements (PSAs) on regular television channels.
- Make awareness presentations to community service organizations.

People must be familiar with homeless education issues to identify potential solutions that meet students' educational needs. Creating awareness of the educational rights of children and youth experiencing homelessness is a step that successful programs revisit frequently. With turnover of staff and mobility in the community, the audience continues to change and efforts to reach out must be sustained.

Consider the Need to Translate Materials

If there is a significant bilingual population in the district, translating the documents into the most common languages should be considered. For example, in Chicago, materials are printed in both English and Polish to meet the needs of the community. Larger school districts may have a system in place for translating documents. If a district lacks such resources, consider using a member of the community to provide the translation. For example, one program had its family brochure explaining educational rights of homeless children translated into Spanish by a volunteer tutor who worked in a shelter, and the chair of the Spanish department at a nearby university edited the translation. Another option is contacting a company that does translations as part of its business. Price quotes should be available based on the length of the document.

Promoting Awareness

Building a personal presence within the school district and across the community is an effective, though time-consuming, activity to be

undertaken by a local homeless education liaison. Making presentations not only promotes awareness but also provides a personal connection with the point of contact. Successful local liaisons often share stories demonstrating that the *relationship* with people in the school and community has been key to overcoming barriers and finding creative, winning solutions. A brief presentation to introduce homeless education can be used to increase visibility and begin relationship building.

Whether the presentation is made to school personnel, such as the school board, or a community group, such as the Rotary club or shelter workers, the basic information on the educational rights of children and youth experiencing homelessness under the reauthorized McKinney-Vento Act can be highlighted. *Imagine the Possibilities*, a publication of WestEd, is a resource local liaisons may wish to obtain. (To obtain this document, visit www.wested.org.) In addition, Appendix N contains a number of resources for presentations. These include:

- A 20–30 minute awareness presentation, including speaker notes and slides that can be copied as transparencies. The downloadable PowerPoint version is available in the NCHE website version of this toolkit.
- “Presenter Tips,” offering suggestions for liaisons with limited public-speaking experience.
- Two examples of generic awareness handouts that can be photocopied for participants.

Getting the Word Out: A Summary

Promoting awareness of the educational rights of homeless children and youth is a continual process as personnel and the population being served shift and change. Having multiple means to get out the message increases the audience and the likelihood of reaching those who need the information most. Posters,



brochures, alerts to insert in publications, and face-to-face presentations are among the vehicles that can be tapped. Experiencing homelessness is a stressful time for families, and schools have the opportunity to be a stabilizing

force in students' lives. Education is a potential key in breaking the cycle of homelessness—a key that can only be utilized when staff, the community, and families know where to find it.

Return to case of Kenion, the liaison trying to get homeless education information to the community, which was presented at the beginning of this chapter.

Consider:

Who might be on such a list?

School board, central office staff—especially those involved with educational programs and student support services—principals, teachers, secretaries, counselors, shelter workers, religious leaders, civic organizations, homeless consortia, youth advocates, truancy officers, police, social services, etc. With so many possibilities, targeting those that will have the greatest impact must be part of Kenion's planning. Knowing that older youth may be underserved and that liaisons have special responsibilities to advocate for these youth, Kenion may wish to work more closely with youth advocates in the immediate future.

What information should be shared?

- *Educational rights of homeless children and youth*
- *Contact information for the local liaison*
- *Services available through the school district*
- *Stories to “put a face” on the homeless children in the community*

How will you get the message out in your school district and community?



Chapter Seven: Research and Resources



Mary Jo, the local homeless education liaison received a call from a teacher at Newby Elementary whose class was doing a problem-based learning unit on homelessness. The second-grade teacher asked if Mary Jo had any resources that would be helpful in facilitating the students' investigation into the topic. Mary Jo said that she would get back to the teacher. Hanging up the phone, Mary Jo thought, "Where in the world can I quickly find materials appropriate for seven- and eight-year-old students?" While pondering this question, she found she was pleased that the teacher thought to call her—it indicated that the posters in the school offices were being read. She turned her attention to the task at hand.

Consider:

- *Where can Mary Jo turn for help with this request for information?*
- *What types of resources would be helpful for this class project?*
- *What kinds of similar requests might Mary Jo anticipate in the future?*

Responses to these questions are presented at the end of the chapter.

There are numerous resources on the issues of homelessness and homeless education. An Internet search engine will give thousands of page links, ranging from statistics, to lesson plans, to advocacy groups. A trip to the children's section of a public library yields several picture and chapter books. The research and resources listed in this chapter provide a starting point for local liaisons to explore even more extensively. Organizations listed at the end of the chapter continue to develop and identify new resources and may be consulted to update the information contained here. In addition, your state coordinator for homeless education is another resource to be tapped.

Research

Research on educational issues impacting children and youth experiencing homelessness is available in print and online. The text resources range in length from booklet to book formats. Some of the materials are available free of charge, which is noted in the item's description found in Appendix O. The Internet has a plethora of research and resources available. The State of Colorado has a web page with links to several articles, books, and papers. It can be accessed at <http://csf.Colorado.EDU/homeless/courses.html>. The sampling of research suggested in the *LEA Toolkit* is only the tip of the iceberg! The NCHE website contains additional links to organizations that support homeless children and youth.



Resources

Like research, there are many binders, books, videos, and pamphlets available on the subject of homeless education. The distinction made between research and resources in the *Toolkit* is that the resources focus on building awareness and other strategies as opposed to reporting research related to homeless education. The resources section of Appendix O is divided into the following four sub-sections:

- *Print resources* include materials for building awareness of issues affecting homeless students, as well as a bibliography of additional resources.
- *Audiovisual resources* can be used to make a visual impact when presenting to a group. Running times and prices vary.
- *Children's literature* contains a list of books as well as a few annotated selections.
- *Internet-accessible resources* are listed with the complete name of the organization and its current web address. If the web address does not work, use a search engine to find the organization by its name.

Building a Collection of Materials

By reading this toolkit, you have already begun a collection of resources to support individuals who are working on behalf of children and youth experiencing homelessness. Taking some time to look through the research and resources listed in Appendix O will yield items that can be ordered for free or a free preview, as well as downloadable items. Start a binder or a file for the materials you collect. Many of the children's books are in local public libraries. Again, another resource is your state coordinator who may have copies of articles. Building a collection of research and resources is a gradual harvesting process. The National Center for Homeless Education provides a clearinghouse specifically to meet this need. Feel free to contact the Center directly with questions and visit its website regularly for additions to its collection of valuable information.



Return to the case of Mary Jo, who is trying to locate materials for second-graders, presented at the beginning of this chapter.

Consider:

Where can Mary Jo turn for help with this request for information?

The local shelter that works with children may have helpful materials. The state coordinator may know about programs done in the state or nationally to promote awareness with children. Additionally, the school's librarian may be aware of books in the collection that would be appropriate.

What type of resources would be helpful for this class project?

The teacher would probably appreciate a variety of resources so that the students' different learning styles can be accommodated. Items for the teacher might include:

- *Children's literature reading list (from this toolkit)*
- *Information on the scale of homelessness in the local area*
- *Lesson plans on sensitivity and awareness relating to homelessness that are accessible on the Internet*
- *Posters available from groups, such as Homes for the Homeless, that can be requested via the Internet*
- *Classroom presentations by the homeless education liaison, such as reading a book and discussing homelessness*
- *The Reading Rainbow video, Fly Away Home*

What kinds of similar requests might Mary Jo anticipate in the future?

- *Requests from teachers working with homeless youth and wondering how to provide support*
- *Inquiries from high school students that are researching the issue of homelessness*
- *Inquiries from guidance counselors who are wondering if there is anything out there to help with group sessions for students who are in various stages of transition*



Appendices



Anita ponders, “So many tasks and so little time!” Anita faces a dilemma common among local homeless education liaisons. She knows that the McKinney-Vento Act states that parents must be informed of educational options including posting rights in all public schools. Homeless education receives no McKinney-Vento funding in Anita’s district and the money she does have come from a Title I set aside. Anita does not have time to “reinvent the wheel” with regards to creating materials, so she turns to locating what is already available.

Luckily, there are many materials that can be easily tailored to meet the needs of school districts. Some are on the Internet and can be electronically manipulated. Others are already printed and available for a low cost or even no cost. Many state education coordinators have materials specific to their states that also address the federal requirements.

The appendices contain materials designed as templates for school districts’ local liaisons. The materials can be duplicated or customized to meet local needs.

Table 7: Summary of Appendices

Appendix	Contents	Need Met	Uses
A	McKinney-Vento Act	Legal reference for homeless education issues	Liaison reference tool to copy and share as needed (website listed)
B	Who Are Homeless Children and Youth? Flyer	Summarizes legislation defining who may qualify as homeless	Handout for professional development sessions and mailing to school personnel
C	Common Signs of Homelessness Flyer	Reviews potential signals	Handout for professional development sessions, mailing to school personnel
D	Homeless Education Poster/Flyer & Homeless Education Family Brochure	Informs parents/guardians of their educational rights as required in the McKinney-Vento Act	Post in the schools, shelters, and other community areas parents may access
E	Enrollment Packet: <ul style="list-style-type: none"> • Student Residency Form • Determining Feasibility of School Placement • Written Notification • Missing Enrollment Documentation Affidavit • Caregiver’s Authorization Form • Parent Pack 	Sample forms to address potential enrollment barriers	Review with school board, central office administration, and district lawyer, and modify to meet district needs



Table 7: Summary of Appendices (continued)

Appendix	Contents	Need Met	Uses
F	Needs Assessment	Identifies school and community services that address special needs of homeless children, youth, and their families	With key informants, determine how well the schools and community are meeting needs, and use to shape a plan of action to improve services
G	Reauthorization Briefs & Sample Local Policies and Procedures	Additional materials developed across agencies to support reauthorization	May be used in information packets and in the development/revision of local policies and procedures
H	School-Level Point of Contact Form	Form for liaison to establish school contacts	Add liaison contact information, and send to principals through interoffice mail
I	Tip Sheets for: <ul style="list-style-type: none"> • School Administrators • Guidance Counselors • School Nurses • Teachers • School Secretaries • Parents 	Assists individuals in knowing how they can make a difference	Send through interoffice mail to enrollment clerks at each school or to identified school contacts
J	Collaboration Action Plan	Form to brainstorm potential collaborations	Independent or group planning to meet needs of homeless students
K	Telephone Contacts Form	Form list of community resources that would be helpful referrals for homeless families	Complete form with local contacts and share with appropriate school personnel and homeless families, as needed
L	Sample Announcement	One alternative to advertise and to increase awareness of a homeless education program	Tailor for local district, and share with newspapers, local newsletters, etc.



Table 7: Summary of Appendices (continued)

Appendix	Contents	Need Met	Uses
M	Web Page Development Form	Online resource accessible for enrollment personnel, shelter care workers, and others inquiring about the practices in the school district	Identify the school district's webmaster and request a homeless education page with information you provide
N	Homeless Education Awareness Presentation: <ul style="list-style-type: none"> • PowerPoint Speaker's Notes • PowerPoint Slides • Presenter's Tip Sheet • Handouts 	Ready-to-use presentation for raising awareness in schools and the community	Suggestions for personalizing included in speaker's notes; if using print copy of <i>Toolkit</i> , slides can be copied onto transparencies; the electronic version allows printing from PowerPoint presentation
O	Research & Resources: <ul style="list-style-type: none"> • Research • Print Resources • Audiovisual Resources • Children's Literature • Internet-Accessible Resources 	Sampling of materials to learn more about homelessness and educating homeless children	To fill requests for resources and to provide materials that can be reproduced as handouts
P	Homeless Children in School Nutrition Programs	U.S. Department of Agriculture Memoranda providing guidance for homeless children in the school nutrition programs	Liaison reference tool to copy and share as needed
Q	U.S. Department of Education Guidance	Describes requirements of the Act, and provides suggestions for implementation	Reference tool for implementing requirements
R	Newsletter Article on Calculating Title I Set Asides	Provides suggestions for determining set asides	Review with Title I coordinator
S	Article on Enrollment and Unaccompanied Youth	Provides suggestions for local policies	Review with policymakers to ensure appropriate policies are in place



Appendix A



The McKinney-Vento Homeless Assistance Act

Reauthorized January 2002

Subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) is amended to read as follows:

Subtitle B—Education for Homeless Children and Youths

SEC. 721. STATEMENT OF POLICY.

The following is the policy of the Congress:

(1) Each State educational agency shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths.

(2) In any State that has a compulsory residency requirement as a component of the State's compulsory school attendance laws or other laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youths, the State will review and undertake steps to revise such laws, regulations, practices, or policies to ensure that homeless children and youths are afforded the same free, appropriate public education as provided to other children and youths.

(3) Homelessness alone is not sufficient reason to separate students from the mainstream school environment.

(4) Homeless children and youths should have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.

SEC. 722. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTHS.

(a) GENERAL AUTHORITY- The Secretary is authorized to make grants to States in accordance with the provisions of this section to enable such States to carry out the activities described in subsections (d) through (g).

(b) APPLICATION- No State may receive a grant under this section unless the State educational agency submits an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

(c) ALLOCATION AND RESERVATIONS-

(1) ALLOCATION- (A) Subject to subparagraph (B), the Secretary is authorized to allot to each State an amount that bears the same ratio to the amount appropriated for such year under section 726 that remains after the Secretary reserves funds under paragraph (2) and uses funds to carry out section 724(d) and (h), as the amount allocated under section 1122 of the Elementary and



Secondary Education Act of 1965 to the State for that year bears to the total amount allocated under section 1122 of such Act to all States for that year, except that no State shall receive less than the greater of—

(i) \$150,000;

(ii) one-fourth of 1 percent of the amount appropriated under section 726 for that year; or

(iii) the amount such State received under this section for fiscal year 2001.

(B) If there are insufficient funds in a fiscal year to allot to each State the minimum amount under subparagraph (A), the Secretary shall ratably reduce the allotments to all States based on the proportionate share that each State received under this subsection for the preceding fiscal year.

(2) RESERVATIONS- (A) The Secretary is authorized to reserve 0.1 percent of the amount appropriated for each fiscal year under section 726 to be allocated by the Secretary among the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, according to their respective need for assistance under this subtitle, as determined by the Secretary.

(B)(i) The Secretary shall transfer 1 percent of the amount appropriated for each fiscal year under section 726 to the Department of the Interior for programs for Indian students served by schools funded by the Secretary of the Interior, as determined under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), that are consistent with the purposes of the programs described in this subtitle.

(ii) The Secretary and the Secretary of the Interior shall enter into an agreement, consistent with the requirements of this subtitle, for the distribution and use of the funds described in clause (i) under terms that the Secretary determines best meet the purposes of the programs described in this subtitle. Such agreement shall set forth the plans of the Secretary of the Interior for the use of the amounts transferred, including appropriate goals, objectives, and milestones.

(3) STATE DEFINED- For purposes of this subsection, the term `State' does not include the United States Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands.

(d) ACTIVITIES- Grants under this section shall be used for the following:

(1) To carry out the policies set forth in section 721 in the State.

(2) To provide activities for, and services to, homeless children, including preschool-aged homeless children, and youths that enable such children and youths to enroll in, attend, and succeed in school, or, if appropriate, in preschool programs.

(3) To establish or designate an Office of Coordinator for Education of Homeless Children and Youths in the State educational agency in accordance with subsection (f).

(4) To prepare and carry out the State plan described in subsection (g).

(5) To develop and implement professional development programs for school personnel to heighten their awareness of, and capacity to respond to, specific problems in the education of homeless children and youths.

(e) STATE AND LOCAL SUBGRANTS-



(1) **MINIMUM DISBURSEMENTS BY STATES-** From the sums made available each year to carry out this subtitle, the State educational agency shall distribute not less than 75 percent in subgrants to local educational agencies for the purposes of carrying out section 723, except that States funded at the minimum level set forth in subsection (c)(1) shall distribute not less than 50 percent in subgrants to local educational agencies for the purposes of carrying out section 723.

(2) **USE BY STATE EDUCATIONAL AGENCY-** A State educational agency may use funds made available for State use under this subtitle to conduct activities under subsection (f) directly or through grants or contracts.

(3) **PROHIBITION ON SEGREGATING HOMELESS STUDENTS-**

(A) **IN GENERAL-** Except as provided in subparagraph (B) and section 723(a)(2)(B)(ii), in providing a free public education to a homeless child or youth, no State receiving funds under this subtitle shall segregate such child or youth in a separate school, or in a separate program within a school, based on such child's or youth's status as homeless.

(B) **EXCEPTION-** Notwithstanding subparagraph (A), paragraphs (1)(J)(i) and (3) of subsection (g), section 723(a)(2), and any other provision of this subtitle relating to the placement of homeless children or youths in schools, a State that has a separate school for homeless children or youths that was operated in fiscal year 2000 in a covered county shall be eligible to receive funds under this subtitle for programs carried out in such school if—

(i) the school meets the requirements of subparagraph (C);

(ii) any local educational agency serving a school that the homeless children and youths enrolled in the separate school are eligible to attend meets the requirements of subparagraph (E); and

(iii) the State is otherwise eligible to receive funds under this subtitle.

(C) **SCHOOL REQUIREMENTS-** For the State to be eligible under subparagraph (B) to receive funds under this subtitle, the school described in such subparagraph shall—

(i) provide written notice, at the time any child or youth seeks enrollment in such school, and at least twice annually while the child or youth is enrolled in such school, to the parent or guardian of the child or youth (or, in the case of an unaccompanied youth, the youth) that—

(I) shall be signed by the parent or guardian (or, in the case of an unaccompanied youth, the youth);

(II) sets forth the general rights provided under this subtitle;

(III) specifically states—

(aa) the choice of schools homeless children and youths are eligible to attend, as provided in subsection (g)(3)(A);

(bb) that no homeless child or youth is required to attend a separate school for homeless children or youths;

(cc) that homeless children and youths shall be provided comparable services described in subsection (g)(4), including transportation services, educational services, and meals through school meals programs; and

(dd) that homeless children and youths should not be stigmatized by school personnel; and



(IV) provides contact information for the local liaison for homeless children and youths and the State Coordinator for Education of Homeless Children and Youths;

(ii)(I) provide assistance to the parent or guardian of each homeless child or youth (or, in the case of an unaccompanied youth, the youth) to exercise the right to attend the parent's or guardian's (or youth's) choice of schools, as provided in subsection (g)(3)(A); and

(II) coordinate with the local educational agency with jurisdiction for the school selected by the parent or guardian (or youth), to provide transportation and other necessary services;

(iii) ensure that the parent or guardian (or, in the case of an unaccompanied youth, the youth) shall receive the information required by this subparagraph in a manner and form understandable to such parent or guardian (or youth), including, if necessary and to the extent feasible, in the native language of such parent or guardian (or youth); and

(iv) demonstrate in the school's application for funds under this subtitle that such school—

(I) is complying with clauses (i) and (ii); and

(II) is meeting (as of the date of submission of the application) the same Federal and State standards, regulations, and mandates as other public schools in the State (such as complying with sections 1111 and 1116 of the Elementary and Secondary Education Act of 1965 and providing a full range of education and related services, including services applicable to students with disabilities).

(D) SCHOOL INELIGIBILITY- A separate school described in subparagraph (B) that fails to meet the standards, regulations, and mandates described in subparagraph (C)(iv)(II) shall not be eligible to receive funds under this subtitle for programs carried out in such school after the first date of such failure.

(E) LOCAL EDUCATIONAL AGENCY REQUIREMENTS- For the State to be eligible to receive the funds described in subparagraph (B), the local educational agency described in subparagraph (B)(ii) shall—

(i) implement a coordinated system for ensuring that homeless children and youths—

(I) are advised of the choice of schools provided in subsection (g)(3)(A);

(II) are immediately enrolled, in accordance with subsection (g)(3)(C), in the school selected under subsection (g)(3)(A); and

(III) are promptly provided necessary services described in subsection (g)(4), including transportation, to allow homeless children and youths to exercise their choices of schools under subsection (g)(3)(A);

(ii) document that written notice has been provided—

(I) in accordance with subparagraph (C)(i) for each child or youth enrolled in a separate school under subparagraph (B); and

(II) in accordance with subsection (g)(6)(A)(v);

(iii) prohibit schools within the agency's jurisdiction from referring homeless children or youths to, or requiring homeless children and youths to enroll in or attend, a separate school described in subparagraph (B);



(iv) identify and remove any barriers that exist in schools within the agency's jurisdiction that may have contributed to the creation or existence of separate schools described in subparagraph (B); and

(v) not use funds received under this subtitle to establish—

(I) new or additional separate schools for homeless children or youths; or

(II) new or additional sites for separate schools for homeless children or youths, other than the sites occupied by the schools described in subparagraph (B) in fiscal year 2000.

(F) REPORT-

(i) PREPARATION- The Secretary shall prepare a report on the separate schools and local educational agencies described in subparagraph (B) that receive funds under this subtitle in accordance with this paragraph. The report shall contain, at a minimum, information on—

(I) compliance with all requirements of this paragraph;

(II) barriers to school access in the school districts served by the local educational agencies; and

(III) the progress the separate schools are making in integrating homeless children and youths into the mainstream school environment, including the average length of student enrollment in such schools.

(ii) COMPLIANCE WITH INFORMATION REQUESTS- For purposes of enabling the Secretary to prepare the report, the separate schools and local educational agencies shall cooperate with the Secretary and the State Coordinator for Education of Homeless Children and Youths established in the State under subsection (d)(3), and shall comply with any requests for information by the Secretary and State Coordinator for such State.

(iii) SUBMISSION- Not later than 2 years after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, the Secretary shall submit the report described in clause (i) to—

(I) the President;

(II) the Committee on Education and the Workforce of the House of Representatives; and

(III) the Committee on Health, Education, Labor, and Pensions of the Senate.

(G) DEFINITION- For purposes of this paragraph, the term 'covered county' means—

(i) San Joaquin County, California;

(ii) Orange County, California;

(iii) San Diego County, California; and

(iv) Maricopa County, Arizona.

(f) FUNCTIONS OF THE OFFICE OF COORDINATOR- The Coordinator for Education of Homeless Children and Youths established in each State shall—

(1) gather reliable, valid, and comprehensive information on the nature and extent of the problems homeless children and youths have in gaining access to public preschool programs and to public elementary schools and secondary schools, the difficulties in identifying the special needs of such



children and youths, any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties, and the success of the programs under this subtitle in allowing homeless children and youths to enroll in, attend, and succeed in, school;

(2) develop and carry out the State plan described in subsection (g);

(3) collect and transmit to the Secretary, at such time and in such manner as the Secretary may require, a report containing such information as the Secretary determines is necessary to assess the educational needs of homeless children and youths within the State;

(4) facilitate coordination between the State educational agency, the State social services agency, and other agencies (including agencies providing mental health services) to provide services to homeless children, including preschool-aged homeless children, and youths, and to families of such children and youths;

(5) in order to improve the provision of comprehensive education and related services to homeless children and youths and their families, coordinate and collaborate with—

(A) educators, including child development and preschool program personnel;

(B) providers of services to homeless and runaway children and youths and homeless families (including domestic violence agencies, shelter operators, transitional housing facilities, runaway and homeless youth centers, and transitional living programs for homeless youths);

(C) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; and

(D) community organizations and groups representing homeless children and youths and their families; and

(6) provide technical assistance to local educational agencies in coordination with local educational agency liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of section 722(e)(3) and paragraphs (3) through (7) of subsection (g).

(g) STATE PLAN-

(1) IN GENERAL- Each State shall submit to the Secretary a plan to provide for the education of homeless children and youths within the State. Such plan shall include the following:

(A) A description of how such children and youths are (or will be) given the opportunity to meet the same challenging State academic achievement standards all students are expected to meet.

(B) A description of the procedures the State educational agency will use to identify such children and youths in the State and to assess their special needs.

(C) A description of procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths.

(D) A description of programs for school personnel (including principals, attendance officers, teachers, enrollment personnel, and pupil services personnel) to heighten the awareness of such personnel of the specific needs of runaway and homeless youths.

(E) A description of procedures that ensure that homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local food programs.



(F) A description of procedures that ensure that—

(i) homeless children have equal access to the same public preschool programs, administered by the State agency, as provided to other children in the State;

(ii) homeless youths and youths separated from the public schools are identified and accorded equal access to appropriate secondary education and support services; and

(iii) homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local before- and after-school care programs.

(G) Strategies to address problems identified in the report provided to the Secretary under subsection (f)(3).

(H) Strategies to address other problems with respect to the education of homeless children and youths, including problems resulting from enrollment delays that are caused by—

(i) immunization and medical records requirements;

(ii) residency requirements;

(iii) lack of birth certificates, school records, or other documentation;

(iv) guardianship issues; or

(v) uniform or dress code requirements.

(I) A demonstration that the State educational agency and local educational agencies in the State have developed, and shall review and revise, policies to remove barriers to the enrollment and retention of homeless children and youths in schools in the State.

(J) Assurances that—

(i) the State educational agency and local educational agencies in the State will adopt policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless;

(ii) local educational agencies will designate an appropriate staff person, who may also be a coordinator for other Federal programs, as a local educational agency liaison for homeless children and youths, to carry out the duties described in paragraph (6)(A); and

(iii) the State and its local educational agencies will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin, as determined in paragraph (3)(A), in accordance with the following, as applicable:

(I) If the homeless child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.

(II) If the homeless child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the homeless child or youth



is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

(2) COMPLIANCE-

(A) IN GENERAL- Each plan adopted under this subsection shall also describe how the State will ensure that local educational agencies in the State will comply with the requirements of paragraphs (3) through (7).

(B) COORDINATION- Such plan shall indicate what technical assistance the State will furnish to local educational agencies and how compliance efforts will be coordinated with the local educational agency liaisons designated under paragraph (1)(J)(ii).

(3) LOCAL EDUCATIONAL AGENCY REQUIREMENTS-

(A) IN GENERAL- The local educational agency serving each child or youth to be assisted under this subtitle shall, according to the child's or youth's best interest-

(i) continue the child's or youth's education in the school of origin for the duration of homelessness-

(I) in any case in which a family becomes homeless between academic years or during an academic year; or

(II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or

(ii) enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

(B) BEST INTEREST- In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall-

(i) to the extent feasible, 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;

(ii) provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), 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; and

(iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E).

(C) ENROLLMENT- (i) The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.

(ii) The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.



(iii) If the child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations, or immunization or medical records, in accordance with subparagraph (D).

(D) RECORDS- Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained—

(i) so that the records are available, in a timely fashion, when a child or youth enters a new school or school district; and

(ii) in a manner consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

(E) ENROLLMENT DISPUTES- If a dispute arises over school selection or enrollment in a school—

(i) the child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;

(ii) the parent or guardian of the child or youth shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision;

(iii) the child, youth, parent, or guardian shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(C) as expeditiously as possible after receiving notice of the dispute; and

(iv) in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

(F) PLACEMENT CHOICE- The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

(G) SCHOOL OF ORIGIN DEFINED- In this paragraph, 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.

(H) CONTACT INFORMATION- Nothing in this subtitle shall prohibit a local educational agency from requiring a parent or guardian of a homeless child to submit contact information.

(4) COMPARABLE SERVICES- Each homeless child or youth to be assisted under this subtitle shall be provided services comparable to services offered to other students in the school selected under paragraph (3), including the following:

(A) Transportation services.

(B) Educational services for which the child or youth meets the eligibility criteria, such as services provided under title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency.

(C) Programs in vocational and technical education.

(D) Programs for gifted and talented students.



(E) School nutrition programs.

(5) COORDINATION-

(A) IN GENERAL- Each local educational agency serving homeless children and youths that receives assistance under this subtitle shall coordinate–

(i) the provision of services under this subtitle with local social services agencies and other agencies or programs providing services to homeless children and youths and their families, including services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); and

(ii) with other local educational agencies on interdistrict issues, such as transportation or transfer of school records.

(B) HOUSING ASSISTANCE- If applicable, each State educational agency and local educational agency that receives assistance under this subtitle shall coordinate with State and local housing agencies responsible for developing the comprehensive housing affordability strategy described in section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705) to minimize educational disruption for children and youths who become homeless.

(C) COORDINATION PURPOSE- The coordination required under subparagraphs (A) and (B) shall be designed to–

(i) ensure that homeless children and youths have access and reasonable proximity to available education and related support services; and

(ii) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

(6) LOCAL EDUCATIONAL AGENCY LIAISON-

(A) DUTIES- Each local educational agency liaison for homeless children and youths, designated under paragraph (1)(J)(ii), shall ensure that–

(i) homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;

(ii) homeless children and youths enroll in, and have a full and equal opportunity to succeed in, schools of that local educational agency;

(iii) homeless families, children, and youths receive educational services for which such families, children, and youths 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;

(iv) the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

(v) public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens;

(vi) enrollment disputes are mediated in accordance with paragraph (3)(E); and

(vii) the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully



informed of all transportation services, including transportation to the school of origin, as described in paragraph (1)(J)(iii), and is assisted in accessing transportation to the school that is selected under paragraph (3)(A).

(B) NOTICE- State coordinators established under subsection (d)(3) and local educational agencies shall inform school personnel, service providers, and advocates working with homeless families of the duties of the local educational agency liaisons.

(C) LOCAL AND STATE COORDINATION- Local educational agency liaisons for homeless children and youths shall, as a part of their duties, coordinate and collaborate with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.

(7) REVIEW AND REVISIONS-

(A) IN GENERAL- Each State educational agency and local educational agency that receives assistance under this subtitle shall review and revise any policies that may act as barriers to the enrollment of homeless children and youths in schools that are selected under paragraph (3).

(B) CONSIDERATION- In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship.

(C) SPECIAL ATTENTION- Special attention shall be given to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.

SEC. 723. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTHS.

(a) GENERAL AUTHORITY-

(1) IN GENERAL- The State educational agency shall, in accordance with section 722(e), and from amounts made available to such agency under section 726, make subgrants to local educational agencies for the purpose of facilitating the enrollment, attendance, and success in school of homeless children and youths.

(2) SERVICES-

(A) IN GENERAL- Services under paragraph (1)-

(i) may be provided through programs on school grounds or at other facilities;

(ii) shall, to the maximum extent practicable, be provided through existing programs and mechanisms that integrate homeless children and youths with nonhomeless children and youths; and

(iii) shall be designed to expand or improve services provided as part of a school's regular academic program, but not to replace such services provided under such program.

(B) SERVICES ON SCHOOL GROUNDS- If services under paragraph (1) are provided on school grounds, schools-

(i) may use funds under this subtitle to provide the same services to other children and youths who are determined by the local educational agency to be at risk of failing in, or dropping out of, school, subject to the requirements of clause (ii); and



(ii) except as otherwise provided in section 722(e)(3)(B), shall not provide services in settings within a school that segregate homeless children and youths from other children and youths, except as necessary for short periods of time—

(I) for health and safety emergencies; or

(II) to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youths.

(3) REQUIREMENT- Services provided under this section shall not replace the regular academic program and shall be designed to expand upon or improve services provided as part of the school's regular academic program.

(b) APPLICATION- A local educational agency that desires to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing or accompanied by such information as the State educational agency may reasonably require. Such application shall include the following:

(1) An assessment of the educational and related needs of homeless children and youths in the area served by such agency (which may be undertaken as part of needs assessments for other disadvantaged groups).

(2) A description of the services and programs for which assistance is sought to address the needs identified in paragraph (1).

(3) An assurance that the local educational agency's combined fiscal effort per student, or the aggregate expenditures of that agency and the State with respect to the provision of free public education by such agency for the fiscal year preceding the fiscal year for which the determination is made, was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made.

(4) An assurance that the applicant complies with, or will use requested funds to comply with, paragraphs (3) through (7) of section 722(g).

(5) A description of policies and procedures, consistent with section 722(e)(3), that the agency will implement to ensure that activities carried out by the agency will not isolate or stigmatize homeless children and youths.

(c) AWARDS-

(1) IN GENERAL- The State educational agency shall, in accordance with the requirements of this subtitle and from amounts made available to it under section 726, make competitive subgrants to local educational agencies that submit applications under subsection (b). Such subgrants shall be awarded on the basis of the need of such agencies for assistance under this subtitle and the quality of the applications submitted.

(2) NEED- In determining need under paragraph (1), the State educational agency may consider the number of homeless children and youths enrolled in preschool, elementary, and secondary schools within the area served by the local educational agency, and shall consider the needs of such children and youths and the ability of the local educational agency to meet such needs. The State educational agency may also consider the following:

(A) The extent to which the proposed use of funds will facilitate the enrollment, retention, and educational success of homeless children and youths.



(B) The extent to which the application–

(i) reflects coordination with other local and State agencies that serve homeless children and youths; and

(ii) describes how the applicant will meet the requirements of section 722(g)(3).

(C) The extent to which the applicant exhibits in the application and in current practice a commitment to education for all homeless children and youths.

(D) Such other criteria as the State agency determines appropriate.

(3) QUALITY- In determining the quality of applications under paragraph (1), the State educational agency shall consider the following:

(A) The applicant’s needs assessment under subsection (b)(1) and the likelihood that the program presented in the application will meet such needs.

(B) The types, intensity, and coordination of the services to be provided under the program.

(C) The involvement of parents or guardians of homeless children or youths in the education of their children.

(D) The extent to which homeless children and youths will be integrated within the regular education program.

(E) The quality of the applicant’s evaluation plan for the program.

(F) The extent to which services provided under this subtitle will be coordinated with other services available to homeless children and youths and their families.

(G) Such other measures as the State educational agency considers indicative of a high-quality program, such as the extent to which the local educational agency will provide case management or related services to unaccompanied youths.

(4) DURATION OF GRANTS- Grants awarded under this section shall be for terms not to exceed 3 years.

(d) AUTHORIZED ACTIVITIES- A local educational agency may use funds awarded under this section for activities that carry out the purpose of this subtitle, including the following:

(1) The provision of tutoring, supplemental instruction, and enriched educational services that are linked to the achievement of the same challenging State academic content standards and challenging State student academic achievement standards the State establishes for other children and youths.

(2) The provision of expedited evaluations of the strengths and needs of homeless children and youths, including needs and eligibility for programs and services (such as educational programs for gifted and talented students, children with disabilities, and students with limited English proficiency, services provided under title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, programs in vocational and technical education, and school nutrition programs).

(3) Professional development and other activities for educators and pupil services personnel that are designed to heighten the understanding and sensitivity of such personnel to the needs of homeless children and youths, the rights of such children and youths under this subtitle, and the specific educational needs of runaway and homeless youths.



- (4) The provision of referral services to homeless children and youths for medical, dental, mental, and other health services.
- (5) The provision of assistance to defray the excess cost of transportation for students under section 722(g)(4)(A), not otherwise provided through Federal, State, or local funding, where necessary to enable students to attend the school selected under section 722(g)(3).
- (6) The provision of developmentally appropriate early childhood education programs, not otherwise provided through Federal, State, or local funding, for preschool-aged homeless children.
- (7) The provision of services and assistance to attract, engage, and retain homeless children and youths, and unaccompanied youths, in public school programs and services provided to nonhomeless children and youths.
- (8) The provision for homeless children and youths of before- and after-school, mentoring, and summer programs in which a teacher or other qualified individual provides tutoring, homework assistance, and supervision of educational activities.
- (9) If necessary, the payment of fees and other costs associated with tracking, obtaining, and transferring records necessary to enroll homeless children and youths in school, including birth certificates, immunization or medical records, academic records, guardianship records, and evaluations for special programs or services.
- (10) The provision of education and training to the parents of homeless children and youths about the rights of, and resources available to, such children and youths.
- (11) The development of coordination between schools and agencies providing services to homeless children and youths, as described in section 722(g)(5).
- (12) The provision of pupil services (including violence prevention counseling) and referrals for such services.
- (13) Activities to address the particular needs of homeless children and youths that may arise from domestic violence.
- (14) The adaptation of space and purchase of supplies for any nonschool facilities made available under subsection (a)(2) to provide services under this subsection.
- (15) The provision of school supplies, including those supplies to be distributed at shelters or temporary housing facilities, or other appropriate locations.
- (16) The provision of other extraordinary or emergency assistance needed to enable homeless children and youths to attend school.

SEC. 724. SECRETARIAL RESPONSIBILITIES.

- (a) **REVIEW OF STATE PLANS-** In reviewing the State plan submitted by a State educational agency under section 722(g), the Secretary shall use a peer review process and shall evaluate whether State laws, policies, and practices described in such plan adequately address the problems of homeless children and youths relating to access to education and placement as described in such plan.
- (b) **TECHNICAL ASSISTANCE-** The Secretary shall provide support and technical assistance to a State educational agency to assist such agency in carrying out its responsibilities under this subtitle, if requested by the State educational agency.



(c) NOTICE- The Secretary shall, before the next school year that begins after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, create and disseminate nationwide a public notice of the educational rights of homeless children and youths and disseminate such notice to other Federal agencies, programs, and grantees, including Head Start grantees, Health Care for the Homeless grantees, Emergency Food and Shelter grantees, and homeless assistance programs administered by the Department of Housing and Urban Development.

(d) EVALUATION AND DISSEMINATION- The Secretary shall conduct evaluation and dissemination activities of programs designed to meet the educational needs of homeless elementary and secondary school students, and may use funds appropriated under section 726 to conduct such activities.

(e) SUBMISSION AND DISTRIBUTION- The Secretary shall require applications for grants under this subtitle to be submitted to the Secretary not later than the expiration of the 60-day period beginning on the date that funds are available for purposes of making such grants and shall make such grants not later than the expiration of the 120-day period beginning on such date.

(f) DETERMINATION BY SECRETARY- The Secretary, based on the information received from the States and information gathered by the Secretary under subsection (h), shall determine the extent to which State educational agencies are ensuring that each homeless child and homeless youth has access to a free appropriate public education, as described in section 721(1).

(g) GUIDELINES- The Secretary shall develop, issue, and publish in the Federal Register, not later than 60 days after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, school enrollment guidelines for States with respect to homeless children and youths. The guidelines shall describe—

(1) successful ways in which a State may assist local educational agencies to immediately enroll homeless children and youths in school; and

(2) how a State can review the State's requirements regarding immunization and medical or school records and make such revisions to the requirements as are appropriate and necessary in order to enroll homeless children and youths in school immediately.

(h) INFORMATION-

(1) IN GENERAL- From funds appropriated under section 726, the Secretary shall, directly or through grants, contracts, or cooperative agreements, periodically collect and disseminate data and information regarding—

(A) the number and location of homeless children and youths;

(B) the education and related services such children and youths receive;

(C) the extent to which the needs of homeless children and youths are being met; and

(D) such other data and information as the Secretary determines to be necessary and relevant to carry out this subtitle.

(2) COORDINATION- The Secretary shall coordinate such collection and dissemination with other agencies and entities that receive assistance and administer programs under this subtitle.

(i) REPORT- Not later than 4 years after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, the Secretary shall prepare and submit to the President and the Committee on Education and the Workforce of the House of Representatives and



the Committee on Health, Education, Labor, and Pensions of the Senate a report on the status of education of homeless children and youths, which shall include information on—

- (1) the education of homeless children and youths; and
- (2) the actions of the Secretary and the effectiveness of the programs supported under this subtitle.

SEC. 725. DEFINITIONS.

For purposes of this subtitle:

- (1) The terms `enroll' and `enrollment' include attending classes and participating fully in school activities.
- (2) The term `homeless children and youths'—
 - (A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and
 - (B) includes—
 - (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 - (ii) children and youths who have 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 (within the meaning of section 103(a)(2)(C));
 - (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).
- (3) The terms `local educational agency' and `State educational agency' have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965.
- (4) The term `Secretary' means the Secretary of Education.
- (5) The term `State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.
- (6) The term `unaccompanied youth' includes a youth not in the physical custody of a parent or guardian.

SEC. 726. AUTHORIZATION OF APPROPRIATIONS.

For the purpose of carrying out this subtitle, there are authorized to be appropriated \$70,000,000 for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2007.¹



Appendix B: Who Are Homeless Children and Youth? Flyer



Who are Homeless Children and Youth?

Before schools can be certain they are complying with legislation related to educating students experiencing homelessness, they must understand who can be considered homeless. The McKinney-Vento Act (Section 725) defines “homeless children and youth” (school-age and younger) as:

- Children and youth who lack a fixed, regular, and adequate nighttime residence, including children and youth who are:
 - Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
 - Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations.
 - Living in emergency or transitional shelters.
 - Abandoned in hospitals.
 - Awaiting foster care placement.
- Children and youth who have 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.
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- Migratory children who qualify as homeless because they are living in circumstances described above.
- The term *unaccompanied youth* includes a youth not in the physical custody of a parent or guardian. This would include runaways living in runaway shelters, abandoned buildings, cars, on the streets, or in other inadequate housing; children and youth denied housing by their families (sometimes referred to “throwaway children and youth”); and school-age unwed mothers living in homes for unwed mothers because they have no other housing available.

In determining whether or not a child or youth is homeless, consider the *relative permanence of the living arrangements*. Determinations of homelessness should be made on a case-by-case basis.

Who is Homeless?

Key Provisions

- The term *homeless* is broadly defined by the McKinney-Vento Act's Education for Homeless Children and Youth Program.
- Pre-school children, migrant children, and youth whose parents will not permit them to live at home or who have run away from home (even if their parents are willing to have them return home) may be identified as homeless.

Homelessness is a lack of permanent housing resulting from extreme poverty. Two trends are largely responsible for the rise in homelessness over the past 15–20 years: a growing shortage of affordable rental housing and a simultaneous increase in poverty. There is an increasing gap between income and housing costs for low-income individuals. A minimum wage worker cannot afford the fair-market rent for housing in any jurisdiction in the United States. To afford the national median fair market rent for a two-bedroom rental unit, a minimum wage worker would need to work 97 hours per week.

Yet, despite the obvious need, the supply of affordable housing has dwindled. By 1995, the number of low-income renters in America outstripped the number of low-cost rental units by 5.4 million units. The lack of affordable housing has resulted in an increase in the number of employed people who become homeless. A survey of 30 U.S. cities found that almost one in four homeless persons is employed.

The changing character of homelessness means that children and youth in homeless situations often do not fit society's stereotypical images. Only 33% of students experiencing homelessness live in shelters. Most students share housing with friends or relatives or stay in motels or other temporary facilities. Yet, these children and youth may not immediately be considered homeless and are sometimes denied the protections and services of the McKinney-Vento Act. Therefore, the Act now contains a specific definition of homelessness that includes a broad array of inadequate living situations. This definition can help educators and families understand who is entitled to the Act's protections.

The issue brief entitled *Identifying Students in Homeless Situations* found in Appendix G provides strategies to locate and serve children and youth living in a variety of homeless situations. Consult other issue briefs in this series for legal provisions and implementation strategies to ensure children and youth in homeless situations can choose their school, enroll in school immediately, access transportation services, have disputes resolved quickly and access Title I and other educational services.

Note: All definitions are contained in McKinney-Vento Act sec. 725(2); 42 U.S.C. 11435(2).

Sources for affordable housing and poverty data:

National Low Income Housing Coalition. (2000). *Out of reach*. Retrieved from www.nlihc.org/oor2000.

Daskal, Jennifer. (1998). *In search of shelter: The growing shortage of affordable rental housing*.

To obtain a copy e-mail center@center.cbpp.org.

U.S. Conference of Mayors. *A status report on hunger and homelessness in America's cities: 1998*.

U.S. Department of Education. (1997). *Education for Homeless Children and Youth Program Report to Congress*.

Appendix C:

Common Signs of Homelessness Flyer



Common Signs of Homelessness

Lack of Continuity in Education

- Attendance at many different schools
- Lack of records needed for enrollment
- Gaps in skill development

Poor Health/Nutrition

- Lack of immunizations and/or immunization records
- Unmet medical and dental needs
- Chronic hunger (may hoard food)
- Fatigue (may fall asleep in class)

Transportation and Attendance Problems

- Erratic attendance or tardiness
- Inability to contact parents
- Numerous absences
- Avoidance of class field trips

Poor Hygiene

- Wearing the same clothes for several days
- Lack of shower facility or washers to stay clean

Not Ready for Class

- Lack of basic school supplies
- Concern for the safety of belongings
- Incomplete or missing homework

Social and Behavioral Cues

- Change in behavior
- “Old” beyond years
- Protective of parents
- Poor/short attention span
- Poor self-esteem
- Difficulty or avoidance of making friends
- Difficulty trusting people
- Need for immediate gratification

Reactions/Statements by Parent, Guardian, or Child

- Anger or embarrassment when asked about current address
- Mention of staying with grandparents, other relatives, friends, or in a motel
- Comments such as:
 - ⦿ “I don’t remember the name of my previous school.”
 - ⦿ “We’ve been moving around a lot.”
 - ⦿ “Our address is new; I can’t remember it” (may hide lack of a permanent address).
 - ⦿ “We’re going through a bad time right now.”

Note: These are general guidelines. There is significant variability among the school-age homeless population.

Warning signs adapted from flyers developed by the Illinois and Pennsylvania Departments of Education.

Appendix D:

Homeless Education Posters/Flyer

Homeless Education Parents Brochure



Information for Parents

If your family lives in any of the following situations:

- In a shelter, motel, vehicle, or campground
- On the street
- In an abandoned building, trailer, or other inadequate accommodations, or
- Doubled up with friends or relatives because you cannot find or afford housing

Then, your preschool-aged and school-aged children have certain rights or protections under the McKinney-Vento Homeless Education Assistance Act.

Your children have the right to:

- Go to school, no matter where you live or how long you have lived there. They must be given access to the same public education, including preschool education, provided to other children.
- Continue in the school they attended before you became homeless or the school they last attended, if that is your choice and is feasible. If a school sends your child to a school other than the one you request, the school must provide you with a written explanation and offer you the right to appeal the decision.
- Receive transportation to the school they attended before your family became homeless or the school they last attended, if you or a guardian request such transportation.
- Attend a school and participate in school programs with children who are not homeless. Children cannot be separated from the regular school program because they are homeless.
- Enroll in school without giving a permanent address. Schools cannot require proof of residency that might prevent or delay school enrollment.
- Enroll and attend classes while the school arranges for the transfer of school and immunization records or any other documents required for enrollment.
- Enroll and attend classes in the school of your choice even while the school and you seek to resolve a dispute over enrolling your children.
- Receive the same special programs and services, if needed, as provided to all other children served in these programs.
- Receive transportation to school and to school programs.

When you move, you should do the following:

- Contact the school district's local liaison for homeless education (see phone number below) for help in enrolling your child in a new school or arranging for your child to continue in his or her former school. (Or, someone at a shelter, social services office, or the school can direct you to the person you need to contact.)
- Contact the school and provide any information you think will assist the teachers in helping your child adjust to new circumstances.
- Ask the local liaison for homeless education, the shelter provider, or a social worker for assistance with clothing and supplies, if needed.

Local Area Contacts:

State Coordinator:

If you need further assistance, call the
National Center for Homeless Education
at the toll-free HelpLine number:

1-800-308-2145



Information for School-Aged Youth

If you live in any of the following situations:

- In a shelter, motel, vehicle, or campground
- On the street
- In an abandoned building, trailer, or other inadequate accommodations, or
- Doubled up with friends or relatives because you cannot find or afford housing

Then, you have certain rights or protections under the McKinney-Vento Homeless Education Assistance Act.

You have the right to:

- Go to school, no matter where you live or how long you have lived there. You must be given access to the same public education provided to other students.
- Continue in the school you attended before you became homeless or the school you last attended, if that is your choice and is feasible. The school district's local liaison for homeless education must assist you, if needed, and offer you the right to appeal a decision regarding your choice of school if it goes against your wishes.
- Receive transportation to the school you attended before you became homeless or the school you last attended, if you request such transportation.
- Attend a school and participate in school programs with students who are not homeless. Students cannot be separated from the regular school program because they are homeless.
- Enroll in school without giving a permanent address. Schools cannot require proof of residency that might prevent or delay school enrollment.
- Enroll and attend classes while the school arranges for the transfer of school and immunization records or any other documents required for enrollment.
- Enroll and attend classes in the school of your choice even while the school and you seek to resolve a dispute over enrollment.
- Receive the same special programs and services, if needed, as provided to all other students served in these programs.
- Receive transportation to school and to school programs.

When you move, you should do the following:

- Contact the school district's local liaison for homeless education (see phone number below) for help in enrolling in a new school or arranging to continue in your former school. (Or, someone at a shelter, social services office, or the school can direct you to the person you need to contact.)
- Tell your teachers anything that you think they need to know to help you in school.
- Ask the local liaison for homeless education, the shelter provider, or a social worker for assistance with clothing and supplies, if needed.

Local Area Contacts:

State Coordinator:

If you need further assistance, call the
National Center for Homeless Education
at the toll-free Helpline number:

1-800-308-2145



Questions for Parents to Ask at School

Children can be encouraged by your interest in their day at school, their homework, and the papers they bring home. They also benefit when you take time to ask questions or visit their school.

Here are some questions for you to ask at your child's school:

Who is the local liaison for homeless education?

What transportation is available for my child to stay in the same school?

If we have to change schools, can someone help us transfer records quickly?

Is there a preschool program?

Is there a summer school program?

Are any tutoring services available for my child?

If my child needs special education services, how long is the wait for testing?

Are there special classes to benefit a talent my child has?

Are there sports, music, or other activities my child can be a part of?

How can my child receive free meals at school?

Are school supplies available?

Will my child be able to go on class field trips if we are unable to pay?



National Center for
Homeless Education
at SERVE

What You Need to Know to Help Your Child Do Well in School

SERVETM
*Improving Learning through
Research & Development*

If, due to a lack of housing, you must live in a shelter, motel, vehicle, or campground, on the street, in abandoned buildings or trailers, or doubled-up with relatives or friends, then according to the McKinney-Vento Act, you are considered homeless.

Your children have the right to:

- ✦ Go to school, no matter where you live or how long you have lived there.
- ✦ Continue in the school they last attended before you became homeless or the school they last attended, if that is your choice and is feasible.
- ✦ Receive transportation to the school they last attended before your family became homeless or the school they last attended, if you or a guardian requests such transportation.
- ✦ Attend a school and participate in school programs with children who are not homeless.
- ✦ Enroll in school without giving a permanent address.
- ✦ Enroll and attend classes while the school arranges for the transfer of school and immunization records or any other documents required for enrollment.
- ✦ Enroll and attend classes in the school of your choice even while the school and you seek to resolve a dispute over enrolling your child.
- ✦ Receive the same special programs and services, if needed, as provided to all other children served in these programs.
- ✦ Receive transportation to school and to school programs.

When you move, you should do the following:

- ✦ Contact the school district's local liaison for homeless education (see phone number below) for help in enrolling your child in a new school or arranging for your child to continue in his or her former school. (Or, someone at a shelter, social services office, or the school can direct you to the person you need to contact.)
- ✦ Contact the school and provide any information you think will assist the teachers in helping your child adjust to new circumstances.
- ✦ Ask the local liaison for homeless education, the shelter provider, or a social worker for assistance with clothing and supplies, if needed.

Local Area Contacts:

State Coordinator:

If you need further assistance, call the National Center for Homeless Education at the toll-free HelpLine number:

1-800-308-2145

www.serve.org/nche



Appendix E:

Enrollment Packet:

Written Notification of Enrollment Decision

Student Residency Form

Determining Feasibility of School Placement

Missing Enrollment Documentation Affidavit

Caregiver's Authorization Form

Parent Pack



Written Notification of Enrollment Decision

To be completed by the receiving school when an enrollment request is denied.

Date: _____

Person completing form: _____

Title: _____

School: _____

In compliance with Section 722(g)(3)(E) of the McKinney-Vento Homeless Education Assistance Act of 2001, the following written notification is provided to:

Parent or Guardian: _____

Student(s): _____

After reviewing your request to enroll the student(s) listed above, the enrollment request is denied. This determination was based upon:

You have the right to appeal this decision by completing the second page of this notice or by contacting the school district's local homeless education liaison.

Liaison's name: _____

Title: _____

Phone number: _____

In addition:

- The student listed above has the right to immediately enroll in the school of choice pending resolution of the dispute.
- You may provide written or verbal documentation to support your position. You may use the form attached to this notification.
- You may contact the state coordinator for homeless education.

Contact information for the state coordinator:

- You may seek the assistance of advocates or attorneys.

A copy of our state's Enrollment Dispute Resolution process for students experiencing homelessness is attached.

Written Notification of Enrollment Decision

To be completed by the parent, guardian, caretaker, or unaccompanied youth when a dispute arises. This information may be shared verbally with the local liaison, as an alternative to completing this form.

Date submitted: _____

Student(s): _____

Person completing form: _____

Relation to student(s): _____

I may be contacted at (phone or e-mail): _____

I wish to appeal the enrollment decision made by: _____

School: _____

I have been provided with:

- A written explanation of the school's decision.
- Contact information for the local homeless education liaison.
- A copy of the State's Enrollment Dispute Resolution Process for students experiencing homelessness.

Optional: You may include a written explanation to support your appeal in this space or provide your explanation verbally.

The school provided me with a copy of this form when submitted. _____ (Initial)

Student Residency Form

This form is intended to address requirements of the McKinney-Vento Act, Title X, Part C of the No Child Left Behind Act. The question below is to assist in determining if the student meets the eligibility criteria for services provided under the McKinney-Vento Act. *In the event the child is not staying with his/her parent(s) or guardian(s), use the caregiver's authorization form to address guardianship issues.*

Where does the student stay at night?

_____ in a shelter

_____ other location not appropriate for people (e.g., abandoned building)

_____ in a motel/hotel

_____ temporarily with more than one family in a house, mobile home, or apartment (because the family doesn't have a place of its own)

_____ in a car

_____ other

_____ at a campsite

School: _____

Name of student: _____ Birthdate: _____

I, (name) _____ declare as follows:

1. I am the parent/legal guardian of (name of student) _____ who is of school age and is seeking admission to _____ School District.
2. Since (date) _____ our family has not had a permanent home.

I declare under penalty of perjury under the laws of this state that the information provided here is true and correct and of my own personal knowledge and that, if called upon to testify, I would be competent to do so.

Name: _____

Signature: _____

Date: _____

I receive my mail at: _____

Phone number: _____

Address: _____

E-mail Address: _____

I can be reached for emergencies at: _____

Adapted from materials by the California Department of Education and the San Antonio, Texas, Independent School District. As with any legal document, the local educational agency's legal counsel should be consulted.

Determining Feasibility of School Placement

The McKinney-Vento Act requires schools to consider the school of origin as the first option in school enrollment. Parents may choose the school of origin or the school in the residency area where the child is currently living. The following individuals may be consulted in determining what placement is in the child's or youth's best interest:

- The homeless child
- The parents or caretakers of the homeless child
- Homeless shelter personnel
- Representatives of social service agencies
- School district homeless education coordinators
- School social workers
- School counselors

It is the school district's responsibility to determine the school of origin and residency and to resolve any conflict concerning the school placement that is in the best interest of the student. Whenever possible, the school district is to comply with the parents'/caretakers' wishes. If the school district and parents do not agree on the appropriate placement, the state's enrollment dispute resolution procedure must be followed. The student should be enrolled in the school parents have chosen during the resolution process. If schools of residency and origin are in different districts and determined as the best placement, the local homeless education liaisons from both districts must work together to arrange transportation.

The McKinney-Vento Act states that once a child has been identified as homeless, residency requirements do not apply. The federal law requires that a child or youth experiencing homelessness attend one of the following:

- The *school of origin*: The school that the child last attended before experiencing homelessness or the school where the student was last enrolled.
- The *school of residency*: The school identified by the attendance zone in which the student is currently physically staying.

Enrollment should take place immediately.

A form is provided to assist in determining feasibility of school placement and that placement decisions are in student's best interest.

Adapted from materials developed by the Missouri Department of Elementary and Secondary Education.



Determining Feasibility of School Placement

Date: _____

Please provide the following information for the schools the child previously attended. List the most recent school first.

Dates of attendance	School name/ district/state	Living arrangement at the time

1. Are the school of origin and the school of residency in the same public school district or in different districts?
2. What is the child's desire concerning the school of his/her best interest?
3. What is the opinion of the parent or caregiver concerning the child's school of best interest?
4. What is the distance and time spent on travel from the current residence to the school of origin?
5. If transportation is not currently available back to the school of origin, how can it be arranged?
6. What time of year is it (near the end of the school year, the summer)?
7. How long did the child attend the school of origin? Were meaningful social and educational relationships established?
8. Are there specified people in the school of origin who have been providing support or assistance to the family or child experiencing homelessness?

9. Are there special programs, such as gifted, bilingual, or remedial education, in which the child has been participating at the school of origin?
 - If yes, please name.
 - Are they available at the school of residency?
10. Based on knowledge of the family situation, how long is the family likely to remain at the current residence?
11. What is the likelihood that the family experiencing homelessness will once again establish residency in the attendance area of the school of origin?

Recommendation:

Individuals consulted to determine the feasibility of school placement and that the placement is in the student's best interest:

Signature(s) of the individual(s) making the recommendation:

Adapted from materials developed by the Missouri Department of Elementary and Secondary Education.

Sample Affidavit For Missing Enrollment Documentation

State: _____

School district: _____, to-wit:

_____, being first duly sworn upon oath, based upon his/her personal knowledge, answers the following questions as noted in his/her handwriting on this and the attached page, which are propounded by duly authorized officials of the _____ (district) concerning a pupil's missing enrollment

documentation for the following:

- | | |
|--|--|
| <input type="checkbox"/> Proof of residency | <input type="checkbox"/> Immunization record |
| <input type="checkbox"/> Proof of guardianship | <input type="checkbox"/> School physical/health record |
| <input type="checkbox"/> Proof of identity | <input type="checkbox"/> School record |
| <input type="checkbox"/> Birth certificate | |

In accordance with the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, (P. L. 107-110), states and localities are required to address barriers to the enrollment of students meeting the definition of homelessness.

1. What is your name?
2. Have you been advised by an official of the district, and do you understand that you are required to answer the questions contained in this affidavit as a condition to the enrollment and admission of a pupil into the district because of an inability to supply the district with the necessary enrollment documentation checked earlier on this affidavit?
3. Do you understand that giving a false or otherwise untrue answer to any of the questions in this affidavit could result in a criminal charge of perjury being brought against you?

This sample may be used to develop a state or local affidavit to facilitate the enrollment of students who are experiencing homelessness. It is recommended that the attorney for the local education agency using an adaptation of this document be consulted.



4. Do you understand that when a question in the affidavit asks if you have knowledge of or if you know of an instance or situation, it means that you are expected to relate any knowledge you may have about the incident, whether it be personal knowledge or information received from other people, and to relate the source of your knowledge and information?
5. What is the full name of the pupil you wish to enroll in this district?
6. What are the age, date, and place of birth of the pupil being enrolled in this district?
7. Who are the parents, parents by legal adoption, legal guardians, or persons having legal custody of the pupil being enrolled?
8. Where is the pupil currently staying?
9. Do you have legal custody imposed by a court order or have you been designated as a court-appointed guardian for the pupil being enrolled?

What court entered such order and what type of case was it (i.e., custody hearing, etc.)?

10. Why are you unable to present of copy of documentation for the items checked on page 1 for the student that you are enrolling?
11. To the best of your knowledge has this pupil ever been reported to any law enforcement agency as a missing child?

If the response to question #11 is yes, identify by name and address the law enforcement agency and date of report.

This sample may be used to develop a state or local affidavit to facilitate the enrollment of students who are experiencing homelessness. It is recommended that the attorney for the local education agency using an adaptation of this document be consulted.



12. Is this affidavit being used to enroll a pupil who is missing immunization records, health records, school records, or proof of identity?

If the response to #12 is yes, give the following information:

- For missing immunization or health records, do you understand that you must obtain the necessary medical documentation and provide a copy to the school?
- For missing school records, what was the name and location of the last school the student attended?

Date

Signature

This sample may be used to develop a state or local affidavit to facilitate the enrollment of students who are experiencing homelessness. It is recommended that the attorney for the local education agency using an adaptation of this document be consulted.

Note: Districts may choose to request that this be notarized.



Caregiver's Authorization Form

This form is intended to address the McKinney-Vento Homeless Education Assistance Improvements Act of 2001 (P.L. 107-110) requirement that homeless children are to have access to education and other services. The McKinney-Vento Act specifically states that barriers to enrollment must be removed. In some cases, a child or youth who is homeless may not be able to reside with his/her parent or guardian.

Instructions:

- To authorize enrollment in school of a minor, complete items 1 through 4 and sign the form.
- To authorize enrollment and school-related medical care, complete all items and sign the form.

The minor named below lives in my home, and I am 18 years of age or older.

1. Name of minor: _____
2. Minor's birthdate: _____
3. My name (adult giving authorization): _____
4. My home address: _____
5. Check one or both (for example, if one parent was advised and the other could not be located):
 I have advised the parent(s) or other person(s) having legal custody of the minor as to my intent to authorize medical care and have received no objection.
 I am unable to contact the parent(s) or legal guardian(s) at this time to notify them of my intended authorization.
6. My date of birth: _____
7. My state driver's license or identification card number: _____

I declare under penalty of perjury under the laws of this state that the foregoing information is true and correct.

Signature _____ Date _____

Adapted from materials produced by the California Department of Education. As with any legal document, the local educational agency's legal counsel should review the document.

Parent Pack

A parent pack can be made or ordered. This pack gives parents one place to keep copies of school records, report cards, immunizations, and other important papers (e.g., birth certificates). The National Center for Homeless Education (NCHE) offers a parent pack folder that is a durable, glossy pocket folder with information to inform parents about school records that should be kept. The NCHE Parent Pack can be ordered by writing to P.O. Box 5367, Greensboro, NC 27453, phoning 800-308-2145 or e-mailing homeless@serve.org.

To make a parent pack, a 12" x 9" mailing envelope may be used. To increase the durability, laminate the envelope after putting the label on it. The label below may be photocopied, cut out, and glued to the front of the envelope to serve as a checklist of the envelope's contents. The local school district may want to customize the label to better meet local needs.

Important documents belonging to:

Contents

- Copy of the school records from the sending school
- Copy of the immunization record
- Birth certificate (or copy)
- Social Security card (or copy)
- Sample of schoolwork



Appendix F: Needs Assessment



Sample Needs Assessment

Basic School/Community Checklist

In the following table, rate the extent to which your school district and community currently meets the special needs of homeless children and youth and their families.

Educational/ School- Related Services	Need Not Addressed	Need Addressed/ Remains Major Need	Need Addressed/ Remains Minor Need	Need Well- Addressed	Not an Identified Need
1. Tutoring/ remedial programs					
2. Special education					
3. Counseling for students					
4. School transportation					
5. Free lunch/ breakfast					
6. School supplies					
7. Activity fees					
8. Pre-school programs					
9. Parent training/ involvement					
10. Case management for enroll- ment and community services					



Sample Needs Assessment (continued)

Educational/ School- Related Services	Need Not Addressed	Need Addressed/ Remains Major Need	Need Addressed/ Remains Minor Need	Need Well- Addressed	Not an Identified Need
11. School coordination with local community services					
12. Professional development on homeless issues for district staff					
13. Posting student rights and services					
14. Medical services					
15. Mental health services					
16. Food and clothing					
17. Emergency shelter					
18. Transitional shelter					
19. Affordable permanent housing					
20. Domestic violence/child abuse intervention					

Sample Needs Assessment (continued)

Educational/ School- Related Services	Need Not Addressed	Need Addressed/ Remains Major Need	Need Addressed/ Remains Minor Need	Need Well- Addressed	Not an Identified Need
21. Life skills training					
22. Substance abuse intervention					
23. Childcare					
24. Community transportation					
25. Job place- ment services					
26. Other:					

Adapted from Local Program Review Guide by the Iowa Department of Education, Spring 1998.

For additional items, visit www.state.ia.us/educate/ecese/is/homeless/documents.html.



Appendix G:

McKinney-Vento Reauthorization Briefs

McKinney-Vento 2001 Reauthorization—At a Glance

Homeless Education: An Introduction to the Issues

Domestic Violence, Homelessness, and Children’s Education

Individuals with Disabilities Education Improvement Act (IDEA) of 2004—
Provisions for Children and Youth with Disabilities Who Experience Homelessness

Resolution of Disputes

The Educational Rights of Students in Homeless Situations:
What LEA Administrators Must Know

The Educational Rights of Students in Homeless Situations:
What Service Providers Should Know

Enrollment

Identifying Students in Homeless Situations

Local Educational Agency Liaisons

School Selection

The Education of Students in Homeless Situations in the 2001
No Child Left Behind Act: Summary of McKinney-Vento and Title I Provisions

Title I and Homelessness

Transportation

Unaccompanied Youth

Who is Homeless?

Sample LEA Policy



McKinney-Vento 2001 Reauthorization—At a Glance

Who is homeless? (Sec. 725)

The term “homeless children and youth”—

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes—

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have 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 ...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

This document was collaboratively developed by:

National Association for the Education of Homeless Children and Youth (NAEH CY)—512-475-8765—www.naehcy.org

National Center for Homeless Education (NCHE)—800-308-2145—www.serve.org/nche

National Coalition for the Homeless (NCH)—202-737-6444 ext. 18—www.nationalhomeless.org

National Law Center on Homelessness & Poverty (NLCHP)—202-638-2535—www.nlchp.org

National Network for Youth (NN4Y)—202-783-7949—www.NN4Youth.org

This summary provides a brief overview of key provisions of the reauthorized Act. The text of the legislation may be found on the websites of the organizations listed below. In addition, a comprehensive summary of amendments and issue briefs on various topics in the law may be found on the websites of the organizations listed below. Issues briefs, which explain key legislative provisions and offer strategies for implementing them, are available on topics designated in this summary with an asterisk()*

Definitions*

The 2001 reauthorization includes definitions of who is considered homeless for the purposes of this subtitle of the McKinney-Vento Act and, therefore, who is eligible for the rights and protections it provides. These definitions include children and youth who are living with a friend, relative, or someone else because they lost their home or can't afford housing, children and youth who are staying in a motel or hotel due to lack of adequate alternative accommodations, children and youth who are living in an emergency or transitional shelter or a domestic violence shelter, and many other situations (see panel at left for full definition).

Academic Achievement

- States must describe in their state McKinney-Vento plan how students in homeless situations are or will be given the opportunity to meet the same challenging state academic achievement standards all students are expected to meet.
- It is the policy of Congress that students in homeless situations should have access to the education and other services they need to ensure that they have an opportunity to meet the same challenging state student academic achievement standards to which all students are held.

School Selection*

- Local Educational Agencies (LEAs), otherwise known as school districts, must, to the extent feasible, keep students in homeless situations in their school of origin (defined as the school attended when permanently housed or the school in which they were last enrolled), unless it is against the parent or guardian's wishes. (See *Transportation*, next page, for information on transportation to the school of origin.)
- Students can stay in their school of origin the entire time they are homeless and until the end of any academic year in which they move into permanent housing.
- Students may also choose to enroll in any public school that students living in the same attendance area are eligible to attend. (See *Enrollment*, next page.)
- If a student is sent to a school other than the school of origin or the school requested by a parent/guardian, the LEA must provide a written explanation of its decision and the right to appeal, whether or not the parent/guardian disputes the placement. (See *Dispute Resolution*, next page.)
- Homeless liaisons must help unaccompanied youth (youth who are not in the physical custody of a parent or guardian) choose and enroll in a

continued next page

school, after considering the youth's wishes, and provide youth with notice of their right to appeal an enrollment choice that goes against their wishes. (See *Liaisons*, this page, for the appointment and duties of the liaison.)

Enrollment*

- LEAs must immediately enroll students in homeless situations, even if they do not have required documents, such as school records, medical records, proof of residency, or other documents. The term "enroll" is defined as attending classes and participating fully in school activities.
- Enrolling schools must obtain school records from the previous school, and students must be enrolled in school while records are obtained.
- 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.
- Schools must maintain records for students who are homeless so they are available quickly.
- States must address problems resulting from enrollment delays caused by immunization and medical records requirements, residency requirements, lack of birth certificates, school records or other documentation, guardianship issues, or uniform or dress code requirements.
- States and LEAs must develop, review, and revise their policies to remove barriers to the enrollment and retention

of children and youth in homeless situations.

Resolution of Disputes*

- Every state must establish procedures to promptly resolve disputes regarding the educational placement of homeless students.
- Whenever a dispute arises, the student must be immediately admitted to the school of choice while the dispute is being resolved.
- A written explanation of the school's decision must be provided if a parent, guardian, or unaccompanied youth disputes a school placement or enrollment decision.
- The school must refer the student, parent, or guardian to the local liaison to carry out the dispute resolution process as expeditiously as possible. (See *Liaisons*, this page, for the duties of liaisons.)
- Liaisons must ensure that this provision is followed for unaccompanied youth.

Transportation*

- At a parent or guardian's request, homeless students must be provided with transportation to and from their school of origin.
- For unaccompanied youth, transportation to and from the school of origin must be provided at the liaison's request.
- If the student's temporary residence and the school of origin are in the same LEA, that LEA must provide transportation. If the student is living outside the school of origin's LEA, the LEA where the student is living 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.

Liaisons*

- Every LEA must designate an appropriate staff person as a local educational agency liaison for students in homeless situations.
- Liaisons must ensure that:
 - Children and youth in homeless situations are identified by school personnel and through coordination activities with other entities and agencies.*
 - Children and youth enroll in, and have full and equal opportunity to succeed in, the schools of the LEA.
 - Families, children, and youth receive educational services for which they are eligible, including Head Start, Even Start, and preschool programs administered by the LEA and referrals to health, mental health, dental, and other appropriate services.
 - Parents or guardians are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.

- ❑ Public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services under the Act (such as schools, family shelters, and soup kitchens).
- ❑ Enrollment disputes are mediated in accordance with the Enrollment Disputes section. (See *Resolution of Disputes*, previous page.)
- ❑ Parents and guardians and unaccompanied youth are fully informed of all transportation services, including to the school of origin, and are assisted in accessing transportation services.
- ❑ Liaisons must collaborate and coordinate with state coordinators and community and school personnel responsible for the provision of education and related services to children and youth in homeless situations.
- ❑ State coordinators and LEAs must inform school personnel, service providers, and advocates who work with families in homeless situations of the duties of the liaison.

Segregation *

- ❑ It is the policy of the Congress that homelessness alone is not sufficient reason to separate students from the mainstream school environment.
- ❑ States that receive McKinney-Vento Act assistance are prohibited from segregating homeless students in separate schools, separate programs within schools, or separate settings within schools, except:

- ❑ States that have separate schools operated in FY2000 in a “covered county” are excluded from the prohibition, and are eligible to receive McKinney funds, providing that the covered schools and the LEAs that the homeless children enrolled in the covered schools are eligible to attend meet the requirements specified for them in the Act. (Covered counties are Orange County, CA; San Diego County, CA; San Joaquin County, CA; and Maricopa County, AZ.)
- ❑ If McKinney-Vento services are provided on school grounds, schools must not provide services in settings within a school that segregate homeless children and youth from other children and youth, except as is necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services.
- ❑ SEAs and LEAs must adopt policies and practices to ensure that homeless children and youth are not segregated or stigmatized on the basis of their status as homeless.
- ❑ Services provided with McKinney-Vento Act funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the school’s regular academic program.

Local Subgrants

- ❑ States are required to award competitive subgrants to LEAs based on need and quality of the application submitted.

- ❑ In determining quality of applications, states must consider the applicant’s needs assessment; the types, intensity, and coordination of services; the involvement of parents or guardians; the extent to which children and youth are integrated into regular education programs; the quality of the applicant’s evaluation plan; the extent to which McKinney-Vento services will be coordinated with other available services; and such other measures as the state considers indicative of a high-quality program.

Statewide Activities

- ❑ The Office of State Coordinator must provide technical assistance, in coordination with local liaisons, to all LEAs in order to ensure compliance with the following LEA requirements: school choice/placement, best interest determination, enrollment, enrollment disputes, records, comparable services, coordination, local liaison duties, review and revision of policies, and the prohibition on segregation.
- ❑ States must distribute at least 75% of their McKinney-Vento allocation to LEAs, except that states funded at the minimum level must distribute at least 50% of their McKinney-Vento Act allocations to LEAs.

Federal Activities

- ❑ Not later than 60 days after the date of enactment, the U.S. Department of Education must publish school enrollment guidelines in the Federal Register that describe successful ways in which a state may

McKinney-Vento 2001 Reauthorization—At a Glance (continued)

assist school districts to immediately enroll students who are homeless and how states can review and revise state requirements on immunization, school, or medical records.

- Before the next school year that begins after the date of enactment, the U.S. Department of Education must create a public notice of the educational rights of children and youth in homeless situations and disseminate such notice nationwide and to other federal agencies, programs, and grantees, including Head Start grantees, health care for the homeless projects, emergency food and shelter grantees, and homeless assistance programs administered by the Department of Housing and Urban Development.

- The U.S. Department of Education must periodically collect and disseminate data and information on the number and location of children and youth in homeless situations, the educational services they receive, the extent to which their educational needs are being met, and such other data and information as is determined to be necessary and relevant. The Department is required to coordinate data collection and dissemination with the agencies and entities that receive McKinney-Vento funds and administer McKinney-Vento programs.

Funding

- The minimum amount of funding that any state can receive is \$150,000, one-quarter of one percent of the overall appropriation, or the amount the state received in FY2001. If there are insufficient funds available to allot the minimum amount to each state, the allotments to states will be reduced based on the proportionate share that each state received in the preceding fiscal year.
- \$70 million is authorized for FY2002 and such sums as may be necessary for fiscal years 2003 through 2007.²

Footnotes

¹ Issue briefs are also available on additional topics, including identifying children in homeless situations, unaccompanied youth, and Title I.

² The authorized funding level is the ceiling, or maximum amount, that Congress sets for a program. The amount of funding that is actually provided is determined annually by the congressional appropriations process. In FY2002, Congress appropriated \$50 million for the EHCY program.

Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.



For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

Homeless Education: An Introduction to the Issues



How many people in the United States are homeless?

People experiencing homelessness are not a static group; homelessness is a “revolving-door phenomenon”. It is estimated that, over the course of a year, between 2.3 and 3.5 million people will experience homelessness, of which between 900,000 and 1.4 million will be children.ⁱ

What are the main causes of homelessness?

The main cause of homelessness is the lack of affordable housing. While this lack alone is often enough to cause homelessness, when combined with other factors such as low wages, unemployment, domestic violence, illness, mental health issues, and addiction, the risk of experiencing homelessness increases dramatically.

Unaccompanied youth are youth not in the physical custody of a parent or guardian. The primary causes of homelessness among unaccompanied youth are physical or sexual abuse by a parent or guardian, neglect, parental substance abuse, and family conflict.

Who is homeless?

(McKinney-Vento Homeless Assistance Act of 2001 – Title X, Part C of the No Child Left Behind Act – Sec 725)

The term “homeless children and youth”—

(A) means individuals who lack a fixed, regular, and adequate nighttime residence...; and

(B) includes —

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camping grounds due the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have 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...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

Homelessness: A fringe issue?

Many people view homelessness as a fringe issue, affecting only “certain kinds of people” on the edges of society. This view does not reflect the changing demographics of homelessness in the United States, including a steady rise in homelessness among families with children. Consider the following questions:

- Could you ever experience a flood, fire, tornado, or other natural disaster?*
- Do you work in an area of the economy where your job might become obsolete?*
- Could you ever suffer from a long-term illness or accident without proper health benefits or other compensations?*
- Do you live in a household with only one full-time wage earner?*
- Are you behind on any monthly bills?*
- Are housing costs in your area increasing faster than wages?*
- Does anyone in your family struggle with addiction or mental illness?*
- Could you ever face extreme financial difficulty without family or close friends available to come to your aid?*

If you answered “yes” to any of these questions, you are not immune to homelessness. These questions are not meant to create alarm, but rather to spread awareness that people experiencing homelessness are people just like us. They desire financial stability and a secure home, but have confronted difficult circumstances without sufficient resources to overcome the situation and remain housed.

continued on the next page

Homeless with homework: Challenges faced by homeless students

Children experiencing homelessness face great challenges. High mobility, precarious living conditions, and poverty combine to present significant educational, health and emotional difficulties. Consider this:

- *At least 20% of homeless children do not attend school.ⁱⁱ*
- *Within a year, 41% of homeless children will attend two different schools; 28% of homeless children will attend three or more different schools.ⁱⁱⁱ*
- *With each change in schools, a student is set back academically by an average of four to six months.^{iv}*
- *Children experiencing homelessness often feel like outsiders and have difficulty maintaining friendships due to frequent moves. Their lives feel out of control, and they often experience anxiety and depression as a result.*
- *Many homeless children lack basic school supplies and a reasonable environment in which to do homework.*
- *Unaccompanied youth experiencing homelessness confront these and other challenges associated with homelessness without the support and guidance of a caring adult.*

Homeless children are truly among our nation's neediest and most at risk.

McKinney-Vento: Federal homeless education legislation

During the 1980s, the federal government recognized the magnitude of the problem of homelessness within our country and, more specifically, the increasing incidences of homelessness among families with children and unaccompanied youth. To address this issue, Congress passed the Stewart B. McKinney Act, reauthorized most recently as the McKinney-Vento Homeless Assistance Act. This act guarantees homeless children and youth the following:

- *The right to immediate enrollment in school, even if lacking paperwork normally required for enrollment.*
- *The right to attend school in his/her school of origin (if this is requested by the parent and is feasible) or in the school in the attendance area where the family or youth is currently residing.*
- *The right to receive transportation to his/her school of origin, if this is requested by the parent.*
- *The right to services comparable to those received by housed schoolmates, including transportation and supplemental educational services.*
- *The right to attend school along with children not experiencing homelessness. Segregation based on a student's status as homeless is strictly prohibited.*
- *The posting of homeless students' rights in all schools and other places around the community.*

While having the opportunity to enroll and succeed in school may seem like a given to many of us, the McKinney-Vento Act was enacted due to the numerous barriers homeless children faced in obtaining a free, appropriate public education. It is the mission of the National Center for Homeless Education (NCHE) and its partners to create public awareness of the rights of homeless children and youth and to ensure compliance with the law at the state and local levels.

continued on the next page

The role of education

The role of education in the life of a homeless child is crucial. In a life that is filled with uncertainty, school is a place of safety. Something as simple as a desk to call her own can provide a homeless child with a sense of routine and ownership. A free, appropriate public education is also a right to which homeless children and youth are legally entitled. This right put into practice has the potential to break the cycle of poverty and homelessness that may otherwise continue. For a homeless child, the importance of a stable, quality education is immeasurable.

How can I help?

After learning more about the issue of homeless education, you may be wondering how you can help. Consider the following suggestions:

- *Educate staff at your organization that come into contact with homeless children and families about the educational rights of homeless children.*
- *Collaborate with your local school district to help identify and support homeless students in your area. Every school district in the country has a Local Homeless Education Liaison, responsible for ensuring that homeless students' educational rights are observed. To find out the contact information for the liaison in your district, contact NCHE at 1-800-308-2145.*
- *Take advantage of the products and services available to you through NCHE and its partners.*
- *For other suggestions on supporting the rights of students experiencing homelessness, contact NCHE.*

National Partners in Homeless Education

The National Center for Homeless Education (NCHE)

Contact: Diana Bowman, Director, 800-755-3277, dbowman@serve.org

Web Address: www.serve.org/nche

NCHE, funded by the U.S. Department of Education, is a national resource center, providing valuable information, training, and materials to educators and community members seeking to address the educational needs of homeless children and their families. These materials are made available to the public at no charge and include such items as educational rights posters, parent packs, training resources, and “law into practice” briefs.

U.S. Department of Education, Education for Homeless Children and Youth Program

Contact: Gary Rutkin, Coordinator, 202-260-4412, gary_rutkin@ed.gov

Web Address: www.ed.gov/programs/homeless/index.html

The Education for Homeless Children and Youth Program oversees the education of homeless children and youth in our nation’s public schools, including the granting of McKinney-Vento funds and the monitoring of their usage. Program Coordinator Gary Rutkin, working with other Department officials and national partners, provides official guidance to states and school districts on implementing the McKinney-Vento Homeless Assistance Act.

The National Association for the Education of Homeless Children and Youth (NAEHCY)

Contact: Patricia Popp, President, 757-221-7776, ppopp@naehcy.org

Web Address: www.naehcy.org

NAEHCY, a national grassroots membership association, serves as the voice and the social conscience for the education of children and youth in homeless situations. NAEHCY brings together educators, parents, advocates, researchers and service providers to ensure school enrollment and attendance, and overall success for children and youth experiencing homelessness. NAEHCY accomplishes this through advocacy, partnerships and education. NAEHCY also hosts an annual national conference on homeless education, which brings together educators and service providers to learn about new developments within the field.

The National Law Center on Homelessness and Poverty (NLCHP)

Contact: Joy Moses, Education Staff Attorney, 202-638-2535, jmoses@nlchp.org

Web Address: www.nlchp.org

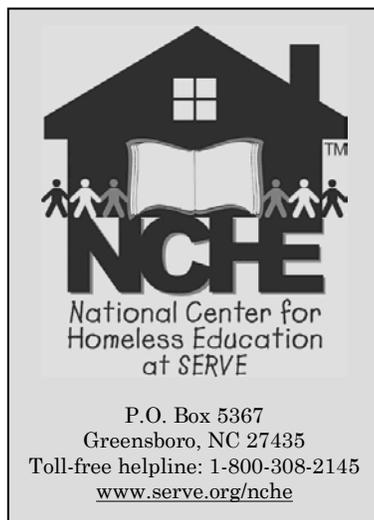
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The National Network for Youth (NNY)

Contact: Mishaela Duran, Director of Public Policy and Public Affairs, 202-783-7949 x3109, mduran@nn4youth.org

Web Address: www.nn4youth.org

The National Network for Youth is the leading advocacy organization for runaway and homeless youth. NNY seeks to promote opportunities for growth and development for youth who face greater odds due to abuse, neglect, family conflicts and disconnection from family, lack of resources, discrimination, differing abilities, or other life challenges. NNY achieves this through advocacy on national policy related to at-risk youth and the provision of training, technical assistance, consultation services, and publications on the issue of supporting and protecting at-risk youth.



Homelessness can't be determined by appearance. For information on recognizing the warning signs of homelessness among students, visit www.serve.org/nche/nche_web/warning.php.

References

ⁱ Burt, Martha R., *What Will It Take to End Homelessness?* (Washington, DC: The Urban Institute, 2001). Available online at www.urban.org.

ⁱⁱ Author, *Homeless Children: America's New Outcasts* (Newton, MA: National Center on Family Homelessness, 1999). Available for order online at www.familyhomelessness.org/.

ⁱⁱⁱ *Ibid.*

^{iv} Dr. Joy Rogers of the Loyola University Department of Education, *Education Report of Rule 706 Expert Panel presented in B.H. v. Johnson*, 715 F. Supp. 1387 (N.D. Ill. 1989), 1991.

Domestic Violence, Homelessness, and Children's Education



Who is covered?

(McKinney-Vento Homeless Assistance Act of 2001 – Title X, Part C of the No Child Left Behind Act – Sec 725)

The term “homeless children and youth”—

(A) means individuals who lack a fixed, regular, and adequate nighttime residence...; and

(B) includes —

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camping grounds due the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have 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...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

Domestic violence was named as a primary cause of homelessness in nine of the 25 cities surveyed by the U.S. Conference of Mayors in 2003.¹ Anecdotal accounts from legal service providers and other advocates support these statistics, suggesting that a disproportionate number of women who seek emergency shelter—often with their children—do so because they are fleeing immediate or very recent experiences of domestic or sexual violence.² In fact, in some regions of the country, nearly one-third of all homeless women are homeless at least in part due to domestic abuse.³

Children and youth who flee violent homes with a parent survivor and who become homeless as a result face many barriers. Young people who flee violent homes are at heightened risk for emotional and behavioral problems.⁴ They may be more likely than their peers to experience or to participate in emotional or physical abuse themselves.⁵ These effects can have a pronounced impact on children's adjustment in school, including their ability to learn and their concentration levels.⁶

In addition to the consequences of violence, homelessness itself has a devastating impact on children's health and development. For example, students experiencing homelessness tend to suffer from:

- Poor nutrition⁷
- Inadequate health care⁸
- Health problems associated with overcrowded and communal living situations⁹
- Increased incidence of other health impairments¹⁰
- Higher exposure to violence¹¹
- Severe emotional stress¹²

Homelessness often leads to frequent moving and upheaval, which eliminate the feelings of safety, stability, and predictability that are so important for healthy growth.

A stable school experience can help ease some of the effects of domestic violence and homelessness on children. Schools offer many important benefits, including safety, predictability, a sense of normalcy, adult and peer support, meals, basic medical and mental health services, and extracurricular activities. Schools also can connect families to other resources and supports available in the community. However, schools and service providers must work together to ensure safety and confidentiality for children and their parents who are fleeing domestic violence.

Federal Legislative Responses

Two federal laws help ensure that children affected by domestic violence and homelessness have stable and safe school experiences.

The McKinney-Vento Act

The McKinney-Vento Act is a federal law that ensures children and youth who have lost their housing can attend school. It covers children and youth who are living in domestic violence shelters, emergency shelters, transitional living programs, staying temporarily with friends or relatives due to the lack of adequate accommodations, and staying in motels, campgrounds, cars, or other temporary or inadequate housing. The McKinney-Vento Act says that children who have lost their housing can:

- ◇ Attend school, no matter where they live or how long they have lived there.
- ◇ Continue in the school they went to before losing their housing or in the school in which they were enrolled last (called “school of origin”), even if they move out of the school district, if that is feasible.
- ◇ Go to the local school in the area where they are living. The school must immediately let students enroll, attend classes, and participate fully in school activities, even if students do not have a parent or guardian with them or documents such as proof of residency, immunization records, other medical records, or school records.
- ◇ Receive transportation to their school of origin, provided or arranged by the school district.
- ◇ Access all the school services they need, including preschool.
- ◇ Go to school with children who are not in temporary housing and be free from harassment. Students cannot be separated from the regular school program because of their housing.
- ◇ Have disagreements with the school settled quickly and go to the school they choose while disagreements are settled.
- ◇ Contact the school district homeless education liaison, whose job is to help children in homeless situations enroll and succeed in school.

The Federal Education Rights and Privacy Act (FERPA)

FERPA is a federal law that protects the privacy of educational records. All public schools must follow FERPA. FERPA says that schools must have written permission from a parent before releasing any information from a child’s records. However, FERPA allows schools to release records *without a parent’s permission* to the following people:

- ◇ The student’s other parent—unless a restraining order is in place or parental rights have been suspended (See page 3 “Help Parents and Children in Crisis.”)
- ◇ Employees of the student’s school who truly need the information
- ◇ Another school, if the student is transferring there
- ◇ Financial aid offices if the student has applied for financial aid

- ◇ Federal, state, and local education authorities, if they need it to audit or evaluate the school, and organizations that are accrediting the school
- ◇ State and local authorities, if state law specifically allows it
- ◇ Organizations conducting studies for the school
- ◇ Anyone named in a court order that requires the school to release the records
- ◇ Appropriate authorities if there is a health or safety emergency and releasing the records is necessary to protect the student's safety or the safety of others

Schools can also release basic, “directory” information about students, including name, address, phone number, date of birth, and date of attendance. *A parent can prevent the release of directory information just by telling the school not to release it.*

Helpful Policies and Practices for Schools

The following policies and practices can help schools protect survivors of domestic violence, provide a stable and positive school experience for children fleeing domestic violence, and increase safety and academic achievement within the school community.

Build the Support System

- ◇ Fully implement the McKinney-Vento Act in the school district, ensuring that survivors of domestic violence or their children who are in temporary or unstable housing can enroll in school immediately and receive all necessary and appropriate services.
- ◇ Hold inservices and professional development activities for school personnel on the causes and effects of domestic violence and the school's role in protecting survivors. Include sensitivity training and training on the legal requirements of the McKinney-Vento Act and FERPA. Provide this information to a wide array of school personnel, including teachers, secretaries, registrars, administrators, school counselors, bus drivers, security guards, and others.
- ◇ Identify agencies in your community that work with domestic violence survivors and their children. Establish relationships with those agencies.
- ◇ Collaborate with the Title I office, school district homeless education liaison, teachers, and community agencies to provide academic and support services, both in and out of school, to support the children's education.

Help Parents and Children in Crisis

- ◇ Inform parents that without a court order or restraining order, *both* parents will be able to access school records. Identify agencies in your community that help domestic violence survivors get restraining or civil protection orders, and refer survivors to those agencies. A restraining order is an important first step to prevent abusers who are biological parents from obtaining their children's school records or picking their children up from school. Schools may want to have on hand written information about restraining orders.
- ◇ Inform parents who have lost their housing of their rights to enroll children immediately in the local school or keep them in their original school. Inform parents of their children's rights to transportation and other services, and provide referrals to counseling, medical, mental health, and legal services, as necessary. Assist parents in deciding what school is best for their children, considering issues of safety and stability.

- ◇ Speak privately and gently to the parent experiencing domestic violence about services available to him or her and the children, both at school and in the community. Attempt to create a safe space.
- ◇ Create a welcoming environment for children and families. Upon enrollment, provide new parents and children with a tour of the school and facilities. Assign the children an adult and/or peer “buddy” to assist in the transition.

Address Safety Needs

- ◇ Inform all school personnel who might be contacted by phone or in person by a batterer of the importance of confidentiality, including secretaries, teachers, bus drivers, security guards, school counselors, administrators, and others. School personnel should not share any information with unauthorized people, including whether the child is even enrolled in the school. Be sure to keep all information current.
- ◇ When appropriate, after consultation between the school and the parent, enroll students under generic or assumed names if they are children of survivors of domestic violence or are survivors themselves. Given the insecurity of computer databases, using a generic or assumed name makes it much more difficult for abusers to determine the children’s school. For example, one school has enrolled children staying in a local domestic violence shelter under the last name: “Center.”
- ◇ Work with the parent to create a list of people authorized to pick the children up from school. Ensure that all necessary school staff members know who is on the list and understand that no unauthorized person can pick up the children, under any circumstances.
- ◇ If necessary, have children come to the office or another safe place in the school shortly before the end of the day, to ensure that no unauthorized person will pick them up. If the children ride a school bus, have an adult escort them to the bus and wait with them until the bus departs.
- ◇ Do not locate bus stops directly in front of domestic violence shelters in order to protect the secrecy of the shelter’s location. Put shelter stops first on the bus route in the morning and last in the afternoon to preserve confidentiality.
- ◇ When transferring school records, pass the records through the state attorney general’s office, several school districts, or the Office of the State Coordinator for the Education of Homeless Children and Youths. Schools can also set up a “shadow school,” using the school district homeless education liaison’s (or other staff member’s) office as the child’s school address, so that all information will pass through that individual. This makes it much more difficult for abusers to determine the children’s school.

Helpful Policies and Practices for Service Providers

Build the Support System

- ◇ Assist schools in developing guidelines for screening children for domestic violence and responding appropriately.
- ◇ Contact the school district homeless education liaison. Set up a meeting to discuss the causes and effects of domestic violence and ways the schools can support survivors and their children. Offer to speak to other school staff and assist with school district professional development activities on domestic violence.
- ◇ Work with the school district and local schools to promote procedures to protect confidentiality, sensitivity, and safety for survivors and children.

- ◇ Know shelter residents' rights under the McKinney-Vento Act and FERPA. Explain these rights to parents and assist them in enrolling their children in the appropriate school. Have written information about those laws available for parents at the shelter.
- ◇ Identify agencies in your area that provide preschool services, including Head Start, Even Start, and public and private preschools. Meet with those providers to discuss the causes and effects of domestic violence and how the schools can support survivors and children. Assist parents in accessing those services, as appropriate.
- ◇ Tour the local schools and meet relevant school staff, including administrators, secretaries, school counselors, bus drivers, security guards, and others. Talk to parents and children about the local school and prepare them to arrive.

Help Parents Enroll their Children in School

- ◇ Be aware of the importance of school to children. School offers adult support, security, friendships, social and academic support services, and a sense of normalcy. Schools also often offer services to parents including access to adult education and social services.
- ◇ Help parents obtain necessary school records, health records, and other documentation. Although the McKinney-Vento Act requires schools to enroll children without documents, obtaining documents as quickly as possible will help facilitate a smooth transition and adjustment to school. When necessary, help arrange appointments for physicals and immunizations.

By working together, schools and service providers can help ensure safety, stability, and confidentiality for survivors of domestic violence. A positive school experience can help ease some of the effects of domestic violence and homelessness on children and families.

Resources for More Information

Center on Adolescent Health and the Law (<http://www.cahl.org>)

Family Violence Prevention Fund (<http://endabuse.org>)

Linda L. Baker et al., *Children Exposed to Domestic Violence: A Teacher's Handbook to Increase Understanding and Improve Community Responses* (2002), available at <http://www.lfcc.on.ca/teacher-us.PDF>.

National Association for the Education of Homeless Children and Youth (<http://www.naehcy.org>)

National Center for Homeless Education (<http://www.serve.org/nche>)

National Coalition Against Domestic Violence (<http://www.ncadv.org>)

National Domestic Violence Hotline (<http://www.ndvh.org>) 1-800-799-SAFE (7233)

National Law Center on Homelessness & Poverty

<http://www.nlchp.org>

National Network to End Domestic Violence

<http://www.nnedv.org>

National Partners in Homeless Education

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Contact: Joy Moses, Education Staff Attorney, 202-638-2535, jmoses@nlchp.org; Naomi Stern, Domestic Violence Staff Attorney, 202-638-2535, nstern@nlchp.org

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Footnotes

¹ U.S. Conference of Mayors, *2003 Hunger and Homelessness Survey: A Status Report on Hunger and Homelessness in America's Cities* at 72 (December 2003).

² Data from the U.S. Department of Justice demonstrate that nationally, as many as 95% of domestic and sexual violence victims are women. See Bureau of Justice Statistics, *Selected Findings: Violence between Intimates* at 2 (NCJ-149259, November 1994).

³ See Wilder Research Center, *Homeless in Minnesota: Key Facts from the Survey of Minnesotans without Permanent Housing* at 22 (February 2004).

⁴ See Linda L. Baker et al., *Children Exposed to Domestic Violence: A Teacher's Handbook to Increase Understanding and Improve Community Responses* (2002).

⁵ Ibid.

⁶ Ibid.

⁷ Homeless children go hungry more than twice as often as other children. Better Homes Fund, *Homeless Children: America's New Outcasts* (1999).

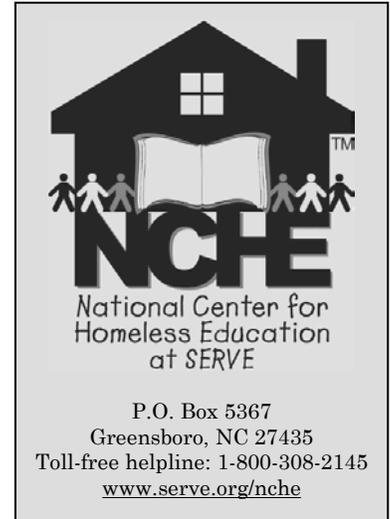
⁸ Nearly 20% of homeless children lack a regular source of medical care in some regions of the country. Pareker, R.M., et al., "A survey of the health of homeless children in Philadelphia shelters," *American J. of Diseases of Children* 145(5) (1991): 520-6.

⁹ Better Homes Fund, *supra*, note 7.

¹⁰ Children in 40% of homeless families have an average of 2 or more chronic illnesses within a single year, including twice as many ear infections, six times more speech and stammering problems, and four times more cases of asthma. Weinreb, L., et al., "Determinants of health and service use patterns in homeless and low-income housed children," *Pediatrics* 102(3) (1998): 554-62.

¹¹ Bassuk, E.L., et al., "The characteristics and needs of sheltered homeless and low-income housed mothers," *J. of the American Medical Assoc'n* 276(8) (1996): 640-6.

¹² Better Homes Fund, *supra*, note 7.



Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to

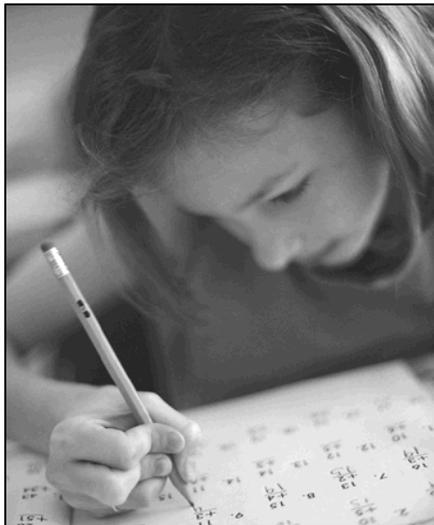


have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.

For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

Individuals with Disabilities Education Improvement Act (IDEA) of 2004 Provisions for Children and Youth with Disabilities Who Experience Homelessness



Over 1.35 million children and youth experience homelessness each year (Burt & Laudan, 2000). These children and youth face educational challenges that include a lack of basic necessities (food, clothing, medical services), discontinuity of education due to mobility, and trauma caused by the chaos, poverty, and instability of their family's circumstances or, in the case of unaccompanied youth, their own circumstances.

Children and youth who are homeless face additional educational challenges when they have disabilities. Studies indicate that children who are homeless are twice as likely to have learning disabilities and three times as likely to have an emotional disturbance as children who are not homeless (Better Homes Fund, 1999).

Yet children and youth who are homeless and have disabilities may not receive the special education services for which they are eligible. In 2000, 50 percent of states reported that children and youth who are homeless experienced difficulties accessing special education programs (U.S. Department of Education, 2000). Barriers to access these children and youth face include:

- ❑ *Not being identified as needing special education services.*
- ❑ *Difficulty with diagnosis due to mobility and other stressors.*
- ❑ *Lack of timely assessment, diagnosis, or service provision.*
- ❑ *Lack of continuity of services due to school transfers.*
- ❑ *Lack of timely or efficient records transfer when enrolling in a new school.*
- ❑ *Lack of an available parent or surrogate to represent the child or unaccompanied youth.*

Federal Response

Two federal laws that address the needs of children and youth in homeless situations who have disabilities are the McKinney-Vento Homeless Education Assistance Improvements Act and the Individuals with Disabilities Education Improvement Act (IDEA).

The McKinney-Vento Homeless Education Assistance Improvements Act: The McKinney-Vento Act, reauthorized in 2002 as part of the No Child Left Behind Act, ensures access to a free, appropriate public education (FAPE) for children experiencing homelessness.

The McKinney-Vento Act mandates:

- ❑ *Immediate school enrollment and full participation in educational activities, even when records normally required for enrollment are not available. [Sec. 722(g)(3)(C)]*
- ❑ *The right of children and youth experiencing homelessness to remain in their school of origin (school last attended when permanently housed or in which last enrolled). [Sec. 722(g)(3)(A)]*

Who is homeless?

(McKinney-Vento Homeless Assistance Act of 2001 – Title X, Part C of the No Child Left Behind Act – Sec 725)

The term “homeless children and youth” –

- (A) *means individuals who lack a fixed, regular, and adequate nighttime residence...; and*
- (B) *includes –*
 - (i) *children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camping grounds due the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;*
 - (ii) *children and youths who have 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...*
 - (iii) *children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus train stations, or similar settings; and*
 - (iv) *migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).*

- ❑ *Transportation to the school of origin. [Sec. 722(g)(1)(J)(iii)]*
- ❑ *Access to programs and services including special education services, preschool services, free school meals, Title I services, services for English language learners, vocational/technical education, gifted and talented services, and before- and after-school care. [Sec. 722(g)(4)]*
- ❑ *The appointment of a local homeless education liaison in every school district to ensure that homeless children and youth are identified and given full and equal opportunity to receive all educational services for which they are eligible in order to succeed in school. [Sec. 722 (g)(6)(A)]*

Who has a disability?

[Individuals with Disabilities Education Improvement Act Part A, Sec. 602(3)]

(A) *In general.—The term ‘child with a disability’ means a child—*

(i) *with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this title as ‘emotional disturbance’), orthopaedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and who, by reason thereof, needs special education and related services.*

(B) *Child aged 3 through 9.—The term ‘child with a disability’ for a child aged 3 through 9 (or any subset of that age range, including ages 3 through 5), may, at the discretion of the State and local educational agency, include a child—*

(i) *experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in 1 or more of the following areas: physical development; cognitive development; communication development; social or emotional development; and*

(ii) *who, by reason thereof, needs special education and related services.*

The Individuals with Disabilities Education Improvement Act: The purpose of IDEA, amended in 2004, is to ensure that all children with disabilities receive FAPE, including special education and related services to prepare them for further education, employment, and independent living [Part A, Sec. 601(d)(1)(A)]. Special education is defined as specially designed instruction, provided at no cost to the parents, to meet the unique needs of a child with a disability [Part A, Sec. 602(29)].

To be eligible, the child must have a disability and require specialized instruction to benefit from school. Special education instruction may take place in the general education classroom, special education classroom, specialized school, home, hospitals, and institutions [Part A, Sec. 602(29)(A)] and may include academic or behavioral support, speech and language pathology services, vocational education, and many other services. Related services may include transportation, physical therapy, psychological services, social work services, and counselling. Also included are certain medical services, parent counselling and training, recreation, and other support services if students need them to benefit from a special education program [Part A, Sec. 602(26)]. Eligibility and services are determined through evaluation and the development of an Individual Education Plan (IEP) [Part A, Sec. 614(d)]. Students who have not graduated from high school are eligible through age 21 [Part A, Sec. 612(a)(1)(A)]. Services are available to individuals with disabilities beginning at birth through Part C, Infants and Toddlers. Children under three are served under an Individualized Family Services Plan (IFSP) [Part C, Sec. 636].

Federal Guarantees for Children Who are Homeless and Have Disabilities

The McKinney-Vento Act and IDEA mandate protections and services for children and youth who are homeless and children and youth with disabilities. Moreover, both the McKinney-Vento Act and IDEA address serving children and youth who are homeless and have disabilities, ensuring that their complex and unique needs are met.

In reviewing the needs of children and youth who are homeless and have disabilities, program coordinators should bring to bear the full range of both laws to optimize the educational access and success of these children. It is important to note that the two laws do not operate exclusively of one another, nor does one law supersede the other.

The 2004 reauthorization of IDEA in particular includes amendments that reinforce the timely assessment, appropriate service provision and placement, and continuity of services for children and youth with disabilities who experience homelessness and high mobility. Coordination and compliance with the McKinney-Vento Act are specifically mandated. The general requirements for FAPE, evaluations, and IEPs are unchanged.

Following is a listing of the amendments in the reauthorized IDEA, pointing out the changes from prior law.

Definitions

- ❑ IDEA now contains a definition of homeless children, to include any children or youth considered homeless under McKinney-Vento.ⁱ
- ❑ The definition of parent has been changed, so that the statute now contains virtually the same definition that the federal regulations have contained since 1999. “Parents,” for the purpose of special education, include biological, adoptive or foster parents, guardians, surrogate parents, individuals legally responsible for the child’s welfare, or individuals acting in the place of a parent and with whom the child lives (specifically including grandparents, stepparents or other relatives).ⁱⁱ
- ❑ IDEA now contains a definition of “ward of the state.”ⁱⁱⁱ

Identification

- ❑ The Child Find requirements in the statute now include a specific requirement that states ensure that children with disabilities experiencing homelessness are identified, located, and evaluated. (This requirement has been in federal regulations since 1999.^{iv})

Coordination/Compliance with McKinney-Vento

- ❑ Any state receiving IDEA funds must ensure that the requirements of the McKinney-Vento Act are met for all children with disabilities in homeless situations in the state.^v
- ❑ IDEA requires every state receiving IDEA funds to maintain a State Advisory Panel to advise the state education agency (SEA) on unmet needs in the state, to comment publicly on proposed rules and regulations, to advise the SEA on self-evaluation, data reporting and ensuring compliance, and to improve service coordination. IDEA now requires states to include state and local McKinney-Vento personnel on the Panel, as well as a representative of the state child welfare agency responsible for foster care.^{vi}

Evaluations and IEPs

- ❑ IDEA now requires school districts or local education agencies (LEAs) to complete initial evaluations within 60 days of a parent’s request, or within time frames established by the state.^{vii}
- ❑ IDEA now specifically requires LEAs to ensure that assessments of children who change LEAs during the school year are coordinated with prior schools “as necessary and as expeditiously as possible, to ensure prompt completion of full evaluations.”^{viii}
- ❑ If a child changes LEAs while the evaluations are pending, IDEA specifically states that the standard time frame does not apply, but ONLY IF the new LEA “is making sufficient progress to ensure a prompt completion of the evaluation, AND the parent and LEA agree to a specific time when the evaluation will be completed.”^{ix}
- ❑ When children with current IEPs change LEAs during the school year, the new LEA is now specifically required to provide the children with FAPE immediately, “including services comparable to those described” in the previous IEP, in consultation with the parents. The

LEA can then either adopt the old IEP or implement a new IEP. If the LEA is in a new state, the LEA can conduct a new evaluation, if determined necessary, and develop a new IEP.^x

- ❑ To facilitate provision of FAPE for children who change LEAs during the school year, IDEA now specifically requires enrolling schools to promptly obtain the child's records from the previous school, and previous schools to promptly respond to such records requests.^{xi}

Unaccompanied Youth

- ❑ For unaccompanied youth, IDEA specifically requires LEAs to appoint surrogate parents, and to make reasonable efforts to complete the appointment process within 30 days.^{xii} In its report, Congress specified that staff members of emergency shelters, transitional shelters, independent living programs, and street outreach programs can serve as temporary surrogate parents for unaccompanied youth, when appropriate.^{xiii}
- ❑ For wards of the state, IDEA now does not require an LEA to obtain parental consent for an initial evaluation, if the LEA cannot find the parent, the parent's rights have been terminated, or a judge has removed the parent's educational decision-making rights and appointed another person to represent the child.^{xiv}
- ❑ For wards of the state, IDEA now explicitly permits judges to appoint surrogate parents.^{xv}

Services

- ❑ IDEA now allows LEAs to use up to 15% of their grants to develop and implement programs to intervene with K-12 students who have not been found eligible for special education but who need additional academic and behavioral support, with an emphasis on primary grades.^{xvi} (This provision should assist children experiencing homelessness with overcoming barriers to accessing services expeditiously.)

Resolution of Disputes

- ❑ When requesting a mediation or due process hearing under IDEA, families and youth experiencing homelessness do not need to provide a residence address; only available contact information is required.^{xvii}

Infants and Toddlers: Part C

- ❑ Any state receiving a Part C grant must make early intervention services available to infants and toddlers with disabilities who are homeless and their families.^{xviii}
- ❑ States must ensure that appropriate early intervention services using scientifically based research are available, to the extent practicable, to infants and toddlers with disabilities who are homeless and their families.^{xix}
- ❑ States must ensure the meaningful involvement of homeless families and wards of the state in the planning and implementation of the Part C program.^{xx}
- ❑ In the report accompanying Part C, Congress stated that states should conduct public awareness programs about the Part C program in homeless family shelters, health service offices, public schools and the child welfare system.^{xxi}
- ❑ Any state receiving a Part C grant must establish a State Interagency Coordinating Council, which must include a representative of the State McKinney-Vento Coordinator and the state child welfare agency responsible for foster care.^{xxii}

National Partners in Homeless Education

The National Center for Homeless Education (NCHE)

Contact: Diana Bowman, Director, 800-755-3277, dbowman@serve.org

Web Address: www.serve.org/nche

NCHE, funded by the U.S. Department of Education, is a national resource center, providing valuable information, training, and materials to educators and community members seeking to address the educational needs of homeless children and their families. These materials are made available to the public at no charge and include such items as educational rights posters, parent packs, training resources, and “law into practice” briefs.

U.S. Department of Education, Education for Homeless Children and Youth Program

Contact: Gary Rutkin, Coordinator, 202-260-4412, gary.rutkin@ed.gov

Web Address: www.ed.gov/programs/homeless/index.html

The Education for Homeless Children and Youth Program oversees the education of homeless children and youth in our nation’s public schools, including the granting of McKinney-Vento funds and the monitoring of their usage. Program Coordinator Gary Rutkin, working with other Department officials and national partners, provides official guidance to states and school districts on implementing the McKinney-Vento Homeless Assistance Act.

The National Association for the Education of Homeless Children and Youth (NAEHCY)

Contact: Patricia Popp, President, 757-221-7776, ppopp@naehcy.org

Web Address: www.naehcy.org

NAEHCY, a national grassroots membership association, serves as the voice and the social conscience for the education of children and youth in homeless situations. NAEHCY brings together educators, parents, advocates, researchers and service providers to ensure school enrollment and attendance, and overall success for children and youth experiencing homelessness. NAEHCY accomplishes this through advocacy, partnerships and education. NAEHCY also hosts an annual national conference on homeless education, which brings together educators and service providers to learn about new developments within the field.

The National Law Center on Homelessness and Poverty (NLCHP)

Contact: Joy Moses, Education Staff Attorney, 202-638-2535, jmoses@nlchp.org

Web Address: www.nlchp.org

The mission of NLCHP is to prevent and end homelessness by serving as the legal arm of the nationwide movement to end homelessness. To achieve its mission, the Law Center pursues three main strategies: impact litigation, policy advocacy, and public education. The Law Center strives to place homelessness in the larger context of poverty. By taking this approach, the Law Center aims to address homelessness as a very visible manifestation of deeper causes: the shortage of affordable housing, insufficient income, and inadequate social services. NLCHP provides guidance and produces high-quality publications on legal issues pertaining to homelessness and poverty.



P.O. Box 5367
Greensboro, NC 27435
Toll-free helpline: 1-800-308-2145
www.serve.org/nche



For more information on educating students with disabilities that are experiencing homelessness, visit http://www.serve.org/nche/ibt/sc_spec_ed.php.

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Endnotes

ⁱ “HOMELESS CHILDREN.—The term ‘homeless children’ has the meaning given the term ‘homeless children and youths’ in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a).”

Section 602(11)

ⁱⁱ “PARENT.—The term ‘parent’ means—

(A) a natural, adoptive, or foster parent of a child (unless a foster parent is prohibited by State law from serving as a parent);

(B) a guardian (but not the State if the child is a ward of the State);

(C) an individual acting in the place of a natural or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child’s welfare; or

(D) except as used in sections 615(b)(2) and 639(a)(5), an individual assigned under either of those sections to be a surrogate parent.”

Section 602(23)

ⁱⁱⁱ “WARD OF THE STATE.—

(A) IN GENERAL.—The term ‘ward of the State’ means a child who, as determined by the State where the child resides, is a foster child, is a ward of the State, or is in the custody of a public child welfare agency.

(B) EXCEPTION.—The term does not include a foster child who has a foster parent who meets the definition of a parent in paragraph (23).”

Section 602(36)

^{iv} “(a) IN GENERAL.—A State is eligible for assistance under this part for a fiscal year if the State submits a plan that provides assurances to the Secretary that the State has in effect policies and procedures to ensure that the State meets each of the following conditions:...

(3) CHILD FIND.—

(A) IN GENERAL.—All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.”

Section 612(a)(3)(A)

^v “(a) IN GENERAL.—A State is eligible for assistance under this part for a fiscal year if the State submits a plan that provides assurances to the Secretary that the State has in effect policies and procedures to ensure that the State meets each of the following conditions:...

...(11) STATE EDUCATIONAL AGENCY RESPONSIBLE FOR GENERAL SUPERVISION.—

(A) IN GENERAL.—The State educational agency is responsible for ensuring that—...

(iii) in carrying out this part with respect to homeless children, the requirements of subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) are met.”

Section 612(a)(11)(A)(iii)

^{vi} “(a) IN GENERAL.—A State is eligible for assistance under this part for a fiscal year if the State submits a plan that provides assurances to the Secretary that the State has in effect policies and procedures to ensure that the State meets each of the following conditions:...

...(21) STATE ADVISORY PANEL.—

“(A) IN GENERAL.—The State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State.

(B) MEMBERSHIP.—Such advisory panel shall consist of members appointed by the Governor, or any other official authorized under State law to make such appointments, be representative of the State population, and be composed of individuals involved in, or concerned with, the education of children with disabilities, including—

...(v) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);

...(x) a representative from the State child welfare agency responsible for foster care; ...

(D) DUTIES.—The advisory panel shall—

(i) advise the State educational agency of unmet needs within the State in the education of children with disabilities;

(ii) comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;

(iii) advise the State educational agency in developing evaluations and reporting on data to the Secretary under section 618;

(iv) advise the State educational agency in developing corrective action plans to address findings identified in Federal monitoring reports under this part; and

(v) advise the State educational agency in developing and implementing policies relating to the coordination of services for children with disabilities.”

Section 612(a)(21)

^{vii} “EVALUATIONS, PARENTAL CONSENT, AND REEVALUATIONS.—

(1) INITIAL EVALUATIONS.—

...(C) PROCEDURES.—

(i) IN GENERAL.—Such initial evaluation shall consist of procedures—

(I) to determine whether a child is a child with a disability (as defined in section 602) within 60 days of receiving parental consent for the evaluation, or, if the State establishes a timeframe within which the evaluation must be conducted, within such timeframe; and

(II) to determine the educational needs of such child.”

Section 614(a)(1)(C)

viii “(b) EVALUATION PROCEDURES.— ...

... (3) ADDITIONAL REQUIREMENTS.—Each local educational agency shall ensure that—...

(D) assessments of children with disabilities who transfer from 1 school district to another school district in the same academic year are coordinated with such children’s prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of full evaluations.”

Section 614(b)(3)(D)

ix “EXCEPTION.—The relevant timeframe in subparagraph (i)(I) shall not apply to a local educational agency if—

(I) a child enrolls in a school served by the local educational agency after the relevant timeframe in clause (i)(I) has begun and prior to a determination by the child’s previous local educational agency as to whether the child is a child with a disability (as defined in section 602), but only if the subsequent local educational agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent local educational agency agree to a specific time when the evaluation will be completed.”

Section 614(a)(1)(C)(ii)

x “(d) INDIVIDUALIZED EDUCATION PROGRAMS...

(2) REQUIREMENT THAT PROGRAM BE IN EFFECT.—

... (C) PROGRAM FOR CHILDREN WHO TRANSFER SCHOOL DISTRICTS.—

(i) IN GENERAL.—

(I) TRANSFER WITHIN THE SAME STATE.—In the case of a child with a disability who transfers school districts within the same academic year, who enrolls in a new school, and who had an IEP that was in effect in the same State, the local educational agency shall provide such child with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents until such time as the local educational agency adopts the previously held IEP or develops, adopts, and implements a new IEP that is consistent with Federal and State law.

(II) TRANSFER OUTSIDE STATE.—In the case of a child with a disability who transfers school districts within the same academic year, who enrolls in a new school, and who had an IEP that was in effect in another State, the local educational agency shall provide such child with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents until such time as the local educational agency conducts an evaluation pursuant to subsection (a)(1), if determined to be necessary by such agency, and develops a new IEP, if appropriate, that is consistent with Federal and State law.”

Section 614(d)(2)(C)(i)

xi “(ii) TRANSMITTAL OF RECORDS.—To facilitate the transition for a child described in clause (i)—

(I) the new school in which the child enrolls shall take reasonable steps to promptly obtain the child’s records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous school in which the child was enrolled, pursuant to section 99.31(a)(2) of title 34, Code of Federal Regulations; and (II) the previous school in which the child was enrolled shall take reasonable steps to promptly respond to such request from the new school.”

Section 614(d)(2)(C)(ii)

xii “TYPES OF PROCEDURES.—The procedures required by this section shall include the following:

...“(2)(A) Procedures to protect the rights of the child whenever the parents of the child are not known, the agency cannot, after reasonable efforts, locate the parents, or the child is a ward of the State, including the assignment of an individual to act as a surrogate for the parents, which surrogate shall not be an employee of the State educational agency, the local educational agency, or any other agency that is involved in the education or care of the child. In the case of—...

(ii) an unaccompanied homeless youth as defined in section 725(6) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(6)), the local educational agency shall appoint a surrogate in accordance with this paragraph.

(B) The State shall make reasonable efforts to ensure the assignment of a surrogate not more than 30 days after there is a determination by the agency that the child needs a surrogate.”

Section 615(b)(2)

Report language:

“In light of the fact that unaccompanied homeless youth are a particularly mobile population, once the school district has made a determination that such youth require a surrogate, the Conferees encourage States or local educational agencies where allowed by law to quickly appoint a surrogate or refer the child to the child welfare system if consistent with State law. The Conferees recognize that, because the parents of homeless unaccompanied youth may be unavailable or unwilling to participate in the youth’s education, homeless unaccompanied youth face unique problems in obtaining a free appropriate public education. Accordingly, the Conferees intend that the surrogate parent process be available for such youth, to ensure that they are provided with a free appropriate public education...”

Report Page 44 (189)

xiii “...Furthermore, the Conferees intend that appropriate staff members of emergency shelters, transitional shelters, independent living programs, and street outreach programs not be considered to be employees of agencies involved in the education or care of youth, for purposes of the prohibition of certain agency employees from acting as surrogates for parents as set forth in Sec. (b)(2)(A), provided that a such role is temporary until a surrogate can be appointed that meets the requirements and such role in no way conflicts with, or is in derogation of, the provision of a free appropriate public education to these youth.”

Report Page 44 (189)

xiv “(iii) CONSENT FOR WARDS OF THE STATE.—

(I) IN GENERAL.—If the child is a ward of the State and is not residing with the child’s parent, the agency shall make reasonable efforts to obtain the informed consent from the parent (as defined in section 602) of the child for an initial evaluation to determine whether the child is a child with a disability.

(II) EXCEPTION.—The agency shall not be required to obtain informed consent from the parent of a child for an initial evaluation to determine whether the child is a child with a disability if—

(aa) despite reasonable efforts to do so, the agency cannot discover the whereabouts of the parent of the child;

(bb) the rights of the parents of the child have been terminated in accordance with State law; or
(cc) the rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.”

Section 614(a)(1)(C)(iii)

^{xv} “(2)(A) ... In the case of—

“(i) a child who is a ward of the State, such surrogate may alternatively be appointed by the judge overseeing the child’s care provided that the surrogate meets the requirements of this paragraph...”

Section 615(b)(2)(A)(i)

^{xvi} “EARLY INTERVENING SERVICES.—

(1) IN GENERAL.—A local educational agency may not use more than 15 percent of the amount such agency receives under this part for any fiscal year, less any amount reduced by the agency pursuant to subsection (a)(2)(C), if any, in combination with other amounts (which may include amounts other than education funds), to develop and implement coordinated, early intervening services, which may include interagency financing structures, for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade 3) who have not been identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment.

(2) ACTIVITIES.—In implementing coordinated, early intervening services under this subsection, a local educational agency may carry out activities that include—

... (B) providing educational and behavioural evaluations, services, and supports, including scientifically based literacy instruction.”

Section 613(f)

^{xvii} “TYPES OF PROCEDURES.—The procedures required by this section shall include the following:

...(7)(A) Procedures that require either party, or the attorney representing a party, to provide due process complaint notice in accordance with subsection (c)(2) (which shall remain confidential)—

(ii) that shall include—

(I) the name of the child, the address of the residence of the child (or available contact information in the case of a homeless child), and the name of the school the child is attending;

(II) in the case of a homeless child or youth (within the meaning of section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), available contact information for the child and the name of the school the child is attending...”

Section 615(b)(7)(A)(ii)

^{xviii} “In order to be eligible for a grant under section 633, a State shall provide assurances to the Secretary that the State—

(1) has adopted a policy that appropriate early intervention services are available to all infants and toddlers with disabilities in the State and their families, including Indian infants and toddlers with disabilities and their families residing on a reservation geographically located in the State, infants and toddlers with disabilities who are homeless children and their families, and infants and toddlers with disabilities who are wards of the State”

Section 634(1)

^{xix} “(a) IN GENERAL.—A statewide system described in section 633 shall include, at a minimum, the following components:...

(2) A State policy that is in effect and that ensures that appropriate early intervention services based on scientifically based research, to the extent practicable, are available to all infants and toddlers with disabilities and their families, including Indian infants and toddlers with disabilities and their families residing on a reservation geographically located in the State and infants and toddlers with disabilities who are homeless children and their families.”

Section 635(a)(2)

^{xx} “ASSURANCES.—The application described in subsection (a)—...

(7) shall provide satisfactory assurance that policies and procedures have been adopted to ensure meaningful involvement of underserved groups, including minority, low-income, homeless, and rural families and children with disabilities who are wards of the State, in the planning and implementation of all the requirements of this part.”

Section 637(b)(7)

^{xxi} “The Conferees intend that the public awareness program include a broad range of referral sources such as homeless family shelters, clinics and other health service related offices, public schools and officials and staff in the child welfare system.”

Report page 68 (290)

^{xxii} “IN GENERAL.—The council shall be composed as follows:...

(K) OFFICE OF THE COORDINATOR OF EDUCATION OF HOMELESS CHILDREN AND YOUTH.—Not less than 1 member shall be a representative designated by the Office of Coordinator for Education of Homeless Children and Youths.

(L) STATE FOSTER CARE REPRESENTATIVE.—Not less than 1 member shall be a representative from the State child welfare agency responsible for foster care.”

Section 641(b)(1)(K) and (L)

Resolution of Disputes

Who is homeless? (Sec. 725)

The term “homeless children and youth”–

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes–

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have 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 ...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

This document was collaboratively developed by:

National Association for the Education of Homeless Children and Youth (NAEH CY)—512-475-8765—www.naehcy.org

National Center for Homeless Education (NCHE)—800-308-2145—www.serve.org/nche

National Coalition for the Homeless (NCH)—202-737-6444 ext. 18—www.nationalhomeless.org

National Law Center on Homelessness & Poverty (NLCHP)—202-638-2535—www.nlchp.org

National Network for Youth (NN4Y)—202-783-7949—www.NN4Youth.org

The McKinney-Vento Homeless Assistance Act (Subtitle B—Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This brief explains the legislation and offers strategies for implementing it in a school district. Additional briefs on various topics in the law may be found on the websites of the organizations listed below.

Key Provisions

- Every state must establish procedures to promptly resolve disputes regarding the educational placement of homeless students.
- If a student is sent to a school other than the school of origin or the school requested by a parent/guardian, the Local Educational Agency (LEA), otherwise known as school district, must provide a written explanation of its decision and the right to appeal, whether or not the parent/guardian disputes the placement.
- A written explanation of the school’s decision must also be provided if a parent, guardian, or unaccompanied youth disputes a school placement or enrollment decision.
- Whenever a dispute arises, the student must be immediately admitted to the school of choice while the dispute is being resolved.
- The school must refer the student, parent, or guardian to the local liaison to carry out the dispute resolution process as expeditiously as possible.
- LEA homeless liaisons must ensure that the dispute resolution process is followed for unaccompanied youth.

(See Endnotes for the text of the law.)

Families and youth in homeless situations may be unaware of their right to dispute placement and enrollment decisions. When disputes are raised, too often, students are kept out of school during the dispute resolution process. This interruption in education can severely damage students’ academic progress and disrupt their classmates and teachers.

To avoid such disruptions, families and youth experiencing homelessness, as well as schools, need an established process for resolving disputes. Permitting students to enroll immediately in the school of choice during disputes ensures that students will be able to remain in school. Without such a provision, parents, guardians, and youth may be discouraged from pursuing their rights for fear of protracted denials of education while disputes are resolved.

LEA homeless liaisons are essential to ensure disputes are resolved objectively and expeditiously. Written notice protects both students and schools by outlining the specific reasons for the school’s decision. It facilitates resolution of disputes by providing decision-makers with documents to guide their determinations.

Strategies for Implementation

- A process for resolving disputes should be available at the district level.
- When inter-district issues arise, representatives from all involved districts should be present to resolve the dispute.
- A state-level appeal process, involving State Coordinators, should be available for appeals from district-level decisions.
- The dispute resolution process should be as informal and accessible as possible, consistent with impartial and complete review.

continued on reverse

Resolution of Disputes (continued)

- Parents, guardians, and unaccompanied youth should be able to initiate the dispute resolution process directly at the school they choose, as well as at the school district or LEA homeless liaison's office.
- States should establish timelines for resolving disputes at the local and state level.
- Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their position.
- Parents, guardians, and unaccompanied youth should be informed that they can seek the assistance of advocates or attorneys.
- Students should be provided with all services for which they are eligible while disputes are resolved, consistent with the definition of "enrollment." Enrollment is defined as attending classes and participating fully in school activities.
- Written notice should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand.
- Written notice should include:
 - Contact information for the LEA homeless liaison and State Coordinator, with a brief description of their roles
 - A simple, detachable form that parents, guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process (the school should copy the form and return the copy to the parent, guardian, or youth for their records when it is submitted)
 - A step-by-step description of how to dispute the school's decision
 - Notice of the right to enroll immediately in the school of choice pending resolution of the dispute
 - Notice that "immediate enrollment" includes full participation in all school activities
 - Notice of the right to obtain the assistance of advocates or attorneys
 - Notice of the right to appeal to the state if the district-level resolution is not satisfactory
 - Timelines for resolving district- and state-level appeals

Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.



For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

Endnotes

"State Plan—(1) In General—Each State shall submit to the Secretary a plan to provide for the education of homeless children and youths within the State. Such plan shall include the following:

(C) A description of procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths...

(3) Local Educational Agency Requirements—

(B) Best Interest—In determining the best interest of the child or youth...the local educational agency shall...(ii) provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), 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; and (iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(ii)...provides notice to such youth of the right to appeal under subparagraph (E).

(E) Enrollment Disputes—If a dispute arises over school selection or enrollment in a school—(i) the child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute; (ii) the parent or guardian of the child or youth shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision; (iii) the child, youth, parent, or guardian shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(C) as expeditiously as possible after receiving notice of the dispute; and (iv) in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute."

McKinney-Vento Act Sec. 722(g); 42 U.S.C. 11432(g).

The Educational Rights of Students in Homeless Situations: What LEA Administrators Must Know

Who is homeless? (Sec. 725)

The term “homeless children and youth”—

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes—

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have 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 ...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

This document was collaboratively developed by:

National Association for the Education of Homeless Children and Youth (NAEHYC)—512-475-8765—
www.naehcy.org

National Center for Homeless Education (NCHE)—800-308-2145—
www.serve.org/nche

National Coalition for the Homeless (NCH)—202-737-6444 ext. 18—
www.nationalhomeless.org

National Law Center on Homelessness & Poverty (NLCHP)—202-638-2535—
www.nlchp.org

National Network for Youth (NN4Y)—202-783-7949—
www.NN4Youth.org

The McKinney-Vento Homeless Assistance Act (Subtitle B—Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This brief explains the legislation and offers strategies for implementing it in a school district. Additional briefs on various topics in the law may be found on the websites of the organizations listed below.

Children and Youth in Many Different Living Situations Are Considered Homeless Under Federal Law

Homelessness is a lack of permanent housing resulting from extreme poverty or from the lack of a safe and stable living arrangement. Children and youth in homeless situations often do not fit society’s stereotypical images of homelessness. Therefore, educators may not realize the breadth of students who are considered homeless under the McKinney-Vento Act and as such qualify for its protections and services. The McKinney-Vento Act contains a specific definition of homelessness that includes a broad array of inadequate living situations (see panel at left for full definition).

Federal Law Requires Districts to Provide Educational Stability for Homeless Students

Changing schools greatly impedes students’ academic and social growth. Highly mobile students, including students who are homeless, have also been found to have lower test scores and overall academic performance than peers who do not change schools. Therefore, the McKinney-Vento Act:

- Requires Local Educational Agencies (LEAs), otherwise known as school districts, to keep homeless students in their schools of origin, to the extent feasible, unless it is against the parent or guardian’s wishes. Students are also permitted to remain in their schools of origin for the duration of their homelessness and until the end of any academic year in which they move into permanent housing.
- Requires LEAs to provide transportation to the school of origin, at the request of the parent or guardian, or, in the case of an unaccompanied youth, at the request of the district’s homeless liaison.
- Requires that states and LEAs develop, review, and revise their policies to remove barriers to the enrollment and retention of children and youth in homeless situations.

The educational stability resulting from implementation of these provisions will enhance students’ academic and social growth, while permitting schools to benefit from the increased test scores and achievement shown to result from student continuity.

continued next page

The Educational Rights of Students in Homeless Situations: What LEA Administrators Must Know (continued)

Federal Law Requires Districts to Provide Immediate School Access for Homeless Students

Parents or guardians who are homeless may choose to enroll their children (or, unaccompanied youth may choose to enroll) in the public school in the attendance area where they are living. However, families and youth experiencing homelessness often do not have the documents ordinarily required for school enrollment. Immediately enrolling students in homeless situations in school provides stability and avoids separating children from school for days or weeks while documents are located. Therefore, the McKinney-Vento Act:

- Requires LEAs to immediately enroll students in homeless situations, even if they do not have required documents, such as school records, medical records, proof of residency, or other documents. The term “enroll” is defined as attending classes and participating fully in school activities.
- Requires enrolling schools to obtain school records from the previous school. Students must be enrolled in school while records are obtained.
- Requires the district’s homeless liaison to immediately assist in obtaining immunizations or immunization or medical records for those students who do not have them. Students must be enrolled in school in the interim.
- Requires a school to provide a written explanation of its decision and the right to appeal if a student is sent to a school other than that requested by a parent or guardian.

Federal Law Requires Districts to Appoint a Liaison for Homeless Students

Liaisons are LEA staff members responsible for ensuring the identification, school enrollment, attendance, and opportunities for academic success of students in homeless situations. Some of these activities may be accomplished by the liaison himself or herself, while others are accomplished by coordinating the efforts of other staff people. By linking students and their families to school and community services, liaisons play a critical role in stabilizing students and promoting academic achievement at the individual, school, and district level. Therefore, the McKinney-Vento Act:

- Requires LEAs to designate an appropriate staff person as a local educational agency liaison for students in homeless situations. This person may also be a coordinator for other federal programs.
- Requires liaisons to ensure that homeless children and youth are identified; that they enroll in, and have full and equal opportunity to succeed in, the schools of the LEA; and that they and their families receive educational services for which they are eligible, including Head Start, Even Start, and pre-school programs administered by the LEA, as well as referrals to health, mental health, dental, and other appropriate services.

The Educational Rights of Students in Homeless Situations: What LEA Administrators Must Know (continued)

- ❑ Requires liaisons to ensure that public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services.
- ❑ Also requires liaisons to ensure that parents or guardians are informed of educational and related opportunities available to their children, are provided with meaningful opportunities to participate in the education of their children, and are informed of and assisted in accessing all transportation services, including to the school of origin.

Federal Law Requires Districts to Serve Homeless Students with Title I Funds

Title I, Part A, targets those students most at risk of failing in school. Among those most at risk are students in homeless situations. While many students in homeless situations benefit from services and programs that are designed for children whose academic progress is impeded by the effects of persistent and pervasive poverty, students experiencing homelessness have specific needs with respect to school enrollment, attendance, and the supports that make academic achievement possible. Therefore, under the recently reauthorized Title I statute:

- ❑ A child or youth who is homeless and is attending any school in the district is automatically eligible for Title I services, regardless of their current academic performance.
- ❑ LEAs must reserve (or set aside) funds as are necessary to provide services comparable to those provided to children in Title I, Part A, funded schools to serve homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children experiencing homelessness may live.
- ❑ An LEA may receive funding under Title I, Part A, only if the LEA has on file with the State Educational Agency a plan, approved by the state Educational Agency that is coordinated with the McKinney-Vento Homeless Assistance Act.
- ❑ Each LEA Title I plan must include a description of the services that will be provided to homeless children, including services provided with funds from the Reservation of Funds set-aside.
- ❑ Any state desiring to receive funding under Title I, Part A, must submit a plan to the Secretary that is coordinated with the McKinney-Vento Homeless Assistance Act.

The complete text of the McKinney-Vento Education of Homeless Children and Youth Program may be found on the websites of the organizations listed on the front page of this brief.



Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.



For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

The Educational Rights of Students in Homeless Situations: What Service Providers Should Know

Who is homeless? (Sec.25)

The term “homeless children and youth”—

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes—

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have 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 ...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

This document was collaboratively developed by:

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The McKinney-Vento Homeless Assistance Act (Subtitle B—Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This brief summary introduces the basic concepts in the legislation.

The McKinney Vento Act protects the educational rights of students experiencing homelessness. It provides grants and legal protections so children and youth in homeless situations can enroll in, attend, and succeed in school and preschool programs. The Act defines homelessness very broadly, as quoted.

Students in homeless situations have the right to:

- Go to school, no matter where they live or how long they have lived there.
- Get help enrolling and succeeding in school from the school district’s liaison for the Education of Homeless Children and Youth. Every school district must have a liaison, and the school district’s central office can put families and youth in touch with the liaison. Liaisons have a special responsibility to help youth who are on their own.
- Stay in the school they went to before becoming homeless or whatever school they were enrolled in last (called “school of origin”), even if they move out of the district, if that is feasible. Students can stay in their school of origin the entire time they are homeless. Students can also finish the school year in their school if they find permanent housing during the year.
- Get transportation to their school of origin, provided or arranged by the school district, or a joint effort among school districts.
- Go to the local school in the area where they are living. The school must immediately let students enroll, attend classes, and participate fully in school activities, even if students do not have a parent or guardian with them or documents such as proof of residency, immunization records, other medical records, school records, or other documents. Once students are enrolled, the school must get records from the last school, and the liaison must help students get immunizations or immunization and medical records.
- Get a written explanation from the school district if the district refuses to send students to the school they choose, and have the liaison settle such disagreements.
- Have disagreements settled quickly and go to the school they choose while disagreements are settled.
- Get preschool services, free or reduced school meals, services for English language learners, special education, Title I services, vocational/technical education, gifted and talented services, and before- and after-school care, as needed.

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The Educational Rights of Students in Homeless Situations: What Service Providers Should Know (continued)

- Go to school with children who are not homeless. Students cannot be separated from the regular school program because they are homeless.
- Get information and referrals from liaisons, including information about all available educational programs and how parents can participate, public notice about their rights, and referrals to health, mental health, dental, and other services.
- Have the opportunity to meet the same high academic achievement standards as all students.

If a state or local school district has laws or policies that conflict with the McKinney-Vento Act, the Act overrules those laws or policies. If a school does not follow the McKinney-Vento Act's requirements, you should:

- Call your local homeless liaison or State Coordinator for the Education of Homeless Children and Youth.
- Call the U.S. Department of Education's Education of Homeless Children and Youth Program at 202-401-0113.
- Call for legal assistance. To find legal aid groups in your area, check www.lsc.gov/fundprog.htm or www.ptla.org/links.htm#services, or call your state bar association.

Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for



homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.

For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

Enrollment

Who is homeless? (Sec. 725)

The term “homeless children and youth”–

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes–

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have 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 ...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

This document was collaboratively developed by:

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The McKinney-Vento Homeless Assistance Act (Subtitle B—Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This brief explains the legislation and offers strategies for implementing it in a school district. Additional briefs on various topics in the law may be found on the websites of the organizations listed below.

Key Provisions

- Parents or guardians of students in homeless situations can keep their children in their schools of origin (to the extent feasible) or enroll them in any public school that students living in the same attendance area are eligible to attend.
- Students 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.
- The terms “enroll” and “enrollment” include attending classes and participating fully in school activities.
- State Educational Agencies (SEAs) and Local Educational Agencies (LEAs), otherwise known as school districts, must address problems resulting from enrollment delays caused by immunization and medical records requirements, residency requirements, lack of birth certificates, school records or other documentation, guardianship issues, or uniform or dress code requirements.
 - 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 who are homeless so they are available quickly.
- LEA liaisons must help unaccompanied youth choose and enroll in a school, after considering the youth’s wishes.
- If a student is sent to a school other than that requested by a parent or guardian, the school must provide a written explanation of its decision and the right to appeal.
- 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.

(See Endnotes for the text of the law.)

Children and youth experiencing homelessness often do not have the documents ordinarily required for school enrollment. However, school may be the only opportunity for children and youth to benefit from a stable environment, uninterrupted adult attention, peer relations, academic stimulation, and reliable meals. Immediately enrolling students in homeless situations in school provides stability and avoids separating children from school for days or weeks while documents are located.

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Strategies for Implementation

- Train all school enrollment staff, secretaries, school counselors, school social workers, and principals on the legal requirements for enrollment.
- Review all state laws and regulations and LEA policies and bring them into compliance with federal law.
- Develop affidavits of residence or other forms to replace typical proof of residency. Such forms should be carefully crafted so that they do not create further barriers or delay enrollment.
- Develop caregiver affidavits, enrollment forms for unaccompanied youth, and other forms to replace typical proof of guardianship. Again, such forms should be carefully crafted so that they do not create further barriers or delay enrollment.
- Establish school-based immunization clinics or other opportunities for on-site immunizations.
- Collaborate with community-based or public agencies to provide school uniforms, and standardize school uniforms within a district and among neighboring districts.
- Accept school records directly from families and youth.
- Develop short educational assessments to place students immediately while awaiting complete academic records.
- Inform families and youth of their right to attend either their school of origin or local school.
- Inform families and youth of their right to transportation and immediate enrollment.
- Develop clear, understandable forms for written explanations of decisions and the right to appeal.
- Help provide educational continuity by
 - Provide short assessments to determine present academic levels quickly.
 - Contacting the previous school for records and assistance with placement decisions.
 - Expediently following up on any special education referrals or services.
 - Providing necessary remediation/tutoring.
 - Having counselors meet with parents and students when registering.
 - Creating an orientation video for parents, service providers, and students.
 - Establishing school-level and classroom-level routines for incoming and departing transfers.
 - Getting to know new students with a “get-to-know-you” questionnaire or journal assignment.

Endnotes

“State Plan—(1) In General—Each State shall submit to the Secretary a plan to provide for the education of homeless children and youths within the State. Such plan shall include the following:

(H) Strategies to address other problems with respect to the education of homeless children and youths, including problems resulting from enrollment delays that are caused by—

- (i) immunization and medical records requirements;*
- (ii) residency requirements;*
- (iii) lack of birth certificates, school records, or other documentation;*
- (iv) guardianship issues; or*
- (v) uniform or dress code requirements;*

(I) A demonstration that the State educational agency and local educational agencies in the State have developed, and shall review and revise, policies to remove barriers to the enrollment and retention of homeless children and youths in schools in the State ...

(3) Local Educational Agency Requirements—

(A) In General—The local educational agency serving each child or youth to be assisted under this subtitle shall, according to the child’s or youth’s best interest—

- (i) continue the child’s or youth’s education in the school of origin ..., or*
- (ii) enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.*

(B) Best Interest—In determining the best interest of the child or youth ... the local educational agency shall

- (i) to the extent feasible, 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;*
- (ii) provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), 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*

(Endnotes continued next page)

Enrollment (continued)

- Taking time to talk to and welcome students individually.
- Giving a “welcome gift” (e.g. school supplies, school clothes).
- Introducing new students to the class.
- Identifying faculty and peer mentors/buddies.
- Keeping a short, simple written list of classroom rules and procedures.
- Starting a “New Students” club.
- Making sure the students have a chance to have a class job/role and to participate in extracurricular activities.
- Conducting schoolwide acquaintanceship activities.
- Starting files and a portfolio of class work for the students to take when leaving the school.
- Maintaining a relationship when the students leave by providing stamped, self-addressed envelopes and stationery.

Ideas for providing educational continuity were taken from: Virginia Education for Homeless Children and Youth Program, Project HOPE Information Brief No. 2, *What Educators Can Do: Homeless Children and Youth*, available at www.wm.edu/education/HOPE/homeless.html and Policy Analysis for California Education (PACE), *Educational Consequences of Mobility for California Students and Schools*, available at www.gse.Berkeley.edu/research/PACE/pace.html.

(Endnotes, continued from previous page)

- or guardian; and
- (iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E).
- (C) Enrollment—
- (i) The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.
- (ii) The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.
- (iii) If the child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations, or immunization or medical records, in accordance with subparagraph (D).

- (D) Records—Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained—
- (i) so that the records are available, in a timely fashion, when a child or youth enters a new school or school district.”

McKinney-Vento Act Sec. 722(g); 42 U.S.C. 11432(g).

“The terms ‘enroll’ and ‘enrollment’ include attending classes and participating fully in school activities.” McKinney-Vento Act Sec. 725(3); 42 U.S.C. 11435(3).



Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.



For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

Identifying Students in Homeless Situations

Who is homeless? (Sec. 725)

The term “homeless children and youth”–

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes–

- (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
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- (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

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The McKinney-Vento Homeless Assistance Act (Subtitle B—Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This brief explains the legislation and offers strategies for implementing it in a school district. Additional briefs on various topics in the law may be found on the websites of the organizations listed below.

Key Provisions

- Every school district must designate an appropriate staff person as a Local Educational Agency (LEA), otherwise known as school district, liaison for students in homeless situations. This person may also be a coordinator for other federal programs.
- LEA homeless liaisons must ensure that children and youth in homeless situations are identified by school personnel and through coordination activities with other entities and agencies.
- The state McKinney-Vento plan must describe procedures that the State Educational Agency (SEA) will use to identify homeless children and youth in the state and to assess their special needs.

(See Endnotes for the text of the law.)

Children and youth in homeless situations are difficult to identify for many reasons and often go unnoticed by school personnel. Students and parents may try to hide their situation because they are embarrassed by their homelessness. In addition, the fear of having children taken away often prevents families from informing school officials of their living circumstances. Unaccompanied youth may not report their homeless status for fear of being returned to unsafe family environments. Children and youth who are not enrolled in school and who are not living in shelters are even more invisible to schools and their communities. Finally, school personnel often do not understand the nature of homelessness, the poverty that causes it, or the breadth of the federal definition of homelessness (see “Who is Homeless?”).

Yet students must be identified as homeless if they are to receive the full protections of the McKinney-Vento Act, including the help they need to enroll, attend, and succeed in school. The law, therefore, requires all school districts, ensured by the LEA homeless liaison and in coordination with school personnel and other agencies, to identify students in homeless situations. Identifying students in homeless situations is also an important way to create greater awareness of homelessness in the school district and community.

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Strategies for Implementation

- ❑ Locate community service agencies, such as shelters, soup kitchens, food banks, transitional living programs, street outreach teams, drop-in centers, community action agencies (especially in rural areas, where there may be no shelters), welfare departments, housing departments, public health departments, and faith-based organizations. Set up meetings with them to begin to develop a relationship on issues such as the school enrollment process, transportation, and other student services.
- ❑ Contact managers of daily or weekly low-cost motels and campground managers and inform them of school enrollment assistance and other school services that are available. Leave written materials for them and for the families and youth who stay there, as well as contact information for the liaison.
- ❑ Become familiar with low-income neighborhoods, areas where young people who are out of school might congregate during the day, locations of public laundry facilities, Head Start centers, migrant housing developments, public housing complexes, and other areas. Develop relationships with people who operate services or programs in these areas and with the people who use the services.
- ❑ Provide outreach materials and posters at these and other facilities where there is a frequent influx of low-income families and youth in high-risk situations. Make sure that supplies of materials are always well-stocked and that the materials include information on educational rights, who is considered homeless, and a local phone number to call for school enrollment and other assistance. Posters for parents and for unaccompanied youth may be found on the NCHE website at www.serve.org/nche.
- ❑ Engage the local homeless task force, homeless coalition, and homeless assistance Continuum of Care as partners in the identification of students who are homeless. A directory of state and local homeless coalitions may be found at the National Coalition for the Homeless website at www.nationalhomeless.org/state.
- ❑ Compile addresses of shelters, motels, transitional living programs, and campgrounds frequently used by families and youth who are homeless, and provide these addresses to district registrars and school secretaries. Registrars and secretaries can help identify these students as homeless by the addresses they list and discreetly provide expedited enrollment and referrals to services they may need. School secretaries are often a good source of information for students who are “doubled-up” (living temporarily with another family) or who have made numerous school transfers.

Identifying Students in Homeless Situations (continued)

- Develop relationships with truancy officials and/or other attendance officers. Truant officers should learn how to recognize school absences that may be the result of homelessness. Provide officers with information so that they may discreetly refer students to appropriate services.
- Provide awareness activities at districtwide professional development training sessions. Invite staff from service agencies, as well as families and students who have experienced homelessness, to help conduct sensitivity training for school staff (registrars, secretaries, school counselors, school social workers, school nurses, teachers, bus drivers, administrators, etc.). Such activities should include training on how to spot possible indicators of homelessness, such as persistent fatigue, frequent absences, clothing that is dirty or worn repeatedly, inability to complete homework assignments, hoarding food, or sudden changes in behavior.
- Use creative techniques to identify unaccompanied youth in homeless situations while respecting their privacy and dignity, such as administering surveys to peers, using enrollment questionnaires, or providing specific outreach to areas where students who are out of school might congregate.
- Make special efforts to identify preschool children who are in homeless situations, including asking about the siblings of school-age children.
- Provide a districtwide residency questionnaire to all students upon enrollment. Questionnaires that may indicate homelessness should be sent to the homeless liaison for a final determination of homeless status and, if affirmative, lead to the provision of referrals and other assistance.
- Avoid using the word “homeless” in initial contacts with school personnel, families, or youth. For most people, the word “homeless” conjures up stereotypical images of adults, not children or youth in classrooms. School personnel may be unlikely to recognize students who are homeless initially but often respond affirmatively when asked if they know of students who are staying temporarily with relatives, are staying at campgrounds or in their car, are living at motels, are living with another family temporarily, or have moved several times in a year. Families and students who are homeless may not think of themselves as “homeless” because of the stigma. Therefore, outreach posters and materials placed in shelters, campgrounds, motels, and public housing projects should describe the symptoms of homelessness (for example, different kinds of living situations) rather than simply refer to a person’s “homeless” status.



Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for



homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.

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<p>Local contact information:</p>
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Local Educational Agency Liaisons

Who is homeless? (Sec. 725)

The term “homeless children and youth”–

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes–

- (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- (ii) children and youths who have 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 ...
- (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

This document was collaboratively developed by:

National Association for the Education of Homeless Children and Youth (NAEHCY)—512-475-8765—www.naehcy.org

National Center for Homeless Education (NCHE)—800-308-2145—www.serve.org/nche

National Coalition for the Homeless (NCH)—202-737-6444 ext. 18—www.nationalhomeless.org

National Law Center on Homelessness & Poverty (NLCHP)—202-638-2535—www.nlchp.org

National Network for Youth (NN4Y)—202-783-7949—www.NN4Youth.org

The McKinney-Vento Homeless Assistance Act (Subtitle B—Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This brief explains the legislation and offers strategies for implementing it in a school district. Additional briefs on various topics in the law may be found on the websites of the organizations listed below.

Key Provisions

- Every Local Educational Agency (LEA), otherwise known as school district, must designate an appropriate staff person as a liaison for students in homeless situations. This person may also be a coordinator for other federal programs.
- Liaisons must ensure that:
 - Children and youth in homeless situations are identified by school personnel and through coordination activities with other entities and agencies.
 - Students enroll in, and have full and equal opportunity to succeed in, the schools of the LEA.
 - Families, children, and youth receive educational services for which they are eligible, including Head Start, Even Start, and pre-school programs administered by the LEA, and referrals to health, mental health, dental, and other appropriate services.
 - Parents or guardians are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
 - Public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services under the Act.
 - Enrollment disputes are mediated in accordance with the Enrollment Disputes section of the McKinney-Vento Act.
 - Parents and guardians and unaccompanied youth are fully informed of all transportation services, including to the school of origin, and are assisted in accessing transportation services.
- Liaisons must assist children and youth who do not have immunizations or immunization or medical records to obtain necessary immunizations or immunization or medical records.
- Liaisons must help unaccompanied youth choose and enroll in a school, after considering the youths’ wishes, and provide youth with notice of their right to appeal an enrollment decision that is not their choice.

continued next page

Local Educational Agency Liaisons (continued)

- ❑ Liaisons must ensure that unaccompanied youth are immediately enrolled in school pending resolution of disputes that might arise over school enrollment or placement.
- ❑ Liaisons must collaborate and coordinate with State Coordinators for the Education of Homeless Children and Youth and community and school personnel responsible for the provision of education and related services to children and youth in homeless situations.
- ❑ State coordinators and LEAs must inform school personnel, service providers, and advocates who work with families in homeless situations of the duties of the LEA homeless liaison.

(See Endnotes for the text of the law.)

Liaisons are LEA staff responsible for ensuring the identification, school enrollment, attendance, and opportunities for academic success of students in homeless situations. Some of these activities may be accomplished by the liaison himself or herself, while others are accomplished by coordinating the efforts of other staff. National evaluations have found that liaisons are a common denominator for successful district efforts to address homelessness. Therefore, the law now requires every LEA to appoint a liaison for students who are homeless and specifies their legal responsibilities. By linking students and their families to school and community services, liaisons play a critical role in stabilizing students and promoting academic achievement at the individual, school, and district level.

Strategies for implementation

- ❑ LEA administrators should work with the Office of State Coordinator for the Education of Homeless Children and Youth to identify an appropriate staff person to serve as local educational agency homeless liaison. Federal programs, such as Title I, Even Start, or Migrant Education, may be good offices to support this position. State programs for students in high-risk situations may also be appropriate.
- ❑ LEAs and State Coordinators should create opportunities for the designated liaison to receive training, in particular on homelessness, the legal responsibilities of the liaison, and key provisions of the McKinney-Vento Act. Training opportunities may be facilitated by the State Coordinators for the Education of Homeless Children and Youth through attendance at local, state, and national conferences, through neighboring school districts that have established local homeless liaison positions, and through materials such as Local Homeless Education Toolkit (see Resources, last page). Issue briefs on school selection, enrollment, transportation, dispute resolution, identification, and unaccompanied youth will be particularly useful for liaisons.
- ❑ Liaisons should join local homeless task forces, homeless coalitions, and their local homeless assistance Continuum of Care. A

Endnotes

“State Plan—(1) In General—Each State shall submit to the Secretary a plan to provide for the education of homeless children and youths within the State. Such plan shall include the following: (J) Assurances that...

(ii) local educational agencies will designate an appropriate staff person, who may also be a coordinator for other Federal programs, as a local educational agency liaison for homeless children and youths, to carry out the duties described in paragraph (6)(A)...

(3) Local Educational Agency Requirements—

...(B) Best Interest—In determining the best interest of the child or youth... the local educational agency shall...

(iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E)...

(C) Enrollment—

...(iii) If the child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations, or immunization or medical records, in accordance with subparagraph (D).

(E) Enrollment Disputes—If a dispute arises over school selection or enrollment in a school—

(iii) the child, youth, parent, or guardian shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(C) as expeditiously as possible after receiving notice of the dispute; and (iv) in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth

(Endnotes continued next page)

Local Educational Agency Liaisons (continued)

directory of state and local homeless coalitions may be found at the NCH website at www.nationalhomeless.org/state.

- ❑ State Coordinators should provide the liaison with sample forms, policies, procedures, awareness materials (for example, brochures and posters), and fact sheets so that he or she does not have to “re-invent the wheel” and will be well equipped to start his or her job. Sample materials may be found in the *Local Homeless Education Toolkit; Imagine the Possibilities: A Sourcebook for Educators Committed to the Educational Success of Students in Homeless Situations* and on the website of the National Center for Homeless Education at www.serve.org/nche.
- ❑ Liaisons should develop relationships with community social service providers, including shelters, soup kitchens, food banks, transitional living projects for youth, street outreach teams, youth drop-in centers, community action agencies, welfare departments, housing departments, public health departments, and faith-based organizations. They should inform these agencies of the duties of the liaison, the responsibilities of the school district, and the rights of students and families who are homeless.
- ❑ Liaisons should develop relationships with key school personnel, including administrators, principals, secretaries, registrars, counselors, social workers, transportation staff, food services staff, school nurses, truancy officers, and teachers. They should inform these personnel about the causes and consequences of homelessness, symptoms of homelessness, the duties of the liaison, the responsibilities of the school district, and the rights of students and families who are homeless.
- ❑ Liaisons should develop relationships with local directors of other school programs, such as preschool, Special Education, School Meals, Title I, Migrant Education, Neglected and Delinquent, and Even Start to ensure that students who are homeless can access those services as needed.
- ❑ Liaisons should disseminate posters, brochures, and other awareness materials explaining educational rights, programs, and related services in schools and other locations where children and youth receive services (such as soup kitchens, health clinics, shelters, transitional living projects for youth, street outreach teams, youth drop-in centers, motels, campgrounds, public laundries, and faith-based organizations). Posters for parents and for unaccompanied youth may be found on the NCHE website at www.serve.org/nche.
- ❑ Liaisons should seek program support from Title I programs, other education programs, and public and private community organizations.
- ❑ LEAs should communicate verbal and written information in a manner and language that parents, guardians, caregivers, and youth can understand.

(Endnotes, continued from previous page)

is immediately enrolled in school pending resolution of the dispute.”

McKinney-Vento Act Sec. 722(g); 42 U.S.C. 11432(g)

(6) Local Educational Agency Liaison.—

(A) Duties—Each local educational agency liaison for homeless children and youths, designated under paragraph (1)(J)(ii), shall ensure that—

(i) homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;

(ii) homeless children and youths enroll in, and have full and equal opportunity to succeed in, schools of that local educational agency;

(iii) homeless families, children, and youths receive educational services for which such families, children, and youths 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;

(iv) the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

(v) public notice of the educational rights of homeless children and youths is disseminated where such children and youth receive services under this Act, such as schools, family shelters, and soup kitchens;

(vi) enrollment disputes are mediated in accordance with paragraph (3)(E); and

(vii) the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, as described in paragraph (1)(J)(iii), and is assisted in accessing transportation to the school that is selected under paragraph (3)(A).

(Endnotes continued next page)

Local Educational Agency Liaisons (continued)

National evaluation and federal guidance materials that discuss the role of the liaison:

Anderson, Leslie et al. (1995). *An Evaluation of State and Local Efforts to Serve the Educational Needs of Homeless Children and Youth*. Washington, DC: Author.

United States Department of Education. (1995). *Preliminary Guidance for the Education for Homeless Children and Youth Program Title VII, Subtitle B*. Washington, DC: Author.

Resources for Local Liaisons

Local Homeless Education Liaison Toolkit, published as a collaborative effort between the National Center for Homeless Education and the staff of Project HOPE, Virginia's Program for Educating Homeless Children and Youth. The toolkit is expected to be published in the summer of 2002 and may be ordered through the National Center for Homeless Education at 1-800-755-3277 or downloaded from the website at www.serve.org/nche.

Imagine the Possibilities: A Sourcebook for Educators Committed to the Educational Success of Students Experiencing Homelessness. 2001. San Francisco, CA: Beth Ann Berliner. 730 Harrison Street, San Francisco, CA 94107-1242. 415-565-3000. www.WestEd.org.

(Endnotes, continued from previous page)

(B) *Notice—State coordinators established under subsection (d)(3) and local educational agencies shall inform school personnel, service providers, and advocates working with homeless families of the duties of the local educational agency liaisons.*

(C) *Local and State Coordination—Local educational agency liaisons for homeless children and youths shall, as a part of their duties, coordinate and collaborate with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths."*

McKinney-Vento Act Sec. 722(g)(6); 42 U.S.C. 11432(g)(6)

Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.



For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

School Selection

Who is homeless? (Sec. 725)

The term “homeless children and youth”–

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes–

- (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- (ii) children and youths who have 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 ...
- (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

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National Network for Youth (NN4Y)—202-783-7949—www.NN4Youth.org

The McKinney-Vento Homeless Assistance Act (Subtitle B—Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This brief explains the legislation and offers strategies for implementing it in a school district. Additional briefs on various topics in the law may be found on the websites of the organizations listed below.

Key Provisions

- Local Educational Agencies (LEAs), otherwise known as school districts, must keep students in homeless situations in their school of origin, to the extent feasible, unless it is against the parent or guardian’s wishes. “School of origin” is defined as the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.
- Students can stay in their school of origin the entire time they are homeless and until the end of any academic year in which they move into permanent housing.
- At a parent or guardian’s request, homeless students must be provided with transportation to and from their school of origin.
- For unaccompanied youth, transportation to and from the school of origin must be provided at the liaison’s request.
- Students may also enroll in any public school that students living in the same attendance area are eligible to attend.
- If a student is sent to a school other than that requested by a parent or guardian, the district must provide a written explanation to the parent or guardian of its decision and the right to appeal.
- LEA homeless liaisons must help unaccompanied youth choose and enroll in a school, after considering the youth’s wishes, and provide youth with notice of their right to appeal the LEA’s decision.

(See Endnotes for the text of the law.)

Changing schools greatly impedes students’ academic and social growth. A “rule of thumb” is that it takes a child four to six months to recover academically after changing schools. Highly mobile students have also been found to have lower test scores and overall academic performance than peers who do not change schools. Therefore, the law requires LEAs to keep students in their schools of origin, to the extent feasible, unless it is against the parent or guardian’s wishes. Students are also now permitted to remain in their schools of origin for the duration of their homelessness. The resulting educational stability will enhance students’ academic and social growth, while permitting schools to benefit from the increased test scores and achievement shown to result from student continuity.

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Strategies for Implementation

- Inform families and youth of their right to attend either their school of origin or local school.
- Inform families and youth of their right to transportation and immediate enrollment.
- Develop clear, understandable forms for written explanations of decisions and the right to appeal.
- Inform school personnel of students' rights.
- Inform school personnel of the benefits of school stability to students and the school.
- Develop strategies to provide transportation. (See "Transportation" issue brief for ideas.)
- If students enroll in the local school, help provide educational continuity by:
 - Getting to know new students with a get-to-know-you questionnaire or journal assignment
 - Taking time to talk to and welcome students individually
 - Giving a "welcome gift" (school supplies, school clothes, etc.)
 - Introducing new students to the class
 - Identifying faculty and peer mentors/buddies
 - Keeping a short, simple written list of classroom rules and procedures
 - Starting a "New Students" club
 - Making sure the students have a chance to have a class job/role and to participate in extracurricular activities
 - Maintaining a relationship when the student leaves by providing stamped, self-addressed envelopes, and stationery
 - Assessing present academic levels quickly with a short assessment test
 - Contacting the previous school for records and assistance with placement decisions
 - Expeditiously following up on any special education referrals or services
 - Providing necessary remediation/tutoring
 - Having school personnel meet with parents and students when registering
 - Creating an orientation video for parents, service providers, and students
 - Conducting schoolwide acquaintanceship activities

Endnotes

"Local Educational Agency Requirements—

(A) In General—The local educational agency serving each child or youth to be assisted under this subtitle shall, according to the child's or youth's best interest—

(i) continue the child's or youth's education in the school of origin for the duration of homelessness—(I) in any case in which a family becomes homeless between academic years or during an academic year; or (II) for the remainder of the academic year, if the child becomes permanently housed during an academic year; or

(ii) enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

(B) Best Interest—In determining the best interest of the child or youth ... the local educational agency shall

(i) to the extent feasible, 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;

(ii) provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), 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; and

(iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E).

(Endnotes continued next page)

School Selection (continued)

- ❑ Starting files and a portfolio of class work for students to take when leaving the school
- ❑ Establishing school and classroom-level routines for incoming and departing transfers
- ❑ Making it possible for high school students to obtain credit even if they transfer to another school in mid-semester

Sources for mobility data:

Dr. Joy Rogers of the Loyola University Department of Education, Education Report of Rule 706 Expert Panel, presented in B.H. v. Johnson, 715 F. Supp. 1387 (N.D. Ill. 1989), 1991.

Policy Analysis for California Education (PACE), "The Educational Consequences of Mobility for California Students and Schools," 1 PACE Policy Brief 1, 3 (May 1999): "There is overwhelming evidence that mobility during high school diminishes the prospects for graduation: students who changed high schools even once were less than half as likely as stable students to graduate from high school, even controlling for other factors that influence high school completion."

"Pervasive Student Mobility: A Moving Target for School Improvement," Finding #9, Study of the Chicago Panel on School Policy and the Center for School Improvement at the University of Chicago (1996).

National School Board Association, School Board News, June 13, 2000: "Research has shown that students who switch schools frequently fare poorly on standardized test scores.... A study of California achievement tests in reading showed that students who moved three or more times scored nearly 20 points lower than students who did not move."

PACE Policy Brief 1, "Mobility not only hurts mobile students, but also non-mobile students. Our statistical analysis of school test scores found that average student test scores for non-mobile students are significantly lower in high schools with high student mobility rates...."

Victoria, Texas' "One Child, One School, One Year" policy, which led to increased attendance in district schools and a significant increase in state education funds, as well as improved test scores.

Educational continuity ideas were taken from:

Virginia Education for Homeless Children and Youth Program, Project HOPE Information Brief No. 2, "What Educators Can Do: Homeless Children and Youth," available at www.wm.edu/education/HOPE/homeless.html.

Policy Analysis for California Education (PACE), "Educational Consequences of Mobility for California Students and Schools," available at www.gse.Berkeley.edu/research/PACE/pace.html.

(Endnotes, continued from previous page)

...(G) School of Origin Defined—In this paragraph, 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."

McKinney-Vento Act Sec. 722(g)(3); 42 U.S.C. 11432(g)(3).



Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for



homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.

For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

<p>Local contact information:</p>
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The Education of Students in Homeless Situations in the 2001 No Child Left Behind Act: Summary of McKinney-Vento Act and Title I Provisions

Who is homeless? (Sec. 725)

The term “homeless children and youth”–

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes–

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have 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 ...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

The McKinney-Vento Homeless Assistance Act, reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This document summarizes key provisions of the Act, as well as key provisions of the reauthorized Elementary and Secondary Education Act’s Title I statute. It is designed to provide a comprehensive overview of new provisions and language changes by topic area. Key provisions of the McKinney-Vento Act that were not amended are also included. A full copy of the text of the legislation is found on the websites of the organizations listed below. This brief and additional briefs on various topics of the law may be found at the National Coalition for the Homeless website—www.nationalhomeless.org/reauthorization.html.

This document was collaboratively developed by:

National Association for the Education of Homeless Children and Youth (NAEH CY)—512-475-8765—www.naehcy.org

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National Law Center on Homelessness & Poverty (NLCHP)—202-638-2535 —www.nlchp.org

National Network for Youth (NN4Y)—202-783-7949—www.NN4Youth.org

School Selection

- According to a child or youth’s best interest, Local Educational Agencies (LEAs), otherwise known as school districts, must either continue the child/youth’s education in the school of origin or enroll the child/youth in school in any public school that nonhomeless students who live in the attendance area where the child/youth is actually living are eligible to attend [Sec. 722(g)(3)(A)].
- “School of origin” is defined as the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled [Sec. 722(g)(3)(G)].
- In determining best interest, LEAs must, to the extent feasible, keep children/youth in the school of origin, unless it is against the wishes of the parent/guardian [Sec. 722(g)(3)(B)(i)]. **(NEW)**
- A homeless child or youth’s right to attend their school of origin extends for the duration of homelessness [Sec. 722(g)(3)(A)(i)]. **(NEW)**

(continued next page)

2001 Reauthorization

- If a child or youth becomes permanently housed during the academic year, he or she is entitled to stay in the school of origin for the remainder of the academic year [Sec. 722(g)(3)(A)(i)(II)]. **(NEW)**
- Children and youth who become homeless in between academic years are entitled to attend their school of origin for the following academic year [Sec. 722(g)(3)(A)(i)(I)].
- If the LEA sends the child/youth to a school other than the school of origin or the school requested by the parent or guardian, the LEA must provide written explanation to the parent or guardian, including the right to appeal under the enrollment disputes provision (see below) [Sec. 722(g)(3)(B)(ii)]. **(NEW)**
- In the case of an unaccompanied youth, the LEA homeless liaison must assist in placement/enrollment decisions, consider the youth's wishes, and provide notice to the youth of the right to appeal under the enrollment disputes provisions (see below) [Sec. 722(g)(3)(B)(iii)]. **(NEW)**
- The choice regarding placement must be made regardless of whether the child or youth resides with the homeless parent or has been temporarily placed elsewhere [Sec. 722(g)(3)(F)]. *(NOTE: the 2001 reauthorization strikes the words "by the parents," which under the previous statute followed the word "elsewhere.")*

Enrollment

- The school selected shall immediately enroll the child/youth in school, even if the child or youth lacks records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation [Sec. 722(g)(3)(C)(i)]. **(NEW)**
- The terms "enroll" and "enrollment" are defined to include attending classes and participating fully in school activities [Sec. 725(3)]. **(NEW)**
- The enrolling school must immediately contact the last school attended to obtain relevant academic and other records [Sec. 722(g)(3)(C)(ii)]. **(NEW)**
- If a child or youth lacks immunizations or immunization or medical records, the enrolling school must refer parent/guardian to the liaison, who shall help obtain necessary immunizations or immunization or medical records (see Records, below) [Sec. 722(g)(3)(C)(iii)]. **(NEW)**
- The Act does not prohibit LEAs from requiring parents or guardians to submit contact information [Sec. 722(g)(3)(H)]. **(NEW)**
- The McKinney-Vento plan submitted by the state to the U.S. Department of Education must include strategies to address problems resulting from enrollment delays caused by immunization **and medical records** requirements; residency requirements; lack of birth certificates, school records, or other documentation; guardianship issues; **or uniform or dress code requirements** [Sec. 722(g)(1)(H)]. *(NOTE: Bold text indicates new language in the 2001 reauthorization.)*
- The McKinney-Vento plan submitted by the state must include a demonstration that the State Educational Agency (SEA) and LEAs in the state have developed, and shall review and revise, policies to remove barriers to the enrollment and retention of homeless children and youth in the state [Sec. 722(g)(1)(I)].

2001 Reauthorization

Resolution of Disputes

- The McKinney-Vento plan submitted by the state must include a description of procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth [Sec. 722(g)(1)(C)].
- If a dispute arises over school selection or enrollment, the child/youth must be immediately admitted to the school in which he/she is seeking enrollment, pending resolution of the dispute [Sec. 722(g)(3)(E)(i)]. **(NEW)**
- The parent or guardian must be provided with a written explanation of the school's decision on the dispute, including the right to appeal [Sec. 722(g)(3)(E)(ii)]. **(NEW)**
- The parent/guardian/youth must be referred to the liaison, who will carry out the state's grievance procedure as expeditiously as possible after receiving notice of the dispute [Sec. 722(g)(3)(E)(iii)]. **(NEW)**
- In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute [Sec. 722(g)(3)(E)(iv)]. **(NEW)**

Records

- Any record ordinarily kept by the school, including immunization **or medical records**, academic records, birth certificates, guardianship records, and evaluations for special services or programs, of each homeless child or youth must be maintained so that the records are available, in a timely fashion, when a child or youth enters a new school or school district and in a manner consistent with Section 444 of the General Education Provisions Act [Section 722(g)(3)(D)]. *(NOTE: Words in bold text are new in the 2001 reauthorization.)*

Transportation

- The state and its LEAs are required to adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin. If the homeless student continues to live in the area served by the LEA in which the school of origin is located, that LEA must provide or arrange transportation. If the homeless student moves to an area served by another LEA, though continuing his or her education at the school of origin, the LEA of origin and the LEA in which the student is living must agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the LEAs cannot agree upon such a method, the responsibility and costs must be shared equally [Section 722(g)(1)(J)(iii)]. **(NEW)**
- In addition, LEAs must provide services to homeless children and youth that are comparable to those received by other students in the school selected, including transportation (see Comparable Services, below) [Section 722(g)(4)].

2001 Reauthorization

Access to Comparable Services

- Children and youth are to be provided services comparable to those received by other students in the school selected, including transportation services and education programs for which students meet eligibility criteria, such as services provided under Title I or similar state or local programs, programs for students with disabilities, programs for students with limited English proficiency, vocational or technical programs, gifted and talented programs, and school nutrition programs [Section 722(g)(4)]. (*NOTE: 2001 law replaces “school meals” programs with “school nutrition.”*)
- The McKinney-Vento plan submitted by the state must include a description of procedures that ensure that homeless children have equal access to the same public preschool programs administered by the state agency as provided to other children in the state, that **homeless youth and youth separated from the public schools are identified and accorded equal access to appropriate secondary education and support services**, and that homeless children and youth who meet the relevant eligibility criteria are able to participate in federal, state, or local before- and after-school care programs [Sec. 722(g)(1)(F)]. (*NOTE: Words in bold text are new in the 2001 reauthorization.*)

Academic Achievement Standards

- It is the policy of Congress that homeless children and youth should have access to the education and other services they need to ensure that they have an opportunity to meet the same challenging state student **academic achievement** standards to which all students are held [Sec. 721(4)]. (*NOTE: The 2001 reauthorization replaces the phrase “performance” from the previous statute and replaces it with “academic achievement.”*)
- The McKinney-Vento plan submitted by the state to the Secretary must include a description of how homeless children and youth are or will be given the opportunity to meet the same challenging state **academic achievement** standards all students are expected to meet [Sec. 722(g)(1)(A)]. (*NOTE: The 2001 reauthorization replaces the phrase “student performance” from the previous statute and replaces it with “academic achievement.”*)

LEA Liaisons

- All LEAs must designate an appropriate staff person, who may also be a coordinator for other federal programs, as a LEA liaison for homeless children and youth to perform duties described in paragraph 6(A) [Section 722(g)(1)(J)(ii)]. (**NEW**)

LEA Liaisons’ Duties

- LEA liaisons must ensure that:
 - Homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies. (**NEW**)
 - Homeless students enroll in, **and have full and equal opportunity to succeed in**, the schools of the LEA (*NOTE: Bold text represents new language in the 2001 reauthorization*).
 - Homeless families, children, and youth receive educational services for which they are eligible, including Head Start, Even Start, and preschool programs

(continued next page)

2001 Reauthorization

LEA Liaisons' Duties (continued)

- administered by the LEA, and referrals to health, mental health, dental, and other appropriate services.
- Parents or guardians are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children. **(NEW)**
 - Public notice of the educational rights of homeless students is disseminated where children and youth receive services under the Act (such as schools, family shelters, and soup kitchens). **(NEW)**
 - Enrollment disputes are mediated in accordance with the Enrollment Disputes Section, Sec. 722(g)(3)(E). **(NEW)**
 - The parent/guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including to the school of origin, and is assisted in accessing transportation services [Section 722(g)(6)(A)]. **(NEW)**
 - Liaisons are required to assist unaccompanied youth in placement/enrollment decisions, including considering the youth's wishes in those decisions and providing notice to the youth of the right to appeal such decisions under the enrollment disputes provisions [Sec. 722(g)(3)(B)(iii)]. **(NEW)**
 - Liaisons are required to ensure that unaccompanied youth are immediately enrolled in school pending resolution of disputes that might arise over school enrollment or placement [Sec. 722(g)(3)(E)(iv)]. **(NEW)**
 - Liaisons are required to assist children and youth who do not have immunizations, or immunization or medical records, to obtain necessary immunizations or immunization or medical records [Sec. 722(g)(3)(C)(iii)]. **(NEW)**
 - State coordinators and LEAs must inform school personnel, service providers, and advocates who work with homeless families of the duties of the liaison [Sec. 722(g)(6)(B)].
 - As part of their duties, liaisons are required to collaborate and coordinate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youth [Sec. 722(g)(6)(C)]. **(NEW)**

Segregation

- It is the policy of the Congress that homelessness alone **is not** sufficient reason to separate students from the mainstream school environment [Sec.721(3)]. *(NOTE: The 2001 reauthorization replaces "should not be" from the previous statute and replaces it with "is not.")*
- States that receive McKinney-Vento Act assistance are prohibited from segregating homeless students in separate schools, separate programs within schools, or separate settings within schools, except as is described below [Sec. 722(e)(3)]:
 - States that have a separate school operated in FY2000 in a "covered county" are excluded from the prohibition and are eligible to receive McKinney funds providing that the schools and the LEAs that the homeless children enrolled in the separate schools are entitled to attend meet the requirements set forth in this section. (Covered counties are Orange County, CA; San Diego

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2001 Reauthorization

Segregation (continued)

County, CA; San Joaquin County, CA; and Maricopa County, AZ.) Among these requirements are provision of notice about choice of schools signed by parents, efforts to remove barriers that lead to the creation of separate schools, a prohibition on other schools referring children to separate schools, and no new school sites [Sec. 722(e)(3)(B)].

- If McKinney-Vento services are provided on school grounds, schools must not provide services in settings within a school that segregate homeless children and youth from other children and youth, except as is necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services [Sec. 723(a)(2)(B)(ii)]. **(NEW)**
- States and LEAs are required to adopt policies and practices to ensure that homeless children and youth are not **segregated on the basis of their status as homeless** or stigmatized [Sec. 722(g)(1)(J)(i)]. *(NOTE: The 2001 reauthorization replaces “isolated” in the previous statute with “segregated on the basis of their status as homeless.”)*
- LEA applications for McKinney-Vento Act funds must include a description of policies and procedures, **consistent with the prohibition on segregation** (see above), that the agency will implement to ensure that activities carried out by the agency will not isolate or stigmatize homeless children and youth [Sec. 723(b)(5)]. *(NOTE: The language in bold is new in the 2001 reauthorization.)*
- Services provided with McKinney-Vento Act funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the school’s regular academic program [Sec. 723(a)(3)].

Statewide Technical Assistance

- The Office of State Coordinator is required to provide technical assistance, in coordination with local liaisons, to LEAs in order to ensure statewide compliance with paragraphs 3 through 7 of subsection g (school choice/placement, best interest determination, enrollment, enrollment disputes, records, comparable services, coordination, local liaison duties, and review and revision of policies) and with Sec. 722(e)(3) (the prohibition on segregation) [Section 722(f)(6)]. **(NEW)**
- The McKinney-Vento plan submitted by the state must indicate what technical assistance the state will furnish to LEAs and how compliance efforts will be coordinated with local liaisons [Sec. 722(g)(2)(B)]. **(NEW)**

Statewide Reservation of Funds

- States must distribute at least 75% of their McKinney-Vento allocation to LEAs, except that states funded at the minimum level must distribute at least 50% of their McKinney-Vento Act allocations to LEAs [Section 722(e)(1)]. **(NEW)**

2001 Reauthorization

Definitions

- The term “homeless child and youth” means
 - Children and youth who lack a fixed, regular, and adequate nighttime residence and includes children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
 - Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
 - Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
 - Migratory children who qualify as homeless because they are living in circumstances described above [Sec. 725]. **(NEW)**
- The term “unaccompanied youth” includes a youth not in the physical custody of a parent or guardian. **(NEW)**
- The terms “enroll” and “enrollment” include attending classes and participating fully in school activities. **(NEW)**

Coordination and Collaboration

- The State Coordinator for the Education of Homeless Children and Youth is required to facilitate coordination between the SEA, the state social services agency, and other agencies **(including agencies providing mental health services) to provide** services to homeless children, including preschool-aged homeless children, youths, and families of such children and youths [Sec. 722(f)(4)]. *(NOTE: Text in bold represents new language in the 2001 reauthorization).*
- In order to improve the provision of comprehensive services, the State Coordinator is required to coordinate and collaborate work with educators, including child development and preschool program personnel, providers of services to homeless and runaway children and youths and homeless families (including domestic violence agencies, shelter operators, transitional housing facilities, runaway and homeless youth centers, and transitional living programs for homeless youths), **local liaisons, and community organizations and groups representing homeless children, youth, and families** [Sec. 722(f)(5)]. *(NOTE: Text in bold represents new language in the 2001 reauthorization).*
- As part of their duties, liaisons are required to collaborate and coordinate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youth [Sec. 722(g)(6)(C)]. **(NEW)**
- LEAs that receive McKinney subgrants are required to coordinate the provision of McKinney-Vento-funded services with local social service agencies and other agencies or programs providing services to homeless children and youth and their families, including services and programs funded under the Runaway and Homeless Youth Act [Sec.722(g)(5)(A)(i)].

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2001 Reauthorization

Coordination and Collaboration (continued)

- LEAs that receive McKinney subgrants are required to coordinate with other LEAs on interdistrict issues, such as transportation or transfer of school records [Sec.722(g)(5)(A)(ii)]. **(NEW)**
- If applicable, SEAs and LEAs that receive McKinney-Vento Act funding must coordinate with state and local housing agencies responsible for developing the comprehensive housing affordability strategy of the Cranston-Gonzalez National Affordable Housing Act to minimize educational disruption for students who become homeless [Sec.722(g)(5)(B)].
- The coordination efforts of LEAs that receive McKinney-Vento funds must be designed to ensure that homeless children and youth have access and reasonable proximity to available education and related support services and to raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness [Sec. 722(g)(5)(C)]. **(NEW)**

Subgrant Awards

- States are required to award competitive subgrants to school districts based on need of agencies for assistance **and quality of the application submitted** [(Sec. 723(c)(1)]. *(NOTE: Text in bold represents new language in the 2001 reauthorization.)*
- In determining need, states may consider the number of homeless students within the area served by the agency and must consider the needs of such students and the ability of the agency to meet such needs. States may also consider:
 - The extent to which the proposed use of funds would facilitate the enrollment, retention, and educational success of homeless children and youth.
 - The extent to which the application reflects coordination with other local and state agencies that serve homeless children and youth and **describes how the grantee will meet the LEA requirements under 722(g)(3)**.
 - The extent to which the applicant exhibits in the application and in current practice a commitment to education for all homeless children and youth.
 - Such other criteria as the agency determines appropriate [(Sec. 723(c)(2)]. *[NOTE: The 2001 reauthorization replaces “as well as the state plan required by Section 722(g)” with “describes how the applicant will meet the requirements of 722(g)(3)”].*
- In determining quality of applications, states must consider:
 - The applicant’s needs assessment provided as part of the LEA application and the likelihood that the program presented in the application will meet such needs.
 - The types, intensity, and coordination of the services to be provided by the program.
 - The involvement of parents or guardians.
 - The extent to which homeless children and youth are integrated into regular education programs.
 - The quality of the applicant’s evaluation plan.

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2001 Reauthorization

Subgrant Awards (continued)

- The extent to which services provided under the subtitle will be coordinated with other available services.
- Such other measures as the state may consider indicative of a high-quality program, such as the extent to which the LEA will provide case management or related services to unaccompanied youth [(Sec. 723(c)(2)]. **(NEW)**

State Data Collection

- State coordinators are required to gather information on the problems homeless children face in accessing school, the identification of special needs, progress made in addressing those problems and needs, and the success of the programs under the subtitle [Sec. 722(f)(1)]. *(NOTE: The 2001 reauthorization eliminates previous statutory requirements for states to provide an estimate of the number of children and youth.)*
- State coordinators must collect and transmit to the Secretary, at such time and in such manner as the Secretary may require, a report containing such information as the Secretary determines is necessary to assess the educational needs of homeless children and youth [Sec. 722(f)(3)]. **(NEW)**

Federal Activity

- The Secretary is required to use a peer review process in reviewing McKinney-Vento state plans and is required to evaluate whether state laws, policies, and practices described in the plan adequately address the problems of homeless children and youth relating to access to education and placement as described in the plan [Sec. 724(a)].
- The Secretary is required to provide support and technical assistance to SEAs to assist in carrying out their responsibilities under the subtitle, if it is requested by SEAs [Sec. 724(b)].
- The Secretary is required to create a public notice of the educational rights of homeless children and youth and disseminate such notice nationwide and to other federal agencies, programs, and grantees, including Head Start grantees, health care for the homeless projects, emergency food and shelter grantees, and homeless assistance programs administered by the Department of Housing and Urban Development [Sec. 724(c)]. **(NEW)**
- The Secretary is required to conduct evaluation and dissemination activities of programs [Sec. 724(d)].
- The Secretary is required to determine the extent to which SEAs are ensuring that each homeless child and homeless youth has access to a free, appropriate public education, based on information received from the states and gathered by the Secretary [Sec. 724(f)].
- The Secretary is required to publish school enrollment guidelines in the Federal Register that describe successful ways in which a state may assist LEAs to immediately enroll homeless students and how states can review and revise state requirements on immunization, school, or medical records in order to enroll homeless students immediately [Sec. 724(g)]. **(NEW)**

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2001 Reauthorization

Federal Activity (continued)

- The Secretary is required to periodically collect and disseminate data and information on the number and location of homeless children and youth, the educational services they receive, the extent to which their educational needs are being met, and such other data and information as the Secretary determines to be necessary and relevant. The Secretary is required to coordinate data collection and dissemination with the agencies and entities that receive McKinney-Vento funds and administer McKinney-Vento programs [(Sec. 724(h)]. **(NEW)**
- The Secretary is required to submit a report to the President and to Congress on the status of the education of homeless children and youth, including information on the education of homeless children and youth and the actions of the Secretary and the effectiveness of McKinney-Vento programs, not later than four years after the date of enactment [Sec. 724(i)]. *(NOTE: The 2001 reauthorization changes this provision by eliminating the requirement to submit a report every three years and by requiring more specific content in the report).*

Funding

- No state shall receive less than the greater of \$150,000, one-quarter of one percent of the overall appropriation, or the amount the state received in FY2001. If there are insufficient funds to allot to each state the minimum amount, the Secretary must ratably reduce the allotments to all states based on the proportionate share that each state received in the preceding fiscal year [Sec. 722(c)(1)].
- \$70 million is authorized for FY2002 and such sums as may be necessary for fiscal years 2003 through 2007 (Sec. 726).¹

¹ *The authorized funding level is the ceiling, or maximum amount, that Congress sets for a program. The amount of funding that is actually provided is determined annually by the congressional appropriations process. In FY2002, Congress appropriated \$50 million for the EHCY program.*

Amendments to Title I of the Elementary and Secondary Education Act

State Plans

- Any state desiring to receive funding under Title I, Part A, must submit a plan to the Secretary that is coordinated with the McKinney-Vento Homeless Assistance Act [Section 1111 (a)(1)]. **(NEW)**

Local Plans

- An LEA may receive funding under Title I, Part A, only if the LEA has on file with the State Educational Agency a plan, approved by the SEA, that is coordinated with the McKinney-Vento Homeless Assistance Act [Section 1112(a)(1)]. **(NEW)**
- Each LEA Title I plan must include a description of the services that will be provided to homeless children, including services provided with funds from the Reservation of Funds set-aside (see below) [Section 1112(b)(1)(O)]. **(NEW)**

Reservation of Funds

- LEAs must reserve such funds as are necessary to provide services comparable to those provided to children in Title I, Part A,-funded schools to serve homeless children who do not attend participating schools, including providing educationally related support services to children in shelters **and other locations where children may live** [Section 1113(c)(3)(A)]. *(NOTE: The 2001 reauthorization strikes the phrase “where appropriate, eligible,” which appeared under the previous statute before “homeless children.” The 2001 reauthorization adds “and other locations where children may live” after the word “shelters.”)*

Targeted Assistance Schools

- A child who is homeless and attending any school in the LEA is eligible for services in a Targeted Assistance School Program [Sec. 1115(b)(2)(E)]. *(NOTE: The 2001 reauthorization strikes “may be eligible” from the previous statute and replaces it with “is eligible.”)*



Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for



homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.

For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

Title I and Homelessness

Who is homeless? (Sec. 725)

The term “homeless children and youth”—

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes—

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have 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 ...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

This document was collaboratively developed by:

National Association for the Education of Homeless Children and Youth (NAEHCY)—512-475-8765—www.naehcy.org

National Center for Homeless Education (NCHE)—800-308-2145—www.serve.org/nche

National Coalition for the Homeless (NCH)—202-737-6444 ext. 18—www.nationalhomeless.org

National Law Center on Homelessness & Poverty (NLCHP)—202-638-2535—www.nlchp.org

National Network for Youth (NN4Y)—202-783-7949—www.NN4Youth.org

The McKinney-Vento Homeless Assistance Act (Subtitle B—Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This brief explains the legislation and offers strategies for implementing it in a school district. Additional briefs on various topics in the law may be found on the websites of the organizations listed below.

Key Provisions in Title I Relating to Homelessness

- A child or youth who is homeless and is attending any school in the district is automatically eligible for Title I services, regardless of their current academic performance.
- Local Educational Agencies (LEAs), otherwise known as school districts, must reserve (or set aside) funds as are necessary to provide services comparable to those provided to children in Title I, Part A, funded schools to serve homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live.
- An LEA may receive funding under Title I, Part A, only if the LEA has on file with the State Educational Agency (SEA) a plan, approved by the SEA, that is coordinated with the McKinney-Vento Homeless Assistance Act.
- Each LEA Title I plan must include a description of the services that will be provided to homeless children, including services provided with funds from the Reservation of Funds set-aside.
- Any state desiring to receive funding under Title I, Part A, must submit a plan to the Secretary that is coordinated with the McKinney-Vento Homeless Assistance Act.
- States must include homeless students, as defined by the McKinney-Vento Act, in their academic assessment, reporting, and accountability systems. [Title I, Part A Regulation 200.6(d)]

(See Endnotes for the text of the law.)

Title I of the Elementary and Secondary Education Act (ESEA) targets those students most at risk of failing in school. Among students at risk of school failure are children and youth experiencing homelessness. Children and youth who are homeless are more likely to miss school and to change schools than are other children and youth; they are, therefore, at higher risk of educational failure.

Children and youth in homeless situations benefit from Title I services and programs. However, additional Title I funds may be needed to address specific needs of children who are homeless or highly mobile. For example, an excellent reading program implemented in a Schoolwide school or Targeted Assistance school will not be effective

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Title I and Homelessness (continued)

for children and youth who need additional help to participate fully in the program. An appropriate use of Title I funds would be for any educational support to increase their opportunity for success in the program. Set-aside funds should support children and youth experiencing homelessness in non-Title I participating schools and those in participating schools who need additional support outside of school, including students living in shelters, motels, transitional living programs, and other locations.

The ESEA requires a state plan that demonstrates coordination between Title I and the McKinney-Vento Act. Coordination of services results in the most effective use of resources, ensuring that the needs of students experiencing homelessness are addressed in a comprehensive and integrated fashion. LEA homeless liaisons, now required to be appointed in every school district, and district Title I coordinators must communicate and collaborate on an ongoing basis to identify the needs of children and youth experiencing homelessness, review resources, and plan ways to address needs. Collaboration results in a “win-win” situation: students in homeless situations achieve to high standards, and student achievement in the district increases as a whole.

Strategies for Using Title I Funds to Serve Students Experiencing Homelessness

- Establish a formula to allocate Title I set-asides for homeless children and youth. Contact NCHE for sample formulas.
- Use Title I funds (including set-aside funds) to support the position of a full-time LEA homeless liaison so that the liaison’s duties can be more fully accomplished.
- Use Title I funds to meet basic needs of students experiencing homelessness (clothing, supplies, health) so that they may participate more fully in school.
- Use Title I funds to hire special teachers, aides, and tutors to provide supplemental instruction to students at risk of school failure, including students experiencing homelessness, on reading and math as a supplement to regular classroom instruction.
- Use Title I funds for parent involvement that makes a special effort to reach out to parents in homeless situations.
- Use set-aside funds for after-school and/or summer programs.
- Use set-aside funds for outreach services to children and youth living in shelters, transitional living programs, motels, and other temporary residences.
- Use Title I funds for research-based programs that benefit highly mobile students.
- Collect data on students experiencing homelessness as part of the overall districtwide data collection system.

Endnotes

“State Plans—

- (a) *Plans Required.—(1) In General.—* Any State desiring to receive a grant under this part shall submit to the Secretary a plan, developed in consultation with local educational agencies, teachers, principals, pupil services personnel, administrators (including administrators of programs described in other parts of this title), other staff, and parents, that satisfies the requirements of this section and that is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Carl D. Perkins Vocational and Technical Education Act of 1998, the Head Start Act, the Adult Education and Family Literacy Act, and the McKinney-Vento Homeless Assistance Act.”

Title I of the Elementary and Secondary Education Act, Sec. 1111(a)(1); 20 U.S.C. 6311(a)(1)

“Local Educational Agency Plans—

- (a) *Plans Required.—(1) Subgrants.—*A local educational agency may receive a subgrant under this part for any fiscal year only if such agency has on file with the State educational agency a plan, approved by the State educational agency, that is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Carl D. Perkins Vocational and Technical Education Act of 1998, the McKinney-Vento Homeless Assistance Act, and other Acts, as appropriate...
- (b) *Plan Provisions.—(1) In General.—*In order to help low-achieving children meet challenging achievement academic standards, each local educational agency plan shall include...
- (E) a description of how the local educational agency will coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as ...
- (ii) services for children with limited English proficiency, children with disabilities, migratory children, neglected or delinquent youth, Indian children served under part A of title VII, homeless children, and immigrant children in order to increase program effectiveness,

(Endnotes continued next page)

Title I and Homelessness (continued)

- ❑ Pool Title I and McKinney-Vento funds to provide a comprehensive program for children at risk of failure, ensuring that specific needs of children experiencing homelessness or high mobility are met.

Strategies to Facilitate Collaboration and Coordination between Title I and McKinney-Vento

- ❑ Ensure that LEA homeless liaisons attend Title I conferences and in-services and that Title I coordinators attend homeless education conferences and in-services.
- ❑ Ensure collaboration between local Title I coordinators and LEA homeless liaisons on a local plan that identifies ways that Title I will serve children and youth experiencing homelessness.
- ❑ Ensure collaboration between the state Title I coordinator and the state McKinney-Vento coordinator on the state Title I plan or the state consolidated plan.
- ❑ Share Title I and Homeless Education handbooks with each program.
- ❑ Collect and share across the district concrete data on the needs of homeless children and youth.
- ❑ Involve Title I coordinators in structured coalition-building with homeless education programs and organizations that serve homeless families and unaccompanied homeless youth, and establish common goals.
- ❑ Initiate district efforts to make organizational accommodations for homeless children and youth as necessary in such areas as transportation, remaining in the school of origin, records transfer, class scheduling, and special services that will help them enroll, attend, and succeed in school.
- ❑ Involve homeless education program staff in school improvement issues; make sure that addressing the needs of highly mobile students is included in the school improvement plans—not addressed as a separate issue.
- ❑ Co-locate Title I and homeless education programs.
- ❑ Emphasize that coordination and sharing of resources is beneficial to the district as a whole because serving homeless children and youth will increase school achievement, lower truancy and dropout rates, and increase overall funding to the district.
- ❑ Determine what funding is available to serve homeless children and youth and how it is being used. Identify needs and develop a cross-program approach to address unmet needs.
- ❑ Establish and widely disseminate information on districtwide policies, procedures, and guidelines to identify and serve homeless children and youth.

(Endnotes, continued from previous page)

eliminate duplication, and reduce fragmentation of the instructional program;...

(O) *a description of the services the local educational agency will provide homeless children, including services provided with funds reserved under Section 1113(c)(3)(A);*

Title I of the Elementary and Secondary Education Act, Sec. 1112; 20 U.S.C. 6312

“Eligible School Attendance Areas—

(c) Allocations— ... (3) Reservation—A local educational agency shall reserve such funds as are necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve—(A) homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live;”

Title I of the Elementary and Secondary Education Act, Sec. 1113(c)(3)(A); 20 U.S.C. 6313(c)(3)(A)

“Targeted Assistance Schools—

(b) Eligible Children— ... (2) Children Included—(E) Homeless Children.—A child who is homeless and attending any school served by the local educational agency is eligible for services under this part.”

Title I of the Elementary and Secondary Education Act, Sec. 1115(b)(2)(E); 20 U.S.C. 6315(b)(2)(E)

“Assessment and Accountability—

Sec. 200.6 Inclusion of all students

....(d) Students experiencing homelessness.

(1) A State must include homeless students, as defined in section 725(2) of Title VII, Subtitle B of the McKinney-Vento Act, in its academic assessment, reporting, and accountability systems, consistent with section 1111(b)(3)(C)(xi) of the Act.

(2) The State is not required to disaggregate, as a separate category under Sec. 200.2(b)(10), the assessment results of the students referred to in paragraph (d)(1) of this section.

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- Ensure LEA homeless liaison representation on the Committee of Practitioners.
- Include homeless parents in Title I parental involvement policies and create opportunities for homeless parents to be involved.

Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.



For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

Transportation

Who is homeless? (Sec. 725)

The term “homeless children and youth”–

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes–

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have 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 ...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

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National Law Center on Homelessness & Poverty (NLCHP)—202-638-2535—www.nlchp.org

National Network for Youth (NN4Y)—202-783-7949—www.NN4Youth.org

The McKinney-Vento Homeless Assistance Act (Subtitle B—Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This brief explains the legislation and offers strategies for implementing it in a school district. Additional briefs on various topics in the law may be found on the websites of the organizations listed below.

Key Provisions

- Local Educational Agencies (LEAs), otherwise known as school districts, must provide students experiencing homelessness with transportation to and from their school of origin, at a parent or guardian’s request.
- For unaccompanied youth, LEAs must provide transportation to and from the school of origin at the LEA homeless liaison’s request.
- “School of origin” is defined as the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.
- If the student’s temporary residence and the school of origin are in the same LEA, that LEA must provide or arrange transportation. If the student is living outside the school of origin’s LEA, the LEA where the student is living 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.

(See Endnotes for the text of the law.)

Changing schools greatly impedes students’ academic and social growth. A “rule of thumb” is that it takes a child four to six months to recover academically after changing schools. Highly mobile students have also been found to have lower test scores and overall academic performance than peers who do not change schools. This diminished achievement hurts students and schools.

Although the McKinney-Vento Act permits students in homeless situations to remain in their schools of origin despite their residential instability, lack of transportation commonly prevents them from continuing in their schools of origin. Therefore, LEAs are now required to provide transportation to the school of origin. The resulting educational stability will enhance students’ academic and social growth, while permitting schools to benefit from the increased test scores and achievement shown to result from student continuity.

Strategies for Implementation

- Coordinate with local housing authorities and community-based organizations to house students near their schools of origin.
- Re-route school buses (including special education, magnet school, and other buses).
- Ensure that school buses travel to shelters, transitional living projects, and motels where homeless students reside.
- Provide sensitivity training to bus drivers and arrange bus stops to keep students’ living situations confidential.

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Transportation (continued)

- Develop close ties among LEA homeless liaisons, school staff, and pupil transportation staff.
- Designate a district-level point of contact to arrange and coordinate transportation.
- Provide passes for public transportation, including passes for caregivers when necessary.
- Collaborate with local public agencies and service providers to develop transportation plans or provide transportation.
- Take advantage of transportation systems used by public assistance agencies.
- Coordinate with public assistance agencies, whose clients cannot work unless their children are in school.
- Reimburse parents, guardians, or unaccompanied youth for gas.
- Obtain corporate or other sponsorship for transportation costs.

For many more implementation strategies, call 800-308-2145 or e-mail homeless@serve.org.

Sources for mobility data:

Dr. Joy Rogers of the Loyola University Department of Education, *Education Report of Rule 706 Expert Panel presented in B.H. v. Johnson*, 715 F. Supp. 1387 (N.D. Ill. 1989), 1991.

"Pervasive Student Mobility: A Moving Target for School Improvement," Finding #9, Study of the Chicago Panel on School Policy and the Center for School Improvement at the University of Chicago (1996).

Victoria, Texas' "One Child, One School, One Year" policy, which led to increased attendance in district schools and a significant increase in state education funds, as well as improved test scores.

Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.



For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

Endnotes

(1) *In General*—Each State shall submit to the Secretary a plan to provide for the education of homeless children and youths within the State. Such plan shall include the following: ... (J) Assurances that ... (iii) the State and its local educational agencies will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin, as determined in paragraph (3)(A), in accordance with the following, as applicable:

(I) If the homeless child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.

(II) If the homeless child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the homeless child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally...

(4) *Comparable Services*—Each homeless child or youth to be assisted under this subtitle shall be provided services comparable to services offered to other students in the school selected under paragraph (3), including the following: (A) Transportation services..."

McKinney-Vento Act Sec. 722(g)(1)(J)(iii) and (g)(4)(A); 42 U.S.C. 11432(g)(1)(J)(iii) and (g)(4)(A).

Unaccompanied Youth

Who is homeless? (Sec. 725)

The term “homeless children and youth”–

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes–

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have 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 ...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

This document was collaboratively developed by:

National Association for the Education of Homeless Children and Youth (NAEH CY)—512-475-8765—www.naehcy.org

National Center for Homeless Education (NCHE)—800-308-2145—www.serve.org/nche

National Coalition for the Homeless (NCH)—202-737-6444 ext. 18—www.nationalhomeless.org

National Law Center on Homelessness & Poverty (NLCHP)—202-638-2535—www.nlchp.org

National Network for Youth (NN4Y)—202-783-7949—www.NN4Youth.org

The McKinney-Vento Homeless Assistance Act (Subtitle B—Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This brief explains the legislation and offers strategies for implementing it in a school district. Additional briefs on various topics in the law may be found on the websites of the organizations listed below.

Key Provisions

- The term “unaccompanied youth” includes youth in homeless situations who are not in the physical custody of a parent or guardian.
- Unaccompanied youth have the same rights as other students experiencing homelessness to enroll in, attend, and succeed in public school, including the rights to:
 - Remain in their school of origin (to the extent feasible) or attend any public school that students living in the same attendance area are eligible to attend
 - Attend classes and participate fully in school activities immediately, even if they do not have a parent or guardian to enroll them or have required documents, such as school records, medical records, proof of residency, or other documents
 - Be free from segregation, isolation, and stigmatization
 - Have comparable access to school meals, English language services, vocational and technical education, gifted and talented services, special education, and Title I services
 - Have disputes resolved promptly and attend the school they choose while disputes are pending
- Local Educational Agencies (LEAs), otherwise known as school districts, homeless liaisons must help unaccompanied youth choose and enroll in a school, after considering the youth’s wishes, and provide youth with notice of their right to appeal decisions counter to their wishes.
- School districts must provide transportation to and from the school of origin for unaccompanied youth at the liaison’s request. Liaisons must inform youth of their rights to transportation and assist youth in accessing transportation.
- Liaisons must ensure youth are immediately enrolled in school pending resolution of disputes.
- School personnel must be made aware of the specific needs of runaway and homeless youth.
- The McKinney-Vento state plan must address problems caused by enrollment delays due to guardianship issues.

continued next page

Unaccompanied Youth (continued)

- ❑ The state plan must describe how homeless youth and youth separated from the public schools are identified and accorded equal access to appropriate secondary education and support services.
- ❑ McKinney-Vento subgrants can be used for services and assistance to attract, engage, and retain unaccompanied youth in public school programs and services.
- ❑ See other issue briefs for more information on school selection, enrollment, transportation, disputes, and subgrants.

(See Endnotes for the text of the law.)

Unaccompanied youth include young people who have run away from home, been thrown out of their homes, and been abandoned by parents. These young people are separated from their parents for a variety of reasons. Over half reported being physically abused at home, and over one third report sexual abuse.¹ Over two-thirds reported that at least one of their parents abuses drugs or alcohol.² For many of these young people, leaving home is a survival issue. Other youth are thrown out of their homes because they are pregnant, gay or lesbian, or because their parents believe they are old enough to take care of themselves. Over half of sheltered youth reported that their parents either told them to leave or knew they were leaving and did not care.³ Once out of the home, unaccompanied youth are frequently victimized. As many as half have been assaulted or robbed, and one in ten runaways reported being raped.⁴

School may be the only safe and stable environment available to unaccompanied youth. Yet unaccompanied youth often face unique barriers to enrolling and succeeding in school. Without a parent or guardian to advocate for them and exercise parental rights, they are sometimes denied enrollment and remain out of school for extended periods of time. Unaccompanied youth also may not understand their educational rights or know how to acquire this information. New provisions in the McKinney-Vento Act require liaisons, now designated in every LEA, to assist unaccompanied youth so they have the opportunity to enroll in, attend, and succeed in school. Serving youth appropriately is an integral part of the Act's legal mandate.

Strategies for Implementation

- ❑ Inform youth of their rights, including rights to attend either their school of origin or local school, rights to transportation, and rights to appeal school enrollment decisions.
- ❑ Train LEA homeless liaisons and all school enrollment staff, secretaries, school counselors, principals, and teachers on the definition, rights, and needs of unaccompanied youth.

Endnotes

"The term 'unaccompanied youth' includes a youth not in the physical custody of a parent or guardian." McKinney-Vento Act Sec. 725(6).

"[T]he State and its local educational agencies will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin...." McKinney-Vento Act Sec. 722(g)(1)(J)(iii)

"Each local educational agency liaison... shall ensure that

...(vii)...any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin as described in (1)(J)(iii), and is assisted in accessing transportation to the school that is selected under paragraph (3)(A)." McKinney-Vento Act Sec. 722(g)(6)(A).

"In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

...(iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E)." McKinney-Vento Act Sec. 722(g)(3)(B)

"If a dispute arises over school selection or enrollment in a school—

...(iv) in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute." McKinney-Vento Act Sec. 722(g)(3)(E)

"Such plan shall include the following: (D)A description of programs for school personnel (including principals, attendance officers, teachers, enrollment personnel, and pupil services personnel) to heighten the awareness of such personnel of the specific needs of runaway and homeless youths..."

(Endnotes continued next page)

Unaccompanied Youth (continued)

- Develop collaborative relationships with local shelters, transitional living programs, street outreach teams, and other service providers for unaccompanied youth.
- Develop affidavits of residence or other forms to replace typical proof of residency, which unaccompanied youth will often be unable to produce. Such forms should be carefully crafted so they do not create further barriers or delay enrollment.
- Develop caretaker affidavits, enrollment forms for unaccompanied youth, and other forms to replace typical proof of guardianship. Again, such forms should be carefully crafted so they do not create further barriers or delay enrollment.
- Use creative techniques to identify youth in homeless situations, including youth living doubled-up with friends or relatives, while respecting their privacy and dignity. Such techniques may include involving social workers, surveying peers, and using enrollment questionnaires.
- Provide unaccompanied youth the opportunity to enroll in diversified learning opportunities, such as vocational education, credit-for-work programs, and flexible school hours.
- Provide a “safe place” and trained mentor at school for unaccompanied youth to access as needed.
- Revise LEA policies immediately to accommodate unaccompanied youth and comply with the McKinney-Vento Act.
- Permit flexible exceptions to school policies on class schedules, tardiness, absences, and credits to accommodate the needs of unaccompanied youth.
- Develop strategies to continue educating students who have been suspended or expelled from school.

(Endnotes, continued from previous page)

(F) A description of procedures that ensure that—

...(ii) homeless youths and youths separated from the public schools are identified and accorded equal access to appropriate secondary education and support services....

(H) Strategies to address other problems with respect to the education of homeless children and youths, including problems resulting from enrollment delays that are caused by...

(iv) guardianship issues....”

McKinney-Vento Act Sec. 722(g)(1)

“In determining the quality of applications under paragraph (1), the State educational agency shall consider the following: (G) Such other measures as the State educational agency considers indicative of a high-quality program, such as the extent to which the local educational agency will provide case management or related services to unaccompanied youths.” McKinney-Vento Act Sec. 723(c)(3)(G)

“A local educational agency may use funds awarded under this section for activities that carry out the purpose of this subtitle, including the following: (7) The provision of services and assistance to attract, engage and retain homeless children and youths, and unaccompanied youths, in public school programs and services provided to nonhomeless children and youths.” McKinney-Vento Act Sec. 723(d)(7)

Footnotes

¹ MacLean, M. G., Embry, L. E., & Cauce, A. M. (1999). Homeless adolescents' paths to separation from family: Comparison of family characteristics, psychological adjustment, and victimization. *Journal of Community Psychology*, 27, 183.

² Id.

³ U.S. Department of Health and Human Services. (1995). *Youth with runaway, throwaway, and homeless experiences: Prevalence, drug use, and other at-risk behaviors*.

⁴ MacLean et al., supra note 1, 183.

Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.



For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

Who Is Homeless?

Who is homeless? (Sec.25)

The term “homeless children and youth”–

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes–

- (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- (ii) children and youths who have 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 ...
- (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

This document was collaboratively developed by:

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Key Provisions

- The term “homeless” is broadly defined by the McKinney-Vento Act’s Education for Homeless Children and Youth Program, as quoted at left.
- The term “unaccompanied youth” includes youth in homeless situations who are not in the physical custody of a parent or guardian.
- Preschool children, migrant children, and youth whose parents will not permit them to live at home or who have run away from home (even if their parents are willing to have them return home) are considered homeless if they fit the definition.

Homelessness is a lack of permanent housing resulting from extreme poverty, or, in the case of unaccompanied youth, the lack of a safe and stable living environment. Over 1.35 million children and youth experience homelessness in a year.¹ Families are the fastest-growing segment of the homeless population in the United States, accounting for approximately 40 percent of those in homeless situations.² Two trends are largely responsible for the rise in family homelessness over the past 15–20 years: a growing shortage of affordable rental housing and a simultaneous increase in poverty. There is an increasing gap between income and housing costs for low-income individuals. For example, a minimum-wage worker cannot afford the Fair Market Rent for housing in any jurisdiction in the United States.³

Yet, despite the obvious need, the supply of affordable housing continues to dwindle. Between 1997 and 1999, there was a net loss of more than 300,000 housing units affordable to households with low incomes.⁴ The shortfall in affordable housing for the very poorest households now stands at 3.3 million housing units. The lack of affordable housing has resulted in an increase in the number of people who become homeless. A survey of 27 U.S. cities found that requests for emergency shelter increased by an average of 13 percent in 2001; requests for shelter by homeless families alone increased by 22 percent.⁵

The primary causes of homelessness among unaccompanied youth are physical and sexual abuse by a parent or guardian, neglect, parental substance abuse, and family conflict.

Children and youth in homeless situations often do not fit society’s stereotypical images. For example, many children who are homeless are very young; in fact, over 40 percent of children living in homeless shelters are under the age of five.⁶ In addition, emergency shelters in urban areas cannot meet the rising need for temporary housing, turning away 52 percent of all requests for emergency shelter by families. Rural areas often have no shelters at all.⁷

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Who Is Homeless? (continued)

As a result of the lack of shelter, most students in homeless situations share housing with friends or relatives, stay in motels or other temporary facilities, or live on the streets, in abandoned cars, and in woods and campgrounds. Of the children and youth identified as homeless by State Departments of Education in FY2000, only 35 percent lived in shelters, 34 percent lived doubled-up with family or friends, and 23 percent lived in motels and other locations.⁸ Yet, these children and youth may not immediately be recognized as homeless and are sometimes denied the protections and services of the McKinney-Vento Act. Therefore, the Act now contains a specific definition of homelessness that includes a broad array of inadequate living situations. This definition can help educators, families, and youth understand who is entitled to the Act's protections.

The issue brief entitled "Identifying Students in Homeless Situations" provides strategies to locate and serve children and youth living in a variety of homeless situations. Consult other issue briefs in this series for legal provisions and implementation strategies to ensure children and youth in homeless situations can select their school, enroll in school immediately, access transportation services, have disputes resolved quickly, and access Title I services.

Footnotes

- ¹ Burt, M. & Laudan, A. *America's Homeless II: Populations and Services*, The Urban Institute, 2000.
- ² U.S. Conference of Mayors. *A Status Report on Hunger and Homelessness in America's Cities: 2001*.
- ³ National Low Income Housing Coalition. *Out of Reach*, 2001. www.nlihc.org/oor2001
- ⁴ Harvard University, Joint Center for Housing Studies, *The State of the Nation's Housing: 2001*. www.jchs.harvard.edu/publications/son2001
- ⁵ U.S. Conference of Mayors. *A Status Report on Hunger and Homelessness in America's Cities: 2001*
- ⁶ Interagency Council on the Homeless. *Homelessness: Programs and the People They Serve*, Summary Report. December 1999.
- ⁷ U.S. Conference of Mayors. *A Status Report on Hunger and Homelessness in America's Cities: 2001*
- ⁸ U.S. Department of Education. *Education for Homeless Children and Youth Program Report to Congress*, 2000.

Endnotes

All definitions are contained, exactly as written here, in McKinney-Vento Act Sec. 725(2); 42 U.S.C. 11435(2).

"Children or youth who have run away from home and live in runaway shelters, abandoned buildings, the streets, or other inadequate accommodations are considered homeless, even if their parents have provided and are willing to provide a home for them.... Throwaway children or youth (i.e. those whose parents or guardians will not permit them to live at home) are considered homeless if they live on the streets, in shelters, or in other transitional or inadequate accommodations." U.S. Department of Education Preliminary Guidance for the Education for Homeless Children and Youth Program, Title VII, Subtitle B (June 1995), 22-3.

Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at www.serve.org/nche.



For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail homeless@serve.org.

Local contact information:

Sample Local Educational Agency Policy to Implement the McKinney-Vento Act

Developed by:

Patricia Julianelle, Education Staff Attorney, National Law Center on Homelessness & Poverty

Introduction

The McKinney-Vento Act requires all state and local educational agencies to develop, review, and revise their policies to remove barriers to the enrollment and retention in school of children and youth experiencing homelessness. This sample Local Educational Agency (LEA) policy is designed to help school districts comply with this mandate. The policy was adapted from the existing policies of LEAs around the country, the requirements of the reauthorized McKinney-Vento Act and Elementary and Secondary Education Act (ESEA), and U.S. Department of Education regulations and guidance. It is broad and specific and can be abbreviated or otherwise adapted to accommodate the needs of any LEA.

The entire LEA community can be involved in developing a new policy. Often, one person taking the lead is enough to get a new policy enacted. Strategic allies in getting LEA policies revised may include:

- Superintendent and assistant superintendents
- School board members
- Title I and other federal programs directors
- School staff, including school counselors, social workers, and teachers
- The mayor
- City council members
- County government officials
- Other city and county agencies, such as departments of housing, social services, child and families, transitional assistance, welfare and/or Medicaid
- Parents and students
- Homeless coalitions
- Domestic violence coalitions and agencies
- Legal aid attorneys
- Community advocates
- HUD continuums of care
- Family and youth shelter and service providers
- The faith-based community
- Higher education, including schools of education, law, public policy, social work, nursing, sociology, and psychology
- State legislators
- The state educational agency
- The state board of education

Ways to involve these allies in the process initially may include:

- Using the requirements and rationale of the McKinney-Vento Act as support for needing new policies
- Sharing positive results from districts that have already revised their policies
- Taking them on tours of shelters and/or schools, as appropriate
- Making direct personal contact and explaining how the policies affect real children, schools, and the LEA as a whole

For more information about revising LEA policies or state laws, contact the National Law Center on Homelessness & Poverty, (202) 638-2535, nlchp@nlchp.org.



Sample Local Educational Agency (LEA) Policy

Homelessness exists in our community. A combination of high housing costs and poverty causes many families to lose their housing. Many young people leave their homes due to abuse, neglect, and family conflict. Children and youth who have lost their housing live in a variety of places, including motels, shelters, shared residences, transitional housing programs, cars, campgrounds, and others. Their lack of permanent housing can lead to potentially serious physical, emotional, and mental consequences. This school district will ensure that all children and youth receive a free appropriate public education and are given meaningful opportunities to succeed in our schools. This district will also follow the requirements of the McKinney-Vento Act.

It is the policy of our district to view children as individuals. Therefore, this policy will not refer to children as *homeless*; it will instead use the term *children and youth in transition*. Under federal law, children and youth in transition must have access to appropriate public education, including pre-school, and be given a full opportunity to meet state and local academic achievement standards. They must be included in state- and district-wide assessments and accountability systems. Our schools will ensure that children and youth in transition are free from discrimination, segregation, and harassment.

Information regarding this policy will be distributed to all students upon enrollment and once during the school year, provided to students who seek to withdraw from school, and posted in every school in the district, as well as other places where children, youth, and families in transition receive services, including family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments, health departments, and other social service agencies.

Each year, schools that have been particularly creative or proactive in implementing this policy will be publicly recognized for the benefits they provide their students.



Definitions

Children and youth in transition means children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence, including:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
- Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.
- Migratory children and youth who are living in a situation described above.

A child or youth shall be considered to be in transition for as long as he or she is in a living situation described above.

Unaccompanied youth means a youth not in the physical custody of a parent or guardian, who is in transition as defined above. The more general term *youth* also includes unaccompanied youth.

Enroll and *enrollment* mean attending school and participating fully in school activities.

Immediate means without delay.

Parent means a person having legal or physical custody of a child or youth.

School of origin means the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

Liaison is the staff person designated by our LEA and each LEA in the state as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Act.

Identification

In collaboration with school personnel and community organizations, the liaison will identify children and youth in transition in the district, both in and out of school. The liaison will train school personnel on possible indicators of homelessness, sensitivity in identifying families and youth as in transition, and procedures for forwarding information indicating homelessness to the liaison. The liaison will also instruct school registrars and secretaries to inquire about possible homelessness upon the enrollment and withdrawal of every student and to forward information indicating homelessness to the liaison. Community partners in identification may include the following: family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments and other social service agencies, street outreach teams, faith-based organizations, truancy and attendance officers, local homeless coalitions, and legal services.

The liaison will keep data on the number of children and youth in transition in the district, where they are living, their academic achievement (including performance on state- and district-wide assessments), and the reasons for any enrollment delays, interruptions in their education, or school transfers.



School Selection

Each child and youth in transition has the right to remain at his or her school of origin or to attend any school that housed students who live in the attendance area in which the child or youth is actually living. Maintaining a student in his or her school of origin is important for both the student and our school district. Students who change schools have been found to have lower test scores and overall academic performance than peers who do not change schools. High mobility rates have also been shown to lower test scores for stable students. Keeping students in their schools of origin enhances their academic and social growth, while permitting our schools to benefit from the increased test scores and achievement shown to result from student continuity.

Therefore, in selecting a school, children and youth in transition shall remain at their schools of origin to the extent feasible, unless that is against the parent or youth's wishes. Students may remain at their schools of origin the entire time they are in transition and until the end of any academic year in which they become permanently housed. The same applies if a child or youth loses his or her housing between academic years.

Feasibility shall be a child-centered determination, based on the needs and interests of the particular student and the parent or youth's wishes. Potential feasibility considerations include:

- Safety of the student
- Continuity of instruction
- Likely area of family or youth's future housing
- Time remaining in the academic year
- Anticipated length of stay in temporary living situation
- School placement of siblings
- Whether the student has special needs that would render the commute harmful

Services that are required to be provided, including transportation to and from the school of origin (see next page) and services under federal and other programs, shall not be considered in determining feasibility.

Enrollment

Consistent, uninterrupted education is vital for academic achievement. Due to the realities of homelessness and mobility, students in transition may not have school enrollment documents readily available. Nonetheless, the school selected for enrollment must immediately enroll any child or youth in transition. Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including:

- Proof of residency
- Transcripts/school records (The enrolling school must contact the student's previous school to obtain school records. Initial placement of students whose records are not immediately available can be made based on the student's age and information gathered from the student, parent, and previous schools or teachers.)



- Immunizations or immunization/health/medical/physical records (If necessary, the school must refer students to the liaison to assist with obtaining immunizations and/or immunization and other medical records. Health records may often be obtained from previous schools or state registries, and school- or community-based clinics can initiate immunizations when needed.)
- Proof of guardianship
- Birth certificate
- Any other document requirements
- Unpaid school fees
- Lack of uniforms or clothing that conforms to dress codes
- Any factor related to the student's living situation

Unaccompanied youth must also be immediately enrolled in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or liaison.

Transportation

Without appropriate transportation, a student may not be able to continue attending his or her school of origin. To avoid such forced school transfers, at a parent's request, transportation shall be provided to and from the school of origin for a child or youth in transition. Transportation shall be provided for the entire time the child or youth has a right to attend that school, as defined above, including during pending disputes. The liaison shall request transportation to and from the school of origin for unaccompanied youth. The length of the commute will only be considered in determining the feasibility of placement in the school of origin based on potential harm to the student, as discussed above. Parents and unaccompanied youth must be informed of this right to transportation before they select a school for attendance.

Schools and liaisons shall use the district transportation form to process transportation requests. Requests shall be processed and transportation arranged without delay. If the student in transition is living and attending school in this district, this district shall arrange transportation. If the student in transition is living in this district but attending school in another, or attending school in this district but living in another, this district will follow the inter-district transportation agreement to determine who must arrange transportation. It is this district's policy that inter-district disputes shall not result in a student in transition missing school. If such a dispute arises, this district will arrange transportation and immediately bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth.

In addition to receiving transportation to and from the school of origin upon request, children and youth in transition shall also be provided with other transportation services comparable to those offered to housed students.



Services

Children and youth in transition shall be provided services comparable to services offered to other students in the school selected, including:

- Transportation (as described above)
- Title I (as described below)
- Educational services for which the student meets eligibility criteria, including special education and related services and programs for English language learners
- Vocational and technical education programs
- Gifted and talented programs
- School nutrition programs
- Before- and after-school programs

The district recognizes that children and youth in transition suffer from disabilities at a disproportionate rate, yet frequently are not evaluated or provided appropriate special education and related services. To address this problem, evaluations of children and youth in transition suspected of having a disability shall be given priority and coordinated with students' prior and subsequent schools as necessary to ensure timely completion of a full evaluation. When necessary, the district shall expeditiously designate a surrogate parent for unaccompanied youth suspected of having a disability. If a student has an Individualized Education Program (IEP), the enrolling school shall immediately implement it. Any necessary IEP meetings or re-evaluations shall then be conducted expeditiously. If complete records are not available, IEP teams must use good judgment in choosing the best course of action, balancing procedural requirements and the provision of services. In all cases, the goal will be to avoid any disruption in appropriate services.

When applying any district policy regarding tardiness or absences, any tardiness or absence related to a child or youth's living situation shall be excused. Our school district will follow state procedures to ensure that youth in transition and youth who are out of school are identified and accorded equal access to appropriate secondary education and support services. School personnel shall refer children and youth in transition to appropriate health care services, including dental and mental health services. The liaison will assist the school in making such referrals, as necessary.

School personnel must also inform parents of all educational and related opportunities available to their children and provide parents with meaningful opportunities to participate in their children's education. All parent information required by any provision of this policy must be provided in a form, manner, and language understandable to each parent.

Disputes

If a dispute arises over any issue covered in this policy, the child or youth in transition shall be immediately admitted to the school in which enrollment is sought, pending final resolution of the dispute. The student shall also have the rights of a student in transition to all appropriate educational services, transportation, free meals, and Title I services while the dispute is pending.

The school where the dispute arises shall provide the parent or unaccompanied youth with a written explanation of its decision and the right to appeal and shall immediately refer the parent or



youth to the liaison. The liaison shall ensure the student is enrolled in the school of his or her choice and receiving other services to which he or she is entitled and shall resolve the dispute as expeditiously as possible. The parent or unaccompanied youth shall be given every opportunity to participate meaningfully in the resolution of the dispute. The liaison shall keep records of all disputes in order to determine whether particular issues or schools are repeatedly delaying or denying the enrollment of children and youth in transition.

The parent, unaccompanied youth, or school district may appeal the liaison's decision as provided in the state's dispute resolution process.

Free Meals

Hunger and poor nutrition are obvious barriers to learning. To help ensure that children and youth in transition are available for learning, the U.S. Department of Agriculture has determined that all children and youth in transition are automatically eligible for free meals. On the day a child or youth in transition enrolls in school, the enrolling school must submit the student's name to the district nutrition office for immediate processing.

Title I

Children and youth in transition are automatically eligible for Title I services, regardless of what school they attend. The trauma and instability of homelessness put students at sufficient risk of academic regression to warrant additional support. The district shall reserve such funds as are necessary to provide services comparable to those provided to Title I students to children and youth in transition attending non-participating schools. The amount reserved shall be determined by a formula based upon the per-pupil Title I expenditure and developed jointly by the liaison and the Title I director. Reserved funds will be used to provide education-related support services to children and youth in transition, both in school and outside of school, and to remove barriers that prevent regular attendance.

Our district's Title I plan will be coordinated with our McKinney-Vento services, through collaboration between the Title I director and the liaison. Children and youth in transition shall be assessed, reported on, and included in accountability systems, as required by federal law and U.S. Department of Education regulations and guidance.

Training

The liaison will conduct training and sensitivity/awareness activities for the following LEA and school staff at least once each year: the Assistant Superintendent, principals, assistant principals, federal program administrators, registrars, school secretaries, school counselors, school social workers, bus drivers, custodians, cafeteria workers, school nurses, and teachers. The trainings and activities will be designed to increase staff awareness of homelessness, facilitate immediate enrollment, ensure compliance with this policy, and increase sensitivity to children and youth in transition.

The liaison shall also obtain from every school the name and contact information of a building liaison. Building liaisons will lead and coordinate their schools' compliance with this policy and will receive training from the district liaison annually.



Coordination

The liaison shall coordinate with and seek support from the State Coordinator for the Education of Homeless Children and Youth, public and private service providers in the community, housing and placement agencies, the pupil transportation department, liaisons in neighboring districts, and other organizations and agencies. Coordination will include conducting outreach and training to those agencies and participating in the local continuum of care, homeless coalition, homeless steering committee, and other relevant groups. Both public and private agencies will be encouraged to support the liaison and our schools in implementing this policy.

Pre-school

Pre-school education is a very important element of later academic success. Children in transition have experienced many difficulties accessing pre-school opportunities. To facilitate pre-school enrollment and attendance, the provisions of this policy will apply to pre-schools. Our district will ensure that children in transition receive priority enrollment in pre-school programs operated by the district, including exempting children in transition from waiting lists.

Children in transition with disabilities will be referred for pre-school services under the Individuals with Disabilities Education Act (IDEA). Children in transition under age three will be referred for at-risk services under Part C of IDEA and screened to determine if referrals for additional Part C services are appropriate. The liaison will collaborate with Head Start and Even Start programs and other pre-school programs to ensure that children in transition can access those programs.

References

The McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 – 11436.

Title I, Part A of the Elementary and Secondary Education Act, 20 U.S.C. §§6311 – 6315.

The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 *et seq.*

April 6, 2002 Policy of the Child Nutrition Division of the U.S. Department of Agriculture.

June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.

Add relevant state laws/regulations here:



Appendix H: School-Level Point of Contact Form



School-Level Point of Contact Form:

Include the information necessary to have the school point-of-contact information form returned to you via the school district's interoffice mail system. A mailing label can be used. Principals need only fill in the form, fold the paper in half, staple or tape it, and return.

School-Level Point of Contact Information Sheet:

This is a single-sided information sheet. A copy should be given to principals, and the principals should give it to the individual designated as the point of contact for homeless education.



School-Level Point of Contact Form

The school-level point of contact for homeless education ideally should be someone involved with student enrollment or working with students on a regular basis (e.g., a guidance counselor). For your convenience, this sheet is labeled to return to me. Please fill in the information below and return the form via intra-school district mail by _____ (fill in a date).

School Name: _____

School Point of Contact for Homeless Education: _____

Phone Number: _____

E-mail: _____

Thank you for your time. I will be providing your school contact with more information.



FOLD HERE

PLACE MAILING LABEL HERE

School-Level Point of Contact for Homeless Education Information Sheet

What is a Point of Contact for Homeless Education?

A person in the school who can be contacted by the school district's liaison to share information about educating children and youth experiencing homelessness.

What are the responsibilities of a Point of Contact?

- Share information sent by the liaison with appropriate school faculty and staff members.
- Share with the liaison any difficulties that the school is experiencing in working with students who are homeless or other information, as needed.

What is the time commitment?

The time commitment may be less than one hour a month if the school has no issues related to homeless education. If there are issues with enrolling or educating students who are experiencing homelessness, more time may be needed.

How am I going to learn more about this new responsibility?

A follow-up letter giving more details and information will be sent to all school-level Points of Contact once principals have designated contacts.

What basic facts do I need to know about children and youth experiencing homelessness and education?

All children have a right to a free, appropriate public education. The McKinney-Vento Homeless Education Act of 2001 (Public Law 107-110) effective July 1, 2002, requires that homeless children:

- Be immediately enrolled in school, and enrollment requirements, such as immunizations or school records, cannot act as barriers to exclude children from school.
- Have a choice in where to enroll: their school of origin or the local school for their current residence .
- Have access to services comparable to those that housed students receive, including access to Title I resources.

Who can I contact with questions about this responsibility?

Contact the school district homeless education liaison:

Name: _____

Telephone: _____

E-mail: _____



Appendix I:

Tip Sheets for:

School Administrators
Guidance Counselors
School Nurses
Teachers
School Secretaries
Parents



Administrator

You Can Support the Access and Success of Children and Youth Experiencing Homelessness in School

- Be familiar with common characteristics of children who are homeless. Common signals are attendance at several schools, poor hygiene, gaps in learning, transportation problems, poor health and nutrition, and a lack of preparedness for class.
- Welcome the student and the family, and let them know that the school is a safe and secure place.
- Make sure the child enrolls in the free and reduced-price meal programs.
- Ensure that the student has every opportunity that a non-homeless student has for after-school activities and in-school programs.
- Let parents know of their child's educational rights.
- Know your attendance zone, visit shelters to make contact with the shelter director, and reinforce that students will find the school safe and supportive.
- Hold school meetings, such as the PTA meeting, in neighborhood centers to increase accessibility to school events.
- Provide city bus tokens to get parents to school for conferences, school events, or PTA meetings.
- Encourage parents to volunteer. Discuss their interests and offer suggestions that allow them to use their expertise. Many parents will help if invited to do so.
- Support the school staff as they work with the student.
- Contact the school district homeless liaison for additional support.
- Show that you care about the student!

This tip sheet was adapted from Illinois, North Carolina, Texas, and Virginia Departments of Education and the National Center for Homeless Education documents.



Guidance Counselor

You Can Support the Access and Success of Children and Youth Experiencing Homelessness in School

- Be familiar with common characteristics of children who are homeless. Common signals are attendance at several schools, poor hygiene, gaps in learning, transportation problems, poor health and nutrition, and a lack of preparedness for class.
- Introduce yourself as someone who works as an advocate for the child's success in school.
- Arrange a follow-up meeting with parents a couple of weeks after enrollment.
- Ask if the child participated in any after-school activities or had special classes at a previous school, then work to connect the child with similar resources if they are available.
- Make sure the child enrolls in the free and reduced-price meal programs.
- Ensure that the student has every opportunity that a non-homeless student has for after-school activities and in-school programs.
- Let parents know of their child's educational rights.
- Know your attendance zone, visit shelters to make contact with the shelter director, and reinforce that students will find the school safe and supportive.
- Offer support for the physiological needs of the student (food, clothing) as well as the social/emotional needs (safety, security, and belonging).
- Train peer buddies to orient students to the school.
- Show that you care about the student!

This tip sheet was adapted from Illinois, North Carolina, Texas, and Virginia Departments of Education and the National Center for Homeless Education documents.



School Nurse

You Can Support the Access and Success of Children and Youth Experiencing Homelessness in School

- Be familiar with common characteristics of children who are homeless so you can recognize them. Common signals are attendance at several schools, poor hygiene, transportation problems, and poor health and nutrition.
- Verify immunization records and, if needed, refer the student to the local health department.
- Observe and alert the principal to any serious medical concern.
- Ask about glasses; the child may need them but not have any.
- Make sure the child enrolls in the free and reduced-price meal programs.
- Assist parents with the completion of medical records.
- Remember that sending a sick child “home” may not be a safe or stable place for a child who is experiencing homelessness. Help families determine options for their children, if ill.
- Contact the school district homeless liaison so that additional services can be coordinated.
- Follow-up with children sent to obtain immunizations or physicals.
- Contact the parent or shelter if a child is absent for three or more days.
- Develop reliable, accessible resources for medical, dental, and eye care.
- Sponsor a PTA health night.
- Show that you care about the student!

This tip sheet was adapted from Illinois, North Carolina, Texas, and Virginia Departments of Education and the National Center for Homeless Education documents.



Teacher

Support Classroom Access and Success of Students Experiencing Homelessness

- Be familiar with common characteristics of children who are homeless, such as attendance at several schools, poor hygiene, gaps in learning, attendance and transportation problems, poor health and nutrition, and a lack of preparedness for class.
- Assist other students in being sensitive to stereotypes of homeless people.
- Adjust assignments so children not living in permanent settings can complete them. (Such children may not have a place to perform a science experiment or the resources to cut out an article for current events.)
- Make sure the child enrolls in the free and reduced-price meal programs.
- Ensure that the student has every opportunity that a non-homeless student has for after-school activities and in-school programs.
- Communicate with the parents about school performance.
- Connect the child with tutoring and remediation services, if needed.
- If you have a snack break, keep a store of snacks for students who don't bring one.
- Do not take away possessions. Students may need their "stuff" nearby for security.
- Hold the child accountable for what she or he can control (e.g., behavior or attitude) not what is not in the child's control (e.g., inability to watch a news program or purchase a poster board for a project).
- Before you receive a new student
 - ◉ Prepare a list of your class routines and procedures.
 - ◉ Prepare a new student file with information for parents and guardians.
 - ◉ Maintain a supply of materials for students to use at school.
 - ◉ Prepare a "getting-to-know-you" activity available for the class to do when a new student arrives.
 - ◉ Have the class schedule visible.



Teacher (continued)

Support Classroom Access and Success of Students Experiencing Homelessness

- When a student enters the class
 - ⦿ Introduce the student to the class.
 - ⦿ Assign a class buddy to assist with routines.
 - ⦿ Review the academic record and closely monitor the educational progress of the student.
- When a student leaves
 - ⦿ Support the class and the student by discussing the move and having classmates write letters to the departing student.
 - ⦿ Give the student a copy of the school's address so that letters can be written back either via e-mail or snail mail.
- Show that you care about the student!

This tip sheet was adapted from Illinois, North Carolina, Texas, and Virginia Departments of Education and the National Center for Homeless Education documents.



10 Things Secretaries/Enrollment Personnel Can Do for Students Experiencing Homelessness

1. Learn to identify the following tell-tale signs of homelessness:
 - Chronic hunger or tiredness
 - Erratic attendance at schools
 - Attendance at multiple schools
 - Poor grooming or clothing that draws attention
 - Lack of records, such as birth certificate, immunization record, pre-school physical, and school records, or incomplete records
 - Parent who seems confused when asked about the last school attended
 - Low-income motel address on enrollment form
 - Statements from family when enrolling, such as:
“We’ve been having a hard time lately.” “It’s a new address. I can’t remember it.”
“We move a lot and are staying with friends until we find a place.”
2. Assure families that children can enroll if you think that they are experiencing homelessness. (This is mandated by the McKinney-Vento Homeless Education Act, P.L. 107-110.)
 - Enroll the child immediately (even without records). Ask for the name and city of the last school attended; then call that school and ask to have the records sent.
 - Arrange for the child to take a placement test if records are not available.
3. Take the family to a private place to fill out enrollment forms.
4. Offer to assist with filling out the enrollment forms. Hesitation may indicate an inability to read.
5. Assist with filling out free and reduced-price meal program forms. Arrange for lunch that day.
6. Have copies of the school/class supply lists.
7. Provide a welcome pack with paper, pencil, pen, and crayons (younger grades).
8. Privately and confidentially alert the child’s teacher and guidance counselor of the student’s living situation.
9. Before a student leaves, prepare a parent pack, a 9” x 12” (laminated, if possible) mailing envelope with photocopies of the student’s records (scholastic, social security, immunization, etc.). Share a copy with the family, and be prepared to share records with the new school quickly to expedite appropriate placement.
10. Be sensitive, patient, calm, and reassuring. YOU can make a difference!

For more information, contact your school district’s homeless education liaison.

Adapted from Maryland Department of Education flyer



Tips for Parents

- Know your educational rights.
 - ⦿ Enroll your child in school. You can enroll your child even if you are missing immunization records, school records, and proof of residency.
 - ⦿ Let the school know where you want the child to attend school. The McKinney-Vento Homeless Education Act gives your child the right to stay at the current school even if the family's homeless situation means you are no longer in the attendance zone. The school would be called the school of origin, and school districts must let students stay, to the extent feasible. Your child also may attend the school where you are currently living.
- Keep copies of critical records such as immunizations, Social Security number, health physicals, and individualized education programs (IEPs). Ask someone you trust to keep a set of records for you if your current living arrangements make this difficult.
- Maintain high expectations for your child.
- Ask questions, such as the following:
 - ⦿ Is transportation available for my child to stay in the same school?
 - ⦿ Will someone help us transfer records quickly when we move?
 - ⦿ Is there a pre-school program?
 - ⦿ Is there a summer school program?
 - ⦿ Are there any special classes that would benefit a talent my child has?
 - ⦿ Should my child be tested for special education?
 - ⦿ Are there sports, music, or other activities in which my child can participate?
 - ⦿ Can my child receive free meals at school?
 - ⦿ Are school supplies available?
 - ⦿ Will my child be able to go on field trips even if we are unable to pay?
 - ⦿ Are there after-school study halls or tutoring available?

Local Homeless Education Liaison



Appendix J: Collaboration Action Plan



Collaboration Action Plan

Level	Strategies	People Needed	Timeline
1 Awareness			
2 Assessment			
3 Coordination of Resources			
4 Collaboration Outreach Case Management			

Adapted from Miami-Dade County Public Schools, Project UP-START, Homeless Children and Youth Program, Miami, Florida.



Appendix K: Telephone Contacts Form



Helpful Telephone Contacts for Students Experiencing Homelessness

Updated on _____

Resource	Phone Number	Contact Person	Services Offered
Boys and Girls Club			
Food Pantry			
Health Department			
Housing and Urban Development (HUD) Office			
Medical Contacts (dentists, optometrists, doctors, mental health professionals)			
Salvation Army			
Shelter:			
Shelter:			
Shelter:			



Appendix L: Sample Announcement



Sample Announcement

Homeless Education

A homeless individual is someone who lacks a fixed, regular, and adequate nighttime residence. This includes anyone who, due to a lack of housing, lives:

- In emergency or transitional shelters
- In motels, hotels, trailer parks, campgrounds, abandoned in hospitals, awaiting foster care
- In cars, parks, public places, bus or train stations, abandoned buildings
- Doubled up with relatives or friends
- Migratory children living in these conditions

Homeless students face multiple challenges and barriers to success in school. The Education for Homeless Children and Youth Program provides resources and technical assistance to ensure homeless students are enrolled in school and have the supports and resources necessary for success. If you would like to be on our mailing list, have questions related to the education of homeless children and youth, or would like additional information, brochures, posters, or resource lists, please contact:

Name: _____

Organization: _____

Address: _____

Phone: _____

Toll-Free: _____

Fax: _____

TDD: _____

E-mail: _____

Website: _____



Appendix M: Web-Page Development Form



Basic Web Page

Ask the webmaster for the school district if he or she prefers receiving the material electronically or as a hard copy. This web page contains “bare bones” basics that may be included to promote awareness. This can be as short as a single page or longer depending on local needs and resources.

Suggested items to include

School District name: _____

Local Liaison for Homeless Education: _____

Local Liaison’s telephone number: _____ ext. _____

Local Liaison’s e-mail address: _____

Name of the State Coordinator for Homeless Education: _____

State Coordinator’s telephone number: _____ ext. _____

Provide a link to or list the state homeless education website: _____

Banner message for the top of the page: *Homeless Children & Youth Have the Right to a Free, Appropriate Public Education*

Copies of school district procedures regarding the education of children and youth experiencing homelessness

Tips for administrators working with parents and children experiencing homelessness (see Appendix I)

Tips for teachers working with students experiencing homelessness (see Appendix I)

Links to helpful web pages (see Appendix O)

Common Questions and Answers

Q: Who is homeless?

A: Anyone who, due to a lack of housing, lives:

- In a shelter
- In a motel
- In a vehicle
- In a campground
- On the street
- Doubled up with relatives or friends

(see Appendix B)



Q: Where can homeless children and youth attend school?

- A:
- The school in which the child or youth was last enrolled (school of origin)
 - The school in the attendance area where the child or youth is temporarily living

Q: What is needed to enroll a student in (name of the school district)?

(fill in appropriate information above)

Q: Can students experiencing homelessness be denied enrollment if the parent/guardian does not have proof of residency?

A: No. The parent/guardian may sign an affidavit stating that the family is staying in temporary accommodations.

Q: What if the parent/guardian does not have the school records for a child experiencing homelessness?

- A:
- Ask that the homeless child or youth be enrolled in school until the records arrive.
 - Ask that a student's immunization records be transferred over the phone from the sending school to the receiving school.
 - Contact your school district, principal, counselor, or local homeless education liaison with any concerns.



Appendix N: Homeless Education Awareness Presentation

PowerPoint® Slides and Speaker's Notes
Presenter's Tip Sheet
Handouts



Note: PowerPoint® presentation is available for download at www.serve.org/nche



Children and Youth Experiencing Homelessness Have the Right to a Free, Appropriate Public Education

Presenter:

When planning the presentation, consider the audience and the setting. There are two slides that can be expanded into activities and discussion starters or just used for participant reflection. The actual lecture time of the presentation is approximately 15 minutes. Some of the slides possess natural places for the liaison to insert local information to go with the national data. See the presentation notes pages for suggestions to insert local information. The more the general presentation can be customized, the stronger the impact on the audience.

Be sure to share your own contact information. It can be added to this slide in the “Presenter” section and on your handout.

Use the blank space on the bottom of these note pages to add any additional comments or directions you would like to incorporate into your presentation.



The Scale of Homelessness

- Up to two million people will experience homelessness this year.
- Approximately half of these people will be children and youth.
- Families are the fastest-growing segment of the homeless population.

Source: National Law Center on Homelessness and Poverty. (1990). *Out of sight—Out of mind? A report on anti-homeless laws, litigations, and alternatives in 50 United States*. Washington, DC: Author.

Contact the state homeless education coordinator to find out how many homeless children were identified in the most recent child estimate for your state and locality.

Use school district data to share how widespread the issue of homelessness is in the local community.

Share the number of shelters in the school district to give the audience a sense of the scale of the issue.



How vulnerable are you to becoming homeless?

Answer “yes” or “no” to the following:

- Could you ever experience a flood, fire, tornado, or other natural disaster?
- Do you work in an area of the economy/job market where your job might become obsolete?
- Could you ever suffer from a long-term illness or accident without proper health benefits or other compensations?
- Do you live in a household with no more than one full-time wage earner?
- Are you behind on any monthly bills?
- Are housing costs in your area increasing faster than wages?
- Does anyone in your family struggle with addictions such as drugs or alcohol?

Adapted from Helping H.A.N.D.S., Paducah, KY.

There are many reasons that people become homeless.

Answering “yes” to one or more questions does not mean that someone will become homeless; however, these are common causes. The activity illustrates that homeless individuals and families are not so different from any of us.



Who is homeless?

- An individual who lacks a fixed, regular, and adequate nighttime residence, including children and youth who are:
 - Sharing housing due to loss of housing or economic hardship.
 - Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate housing.
 - Living in emergency or transitional housing.
 - Abandoned in hospitals.
 - Awaiting foster care.
 - Living in cars, parks, public spaces, abandoned buildings, substandard housing, or bus or train stations.
 - Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, regular sleeping accommodations.
 - Migratory children who qualify as homeless because they are living in the circumstances described above.

The descriptions listed here include new items found in the 2001 McKinney-Vento Act reauthorization.

Some people may not be familiar with the term *doubled up*. Be sure to explain this term when describing shared housing. Doubled up is the sharing of housing with other families or individuals due to a loss of housing (not due to cultural preference or a desire to save money).

Not all persons living in the situations described would be considered homeless. Two major factors to consider when making a determination are the adequacy and permanence of the housing.

Notes:

The designation *children and youth* may refer to individuals age 21 and younger. Students with disabilities may be served through age 21. Check your state age limits for serving other students.

Migratory children who are living in the situations described above also may qualify as homeless.

Chapter 3 of the *Toolkit* discusses identification of homeless children and youth. Appendix B of the *Toolkit* contains a flyer that outlines who is considered homeless.

Appendix C contains a flyer with common signs of homelessness.



Possible Signs of Homelessness

These characteristics could be attributed to students with other issues as well as those students experiencing homelessness.

- Attendance at several schools
- More than one family at the same address
- Attention-seeking behavior
- Hunger and hoarding of food
- Poor hygiene and grooming
- Sleeping in class
- Inappropriate dress for the weather
- Some common statements used by homeless students include:
 - "We've moved a lot."
 - "We're staying with relatives/friends while looking for a place."
 - "We're going through a bad time now."



Get Out, Fast!

Your home is on fire, and there are just seconds to get out!

What would you grab and shove into a trash bag to take with you?

This is a sensitivity activity.

If you have time, ask people to share their lists.

If you have limited time, ask participants, (a) “How many people remembered to take report cards for their children?” and (b) “How many people remembered immunization records?”

Discuss or share that many homeless families have left situations (e.g., fire, natural disasters, domestic violence, or evictions) in a hurry and may have valid reasons for lacking documents usually required by schools for enrollment. Under the McKinney-Vento Act, the lack of immunization or school records cannot be a barrier to enrollment.



McKinney-Vento Act

- Reauthorizes the McKinney Act originally enacted in 1987.
- Requires educational access, attendance, and success for children and youth experiencing homelessness.
- Provides states with funding to support local grants and statewide initiatives.

Note that the law was originally crafted due to the large number of homeless children and youth who were not receiving an education. Participants can be directed to locate the timeline for the legislation found in Chapter 2, Figure 1.

You may note that the role of State Coordinator for Homeless Education is a result of this legislation. Be sure participants have the appropriate contact information for their state coordinator.

The 2001 reauthorization required that a local homeless education liaison be present in all school districts. (This new requirement led to the development of the *Toolkit* and training materials.) This individual has the responsibility to ensure homeless children and youth have access to the educational system and receive the needed support to attend regularly and succeed in school.

A copy of the reauthorized legislation can be found in Appendix A of the *Toolkit*.



McKinney-Vento Act: Enrollment

- Requires public schools to immediately enroll students experiencing homelessness even when lacking:
 - Proof of residency
 - Guardianship
 - Birth certificates, school records, or other documents
 - Medical records, including immunization records
 - Required dress code items, including uniforms

In reviewing the local district's enrollment requirements, the LEA could highlight the following:

- Conflict between the federal requirements and local guidelines such that the removal of barriers is necessary (share this with the school board)
- Alignment between the processes of the local district and the federal act
- Reference can be made to Article VI of the U.S. Constitution, known as the "Supremacy Clause," which states that federal law supercedes state and local laws and policies

The LEA could share what alternatives are available such as:

- No proof of residency—an affidavit could be signed stating that one is currently homeless, doubled-up, or staying at other temporary accommodations.
- No previous school records—the school can call/fax the previous school and request the records.
- No immunization records—the school can enroll the student and provide the parent/guardian with information as to where the public health office is located to get the needed immunizations.



McKinney-Vento Act: Enrollment

- School placement in:
 - School of origin, if the parent wishes and it is feasible
 - School in area of current residency
- Educational rights posted in:
 - All public schools
 - The community
- Access for unaccompanied youth
- A dispute resolution process

You may need to explain the following terms:

School of origin—the school the student attended before becoming homeless or where the student was last enrolled. During the chaotic time students are experiencing, having a stable school environment can give students a place to count on with people who know them.

Unaccompanied youth—student who, for whatever reason, does not live with a parent/guardian. (The local liaison must assist unaccompanied youth in the enrollment process.)

If the state has created materials for posting, have copies available for participants. The state's enrollment dispute resolution can be included in the participant's handout.

Appendix D of the *Toolkit* contains sample posters and a parents brochure, and Appendix E contains a variety of enrollment forms.



McKinney-Vento Act: Attendance

- Transportation
- Attendance Officers
- Truancy Laws

Attendance is an obvious prerequisite to school success. Ensuring that students can get to school via safe and reliable transportation is critical. The McKinney-Vento Act requires state and local educational agencies to adopt policies and practices to ensure transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison) to and from the school of origin if 1) within the same LEA, the LEA shall provide or arrange transportation and 2) the LEA that remains the school of origin and the LEA in which the student now resides agree on a method to apportion responsibility and costs for providing transportation to the school of origin. If an agreement cannot be reached, the LEAs must share the cost and responsibility equally.

State coordinators should look at the specific truancy policies for their states and identify possible barriers to attendance. They should also make the person who is responsible for enforcing the truancy rules aware of the liaison and encourage collaboration between the liaison and the attendance officers to ensure that children are attending school.



McKinney-Vento Act: Success

- Comparable services
- Parental involvement
- Liaison collaboration between social service agencies and school districts
- Restriction of the segregation of homeless students

The McKinney-Vento Act requires that:

- Homeless students receive services comparable to those available to housed students. (Note that transportation, discussed on previous slide, may be an example of comparable service.)
- High school or GED completion be promoted.
- Liaisons collaborate with social service agencies and school districts serving students.
- Parents be fully informed of the enrollment options and educational opportunities available to their children and be involved in decision making regarding enrollment options. Schools/districts provide written explanations of decisions when disputes occur.
- Separate schools or programs for students experiencing homelessness be prohibited.

Chapters 4 and 5 of the *Toolkit* emphasize strategies for collaborating and accessing the appropriate educational services for students.



State and Local Policies

This slide should to be customized by the LEA if there are state and local policies to highlight. To do so, insert a summary of the state's laws with regard to homeless education. This information can be obtained from the state homeless education coordinator.

Since each state may have its own legislation and policies related to educating children and youth experiencing homelessness, the state homeless education coordinator should include this information. In general, states must comply with the federal guidelines, but some states have gone further. States may include this slide and enter their additional requirements.

Liaisons should highlight any local policies on serving students experiencing homelessness at this point in the presentation.



Addressing Needs of Students Experiencing Homelessness

School District

- Set aside Title I funds.
- Reserve slots in Head Start and Even Start.
- Ensure enrollment.

Schools

- Enroll students in free breakfast and lunch programs.
- Ensure access to appropriate instructional supports/resources, including those available through Title I set asides, gifted programs, and special education.
- Conduct an educational assessment.
- Provide homeless awareness training.
- Alert teachers of a student's living situation (respecting privacy).



Addressing Needs of Students Experiencing Homelessness, cont'd.

Teachers

- Make the student feel welcome.
- Assign a peer buddy to help the student get acquainted with the school and classroom.
- Make contact with the parents.
- Give the child ownership of school space (e.g., cubbie, locker, etc.).



Working With Children and Youth Experiencing Homelessness

- Reduce school entry stress.
- Promote academic success through encouraging words and actions that recognize the gains made.
- Use tutoring and after-school programs to provide academic support.
- Increase access to services and activities.



Working With Children and Youth Experiencing Homelessness, cont'd.

- Encourage supportive relationships.
- Establish consistent boundaries.
- Have high expectations.
- Recognize stressful environments outside of school, and provide accommodations for homework. (For example, the child may not have the means to be able to make a collage or do a science project outside of school.)
 - Provide needed supplies.
 - Provide time and space in the school.
 - Modify homework.



**Education is the key to
breaking the cycle of
homelessness.**



Presenter Tips

Let us think of education as the means of developing our greatest abilities, because in each of us there is a private hope and dream, which, fulfilled, can be translated into benefit for everyone and greater strength for our nation.

—John F. Kennedy

Quick Tips

Power of 3: Getting the Point Across

Many practiced public speakers ranging from pastors to politicians repeat important points three times. They introduce the points in the opening, elaborate on each during the presentation, and summarize each in the closing statements.

Time Use

Think of the presentation time being divided into three parts: an introduction, explanation/interaction, and wrap-up. In general, 25% of the time is spent on the introduction, 25% on the wrap-up, and 50% of the time on the explanation.

Handouts

- People read handouts when they get them, so give time to look over the materials before launching into your presentation or immediately asking participants to look for or do something in the handout.
- Assure participants that information on the slides is included in the handouts so they will not have to spend time during the presentation taking lots of notes.

Participant Involvement

A quick activity, demonstration of technique, or non-threatening question can enhance audience participation.

Transparencies

Prepare overheads that all participants can see by

- Using a plain font (such as Times Roman, Helvetica, or Arial)
- Selecting a large font size (18 point or larger)
- Including no more than 8 lines of text per slide

Cartoons often are used on transparencies to add humor to a presentation. Make sure to read captions to the audience, as these may be difficult to read for participants in the back of the room.

Movement

Limit your movement when speaking. Some participants may be very distracted if you “talk with your hands” or play with items in your pockets.

Information

- If referencing a book, know the title, author, and ISBN number—people always ask.
- Provide contact data: phone number, e-mail address, or mailing address.

Adult Learners

Adult learners are different from students in K–12 classrooms.

Adult learners are responsible for their own learning, and they seek ways to fill that need.

Adult learners are involved in workshops for a variety of reasons such as:

- Professional benefit
- Benefits to their students
- Mandatory attendance requirement
- Personal interest

Adult learners are professionals in their field and can benefit from both the presentation and the opportunity to interact with colleagues. Participants like to leave knowing how they can affect positive change. One way to do this is to offer participants something that they can try immediately when they get back to school. It should be fairly easy to implement with few, if any, materials needed.

*Developed and contributed by
Project HOPE
P.O. Box 8795
Williamsburg, Virginia 23187-8795*

Children and Youth Experiencing Homelessness Have a Right to a Free, Appropriate Public Education

Who is homeless?

Anyone who, due to a lack of housing, lives

- In emergency or transitional shelters
- In motels, hotels, trailer parks, campgrounds, abandoned in hospitals, awaiting foster care
- In cars, parks, public places, bus or train stations, abandoned buildings
- Doubled up with relatives or friends
- Migratory children living in these conditions

What are some characteristics of students who are homeless?

- Attendance at several schools
- Hungry
- Poor grooming
- Inappropriate clothing for the weather
- Attention-seeking behavior

Are children experiencing homelessness eligible to enroll in pre-school and kindergarten?

Yes. Students who are homeless should have access to the same programs as students who are housed. Head Start and Even Start may reserve enrollment slots for students experiencing homelessness.

What services must school districts provide to children and youth in homeless situations?

School districts must provide homeless students with services comparable to services provided to other students in the school district. Homeless children must have access to educational services for which they qualify, including special education, gifted education, free and reduced-price lunch program, before- and after-school activities, and Title I services.

Where can students experiencing homelessness attend school?

- The school the child or youth attended prior to becoming homeless or the last school in which the student was enrolled. (Known as the school of origin)
- The school in the attendance area where the child or youth is currently living

Can students be enrolled without records or proof of residency?

- Yes. Homeless students must be enrolled immediately.
- The receiving school must contact the previous school to obtain missing school records. Enroll the student while waiting for missing documents.
- If immunization records are missing, enroll the student. The local liaison must refer the parents to the local public health office for immunizations.
- If proof of residency is lacking, the parent or guardian may sign an affidavit stating the family is homeless.

Where can I go for more information and assistance?

The local liaison must assist these students in the enrollment process.

National Center for Homeless Education at SERVE
www.serve.org/nche

NCHE HelpLine: 800-308-2145

U.S. Department of Education
www.ed.gov

National Law Center for Homeless & Poverty
www.nlchp.org

National Association for the Education of Homeless Children and Youth
www.naehcy.org

Local Liaison: _____

Telephone: _____

E-mail: _____

Questions and Answers for Supporting the Academic Success of Children and Youth Experiencing Homelessness

What is the McKinney-Vento Homeless Education Act of 2001?

The McKinney-Vento Homeless Education Assistance Act is Title X, Part C of the No Child Left Behind Act of 2001. This legislation ensures that children and youth experiencing homelessness have full and equal access to an appropriate public education and that they experience success in school. Key components include:

Enrollment

- Schools must immediately enroll children and youth in homeless situations, even when:
 - ⊙ School or immunization records are unavailable at the time of enrollment.
 - ⊙ Proof of residency is not available.
- Students may stay in their school of origin, if feasible.
- Public notice of the educational rights of homeless children and youth must be posted in every public school and in appropriate places throughout the community.
- Unaccompanied youth must be provided educational access through the support of the local homeless education liaison. (See definition under “Who is considered homeless.”)

Attendance and Success

Students with appropriate support are more likely to attend school on a regular basis. Attendance is critical if school success is to be realized. School districts must provide appropriate case management to ensure students have access to all educational services to which they are eligible.

- Students experiencing homelessness must receive services comparable to those of housed students.
- Transportation to the school of origin must be provided, when appropriate.
- Social service agencies and school districts must work together to serve students.
- Families and unaccompanied youth experiencing homelessness must be fully informed of available enrollment options and educational opportunities.
- Schools must provide written explanations of placement decisions and the enrollment dispute process.
- Separate schools or programs for children and youth experiencing homelessness are prohibited, with the exception of several programs specifically named in the McKinney-Vento Act.

Who is Considered Homeless?

The McKinney-Vento Act (Section 725) defines a “homeless children and youth” (school age and younger) as:

- Children and youth who lack a fixed, regular, and adequate nighttime residence, including children and youth who are:
 - ⊙ Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
 - ⊙ Living in motels, hotels, trailer parks, cars, public spaces, abandoned buildings, substandard housing, bus or train stations, camping grounds or similar settings due to the lack of alternative adequate accommodations.
 - ⊙ Living emergency or transitional shelters.



(Questions and Answers for Supporting the Academic Success of Children and Youth Experiencing Homelessness, continued)

- ⦿ Abandoned in hospitals.
- ⦿ Awaiting foster care placement.
- Migratory children who qualify as homeless because they are living in circumstances described above.
- Unaccompanied youth, including any youth not in the physical custody of a parent or guardian, such as runaways, youth denied housing by their families (sometimes referred to as throwaway children and youth), and school-age unwed mothers, living in homes for unwed mothers, who have no other housing available.

How can schools verify that students are homeless?

There is no universal system of verification. Shelter providers may verify homeless status. Children and youth must be enrolled immediately when the school is informed that the family or youth is experiencing homelessness. If questions regarding homeless status based upon the definition of the McKinney-Vento Act exist, schools should contact their local homeless education liaison.

Are all children and youth who live with friends or relatives considered homeless?

No. Lack of affordable housing and permanence of the living arrangement, not cultural preference or the desire to save money, are criteria to assist in determining who should be considered homeless.

Are children and youth who qualify for migrant services considered homeless?

The children of migrant workers should only be considered homeless if they meet the definition

of homelessness cited earlier. A migratory lifestyle is not sufficient to be considered homeless.

Are children or youth incarcerated or in correction facilities considered homeless?

No. The McKinney-Vento Act specifically excludes any person who is imprisoned or otherwise detained by Act of Congress or state law from the definition of homelessness. Even children or youth who were homeless prior to incarceration, are not considered homeless while incarcerated.

What additional guidance is available regarding the definition of homelessness and the education of homeless students?

The organizations listed on the last page of this information brief have developed materials to support state and local efforts. Continue to visit their websites for new materials and resources.

How Quickly Must Children and Youth Experiencing Homelessness be Enrolled in School?

Schools must immediately enroll a child or youth experiencing homelessness, even if the child or youth is unable to produce records normally required for enrollment.

What homeless children need most of all is a home. While they are experiencing homelessness, however, children desperately need to remain in school. School is one of the few stable, secure places in the lives of homeless children and youth—a place where they can acquire the skills needed to help them escape poverty.

—National Coalition for the Homeless



(Questions and Answers for Supporting the Academic Success of Children and Youth Experiencing Homelessness, continued)

Must a school enroll children or youth without proof of immunizations or physicals?

Yes. The school must enroll students who do not have health records if they meet the definition of homeless. The school should refer the family or youth to the local homeless education liaison to obtain the necessary documentation. The sending school may provide a copy of the health record to the parent when the student leaves and fax a copy to the new school to facilitate this process.

Must schools enroll students in homeless situations who do not have previous school records?

Yes. Students experiencing homelessness must be enrolled in school while waiting for the previous school records to be received. Parents can request copies of critical documents such as Individualized Educational Programs (IEPs), gifted testing records, and report cards from the sending school. Parent packs, developed by NCHE, (see additional resources) may assist in maintaining important school documents.

If a student in a homeless situation moves without returning books or paying fees, can a school district withhold student records?

No. A school district cannot withhold records when books or charges have not been paid.

Can a school require proof of residency (rent receipt, lease agreement, utility receipt) that prevents or delays enrollment?

No. Homeless students, by definition, lack a fixed residence and cannot be required to provide

traditional proof of residency if doing so is not possible or would delay enrollment. An affidavit explaining the lack of residency proof can be completed as an alternative.

When children or youth experiencing homelessness are not living with parents or legal guardians, is the school required to enroll the child?

Yes. Guardianship cannot be a barrier to enrollment. Some students, due to family situations, may not be able to live with their family; others are not permitted by their parents or guardians to live at home. The local liaison should be contacted to assist unaccompanied youth who wish to enroll in school.

If families in homeless situations move within a school district, can students stay at the same school, even if they move out of the school's attendance zone?

Yes, the McKinney-Vento Act states, that when feasible, students have a right to stay in the school of origin. The school of origin is the school that the child attended when permanently housed or the last school in which the student was enrolled.

Can school districts educate children and youth experiencing homelessness in separate schools (e.g., classes located on shelter sites)?

Homelessness is not a reason to separate students from their housed peers. Students in homeless situations must not be isolated from the mainstream school environment except in a few limited circumstances defined in the McKinney-Vento legislation.



(Questions and Answers for Supporting the Academic Success of Children and Youth Experiencing Homelessness, continued)

What services must school districts provide to children and youth in homeless situations?

The McKinney-Vento Act requires school districts to provide services to students experiencing homelessness that are comparable to services provided to other students in the school district. Homeless children and youth must have access to any educational services for which they qualify, including special education, gifted education, free and reduced-lunch programs, before- and after-school activities, and Title I services. The students are not to be segregated or stigmatized.

Can Title I funds be used to address the educational needs of children and youth experiencing homelessness?

Yes. According to the No Child Left Behind Act, children and youth experiencing homelessness automatically qualify for Title I support, whether students attend schoolwide, targeted assistance, or non-Title I schools. Title I must coordinate services in order to promote the academic achievement of homeless students.

May children and youth experiencing homelessness attending non-Title I schools be served under Title I?

Yes. Title I, Part A funds must be reserved to provide comparable services to eligible homeless children who might attend schools not receiving Title I funding. This may include providing educationally related support services to children in shelters.

Are children experiencing homelessness eligible to enroll in pre-kindergarten classes?

Yes. Students who are homeless should have the same access to programs as students who are housed. Head Start and Even Start may reserve slots for students experiencing homelessness to avoid waiting list delays that occur when children arrive after the school year has begun.

How should special education programs serve students experiencing homelessness?

The Individuals with Disabilities Act (IDEA) was amended in 2004 to facilitate the timely assessment, appropriate service provision and placement, and continuity of services for children and youth with disabilities who experience homelessness and high mobility. Schools and school districts are required to complete initial evaluations within specific timeframes, ensure that assessments of children who transfer to a new school district are coordinated with prior schools, and provide children who have current IEPs and transfer to a new school district during the school year with services immediately. For unaccompanied youth, IDEA specifically requires LEAs to appoint surrogate parents.

Other Frequently Asked Questions

What academic concerns commonly impact students in homeless situations?

Due to changing schools and the stress of being homeless, students may fall behind academically, causing learning lags and gaps that can be more than four months. Students may not have quiet places to study or access to school supplies, books, or computers. Students need



(Questions and Answers for Supporting the Academic Success of Children and Youth Experiencing Homelessness, continued)

to know of study halls or after-school tutoring availability. If a child was receiving special education services or was participating in gifted and talented programs, the continuity of instruction needs to be maintained.

What are some common health-related issues affecting students experiencing homelessness?

Students who are homeless are often at an increased risk of becoming ill due to their living conditions. If the students become sick, they often have no quiet place to rest. These students are more likely than their peers to get the flu, have stomach ailments, have respiratory problems, and visit the emergency room. School nurses can help by offering referrals for screenings, maintaining a clothes closet, assisting parents in filling out forms, and ensuring that students are aware of the school's procedure for participating in the free and reduced-lunch program.

What are some of the other issues that commonly affect students experiencing homelessness?

Students in homeless situations often are concerned about their safety because they may not have a secure place to go after school. In these instances, students should be told about and about community programs, such as a Boys and Girls clubs. In addition, homeless students must also deal with the stigma associated with being homeless. They may have difficulty establishing friendships. Guidance counselors or school social workers may assist students in dealing with emotions associated with being homeless. Schools can create welcome packs for all new students containing basic information about the school and assign peer buddies to tour the school.

Where can I go for more information and assistance?

Additional guidance from the United States Department of Education will be available in the fall 2002.

NCHE provides services to improve educational opportunities and outcomes for children and youth experiencing homelessness in our nation's school communities. They provide resources and referral information.

Contact Information

NCHE
P.O. Box 5367
Greensboro, NC 27453
336-315-7543
800-308-2145 Toll-Free
336-315-7457 Fax
HelpLine: 800-308-2145
www.serve.org/nche

Other Helpful Contacts

National Association for the Education of Homeless Children and Youth
www.naehcy.org

National Law Center on Homelessness & Poverty
www.nlchp.org

The U.S. Department of Education
www.ed.gov

Local Liaison: _____

Telephone: _____

E-mail: _____



Appendix O:

Research and Resources

Research
Print Resources
Audiovisual Resources
Children's Literature
Internet-Accessible Resources



Research on Students Experiencing Homelessness

Harms, T., Ray, A. R., & Rolandelli, P. (Eds.). (1998). *Preserving childhood for children in shelters*. Washington, DC: CWLA Press.

Written for shelter care providers, the chapters on “The Effect of Homelessness on Children and Families” and “Support and Education for Parents” contain useful ideas to meet the needs of homeless children and youth and their parents.

Hightower, A. M., Nathanson, S. P., & Wimberly, G. L. (1997). *Meeting the educational needs of homeless children and youth: A resource for schools and communities* (U.S. Department of Education Publication No. 016492424). Washington, DC: Author.

The booklet describes strategies to meet the educational needs of children and youth experiencing homelessness. The booklet discusses ensuring access to school, meeting students’ personal needs, raising awareness, collaborating with other agencies, and offering suggestions for how people can help. Offered free of charge for single copies from the U.S. Department of Education, Compensatory Education Program by calling 800-USA-LEARN (800-879-5327).

Mickelson, R. A. (Ed.). (2000). *Children on the streets of the Americas: Globalization, homelessness, and education in the United States, Brazil, and Cuba*. New York: Routledge.

The book offers vignettes to assist the reader in connecting with the issues. While three countries are studied, the chapters discuss how schools can be vehicles of hope and help while fulfilling the goal of educating children and youth. The impact of homelessness on regular education and special education students is addressed along with suggestions to improve the academic experience of students who are experiencing homelessness.

National Center for Homeless Education at SERVE. (1999). *The education of homeless children and youth: A compendium of research and information*. Greensboro, NC: Author.

The book provides an overview of the issues associated with the education of children and youth experiencing homelessness. Included are the legal, educational, family, and community considerations. Selected articles are reproduced. A matrix of articles and books highlighted in the annotated bibliography is presented to assist the reader in targeting articles of interest.

Stronge, J. H. (Ed.) (1999). Educating homeless children and youth [Special issue]. *Journal for a Just and Caring Education*, 5(1).

The special issue of the journal contains several articles dealing with a variety of subjects related to the education of homeless of children and youth. Legal issues, legislation, resilience, and educating students who are homeless are addressed.

Stronge, J. H., & Reed-Victor, E. (Eds.). (2000). *Educating homeless students: Promising practices*. Larchmont, New York: Eye on Education.

The book addresses challenges and promising practices related to children, youth, and families experiencing homelessness. The book’s editors divided the chapters into four parts: focus on the student, focus on the family, focus on the school, and focus on the community.



Print Resources

Berliner, B., & Fleming-McCormick, T. (2000). *Imagine the possibilities: A sourcebook for educators committed to the educational success of students experiencing homelessness*. Available online by ordering a copy from WestEd www.wested.org/cs/we/view/rs/552.

The sourcebook contains materials and activities that can be used in workshops and for increasing awareness, overcoming barriers, collaborating with other groups, and working in the classroom to promote sensitivity to the issue of homelessness.

Best Practices in Homeless Education: Implementation Guide created by the Homeless Children and Youth Program, Division of Student Services of the Miami-Dade County Public Schools.

The *Implementation Guide* is a good model for a LEA who is looking for how to create a resource for use in the school district and covers general information about homeless education, such as background, law, awareness, and specifics related to the local area. The homeless education LEA contact is Dr. Juanita de la Cruz, and she can be reached at 305-995-7334.

Project HOPE. (2001). *Homeless Education Bibliography of Resources*. This resource is compiled and updated by Project HOPE, Virginia's homeless education office. PDF version available at <http://wm.edu/education/HOPE/Homeless.html>.

James, B. W., Lopez, P., Murdock, B., Rouse, J., & Walker, N. (1997). *Pieces of the Puzzle: Creating success for students in homeless situations*. Austin, TX: STAR Center.

This binder contains information and activities to provide staff development to professionals working with children and youth who are homeless. There is an accompanying videotape for the manual. Five pieces of the puzzle are explored: awareness, opportunity, caring, collaboration, and understanding. Available from STAR Center at the Charles A. Dana Center, University of Texas, 2901 North IH-35, Suite 3-200, Austin, TX 78722.



Audiovisual Resources

Bunting, E., & Himler, R. (Ill.). (1991). *Fly Away Home*. New York: Clarion Books.

Reading Rainbow produced a segment featuring this book that tells the fictitious story of a father and son living in an airport. After the book presentation, examples of families experiencing homelessness are shared.

Cleveland Municipal School District, Cleveland Playhouse, and Cleveland School of Arts (Producers). (1999). *Even you* [Videotape]. (Available for order at Cleveland Municipal School District, Project ACT, 1440 Lakeside Avenue, Cleveland, Ohio 44114, (216) 592-7405.

The National Coalition for the Homeless (Producer). (n.d.). *Faces of homelessness* [Videotape]. (Available for order at www.nationalhomeless.org/video.html.)

Multimedia slide show featuring images of America's homeless people

Pennsylvania Department of Education (Producer). (2004). *Pennsylvania homeless children's initiative video*. [Videotape]. (Available from Thomas Norlen, 800-770-4822, extension 1361.)

Project HOPE-Virginia (Producer). (2004) *Homeless education training*. [Videotape]. Available from Project HOPE-Virginia, College of William and Mary School of Education, PO Box 8795, Williamsburg, Virginia 23187-8795, 757-221-4002.

Region XIII Education Service Center Homeless Education Project (Producer). (n.d.). *Great beginnings: Enrolling homeless children and youth in school*. [Videotape]. Available from Region XIII Education Service Center, Homeless Education Project, 5701 Springdale Road, Austin, Texas 78723.

Santa Barbara County Education Office (Producer). (n.d.). *In their own voices*. [Videotape]. Available from Homeless Education/Liaison Project, 3970 La Colina Road, Suite 9, Santa Barbara, CA 93110, 805-964-4710.



Internet-Accessible Resources

Homeless Education Kit developed by the Bay Area Homelessness Program. Homeless Resource Guide K–12 with grade-appropriate lessons and activities. www.wmpenn.edu/PennWeb/LTP/Reference/Teach/ResGuideK-12.html

Homes for the Homeless: www.homesforthehomeless.com/opendoor.html

Illinois's Opening Doors Program: www.lth3.k12.il.us/openingdoors

National Association for the Education of Homeless Children and Youth: www.naehcy.org

National Center for Children in Poverty: <http://cpmcnet.columbia.edu/dept/nccp>

National Center for Homeless Education (NCHE): www.serve.org/nche

SERVE has a variety of resources available including a page listing all the state coordinators and website addresses if the state homeless education coordinator has one set up. Several states have wonderful downloadable resources that would be useful for other states.

National Law Center on Homelessness & Poverty: www.nlchp.org

The McKinney-Vento Homeless Education Assistance Act: www.serve.org/nche/downloads/Reauthorizationtext.pdf

U.S. Department of Education: www.ed.gov

University of Texas Dana Center Office for the Education of Homeless Children and Youth: www.utdanacenter.org/OEHCY



Children's Literature

Bunting, E., & Himler, R. (Ill.). (1991). *Fly Away Home*. New York: Clarion Books.

The story of a father and son who are experiencing homelessness after the child's mother dies. The family lives in the airport and does their best to remain inconspicuous. The father has a weekend job but hasn't found full-time employment, so there is not enough money to pay the rent. To earn tips, the boy, who is not yet seven, helps travelers with their luggage.

The boy spots a bird that is trapped in the airport concourse. The bird keeps trying to get out and repeatedly runs into the glass. Finally, the boy sees the bird fly away home, and he realizes that he, too, will be able to do that one day. *Reading Rainbow* produced a segment featuring the book, which is available on video. (ALA Notable book)

da Costa Nuñez, R. (1997). *Our Wish*. New York: Institute for Children and Poverty, Inc.

Follow Mrs. Bun E. and her children as this rabbit family loses their home and moves to the animal shelter. Activity book also available.

da Costa Nuñez, R., & Schragar, W. (2000). *Cooper's Tale*. New York: Institute for Children and Poverty, Inc.

Cooper is a mouse who loses his home in a cheese shop when the owner becomes ill. He meets a group of children living in a shelter who invite Cooper to stay with them. Working together, Cooper and the children develop a love for reading. A happy ending awaits them all.

DiSalvo-Ryan, D. (1991). *Uncle Willie and the Soup Kitchen*. New York: Morrow Junior Books. ISBN: 0688-09165-2

An elementary-aged boy has a day off from school and goes to the soup kitchen with his uncle who works there. The issue of homelessness in a community is dealt with in a sensitive and respectful manner. The boy is initially hesitant about encountering a homeless man, but after watching his uncle at the soup kitchen, he realizes that homeless people are not unusual or different—they are normal, just like him. (Picture book)

Wittlinger, E. (2000). *Gracie's Girl*. New York: Simon & Schuster. ISBN: 0689-82249-9

Bess Cunningham is a rising sixth-grader who wants to be noticed in middle school. She tries to draw attention to herself through stylish clothes, but it is her work with a homeless shelter that gets her noticed. The story deals with friend dynamics, family dynamics, school relationships, personal interests, and how they all weave together to form an individual. Bess encounters many of the dilemma's common to middle-schoolers, such as seeing a friend start dating. The biggest challenge Bess faces is dealing with the death of a homeless lady that she befriended. (Chapter book)



More Children's Literature on Homelessness (Compiled by Miami-Dade County Public Schools)

Author	Title
Ackerman, K.	<i>The Leaves in October</i>
Anderson, M.	<i>The Unsinkable Molly Malone</i>
Barbour, K.	<i>Mr. Bow Tie</i>
Beckelman, L.	<i>The Homeless</i>
Brown, M.	<i>Stone Soup</i>
Carlson, N.	<i>The Family Under the Bridge</i>
Colman, H.	<i>Rich and Famous Like My Mom</i>
da Costa Nuñez, R.	<i>Cooper's Tale</i>
da Costa Nuñez, R.	<i>Our Wish</i>
Ferrell, F.	<i>Trevor's Place: The Story of a Boy who Brings Hope to the Homeless</i>
George, J. C.	<i>The Missing Gator of Gumbo Limbo: An Ecological Mystery</i>
Gottlieb, D.	<i>Seeing Eye Willie</i>
Griffin, P. R.	<i>Hobkin</i>
Grove, V.	<i>The Fastest Friend in the West</i>
Hahn, M. D.	<i>December Stillness</i>
Harris, M. J.	<i>Come in the Morning</i>
Herzig, A. C., & Mali, J. L.	<i>Sam and the Moon Queen</i>
Holman, F.	<i>Secret City, U.S.A.</i>
Howe, J.	<i>Dew Drop Dead: A Sebastian Barth Mystery</i>
Hughes, D.	<i>Family Pose</i>
Johnson, S.	<i>One of the Boys</i>
Jones, A.	<i>Street Family</i>
Haufman, C., & Kaufman, G.	<i>Hotel Boy</i>
Mazer, H.	<i>Cave Under the City</i>
Myers, W. D.	<i>Mop, Moondance, and the Nagasaki Knights</i>
Nelson, T.	<i>The Beggar's Ride</i>
Paulsen, G.	<i>The Crossing</i>
Pinkwater, J.	<i>Tails of the Bronx: A Tale of the Bronx</i>
Powell, E. S.	<i>A Change to Grow</i>
Rosen, M.	<i>Home: A Collaboration of Thirty Distinguished Authors and Illustrators of Children's Books to Aid the Homeless</i>
Rylant, C.	<i>An Angel for Soloman</i>



More Children's Literature on Homelessness

(Compiled by Miami-Dade County Public Schools)

Author	Title
Sedak, M.	<i>We Are All in the Dumps with Jack and Guy</i>
Spangler, R.	<i>Mandy's House: The Story of a Homeless Family Who Finds a New Place to Live</i>
Spinelli, J.	<i>Maniac Magee</i>
Stevermer, C.	<i>River Rats</i>
Thompson, C.	<i>The Paper Bay Prince</i>
Tolan, S.	<i>Sophie and the Sidewalk Man</i>
Voight, C.	<i>Homecoming</i>
Williams, R.	<i>Our Tree House</i>
Wojciechowski, S.	<i>Patty Dillman of Hot Dog Fame</i>



Appendix P:

U.S. Department of Agriculture Guidance for Homeless Children in the School Nutrition Programs





United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive
Alexandria, VA
22302-1500

September 17, 2004

SUBJECT: Guidance on Determining Categorical Eligibility for Free Lunches and
Breakfasts for Youth Served under the Runaway and Homeless Youth
Act
TO: Special Nutrition Programs
All Regions

State Agencies
Child Nutrition Programs
All States

As described in our Reauthorization Implementation Memo SP 4, *Categorical Eligibility for Free Lunches and Breakfasts of Runaway, Homeless, and Migrant Youth*, issued July 19, 2004, runaway youth served through grant programs established under the Runaway and Homeless Youth Act (RHYA, Public Law (PL)108-96) are now categorically eligible for free meals in the National School Lunch and School Breakfast Programs. This memorandum is a follow up to the July 19, 2004, memorandum and provides background information on the operation of programs under the RHYA and eligibility guidance for schools and school districts.

Background on the Grant Programs Established under the RHYA

The Family and Youth Services Bureau (FYSB) is part of the Administration on Children, Youth and Families (ACYF); of the Department of Health and Human Services. FYSB supports local communities in providing services and opportunities to young people, particularly runaway and homeless youth. FYSB does so by awarding funding that enables community agencies to offer services to young people and their families and to test new approaches to helping youth. FYSB promotes and supports youth through its three grant programs: Basic Center Program, Transitional Living Program and the Street Outreach Program. The agencies receiving grants under these three programs are referred to as either FYSB grantees, or Runaway and Homeless Youth (RHY) service providers.

FYSB works through ten ACYF regional offices located throughout the country; each region has a Regional Youth Specialist to serve the States, territories, tribes and other grantees in their geographical area. The Regional Youth Specialists are given broad flexibility in guiding the programmatic and financial management of FYSB programs.

The 2003 Reauthorization of the Runaway and Homeless Youth Program directed FYSB to coordinate with school district liaisons under the McKinney-Vento Homeless Assistance Act to assure that RHY are provided information about the educational services available to them and to ensure they receive support services guaranteed under the law.



Regional Directors
Page 2

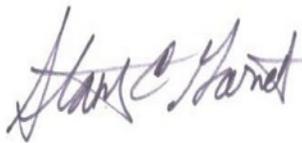
In order to better advance FYSB's directive on coordination with McKinney-Vento school district liaison, they are developing an informational memorandum for their grantees that offers suggestions on how to build stronger relationships with the liaisons and offers available resources. We will share their memorandum as soon as it becomes available.

Documenting Eligibility

The systems for coordination of information about RHY can vary from State to State and even across districts depending on the relationship between the McKinney-Vento school district liaison and the RHY service provider, and the size of the RHY caseload. In many cases, the McKinney-Vento school district liaison is already working with youth receiving services under the RHY grant programs. In these cases, school districts will be notified of a child's status as a runaway through the existing liaison channels. In some cases, schools may receive information on a youth's participation in a RHY Program directly from the RHY service provider. Documentation to substantiate free meal eligibility must consist of the youth's name, or a list of names, effective date(s), and the signature of the McKinney-Vento school district liaison or the RHY service provider(s). This documentation is acceptable in lieu of a free and reduced price meal application.

It is important that schools/school districts become familiar with their local RHY service providers and their McKinney-Vento school district liaison in order to facilitate the service of free school meals for youth in these programs. Should you have questions regarding the operation of FYSB, please contact your Regional Youth Specialist. The website for the regional offices is www.acf.dhhs.gov/programs/oro/. For further information on FYSB you may want to view their web site at: <http://www.acf.hhs.gov/programs/fysb/index.html>.

Please contact Mara McElmurray or Rosemary O'Connell of my office if you have any questions on this guidance.



STANELY C. GARNETT
Director
Child Nutrition Division

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for Runaway Youth.doc





**United States
Department of
Agriculture**

July 7, 2004

Food and
Nutrition
Service

SUBJECT: Duration of Households' Free and Reduced Price Meal Eligibility
Determination - Reauthorization 2004: Implementation Memo - SP 3

3101 Park
Center Drive
Alexandria, VA
22302-1500

TO: Special Nutrition Programs
All Regions

State Agencies
Child Nutrition Programs
All States

The Child Nutrition and WIC Reauthorization Act of 2004 (Act) specifies that, effective July 1, 2004, households' eligibility for free and reduced price meals shall remain in effect beginning on the date of eligibility for the current school year and ending on a date during the subsequent school year, as determined by the Secretary. This provision does not apply when the initial eligibility determination was incorrect or when verification of household eligibility does not support the level of benefits for which the household was approved. In those instances, officials must make appropriate changes in eligibility. Additionally, this provision does not apply when a household is given temporary approval.

There are many provisions in the Act affecting the certification/verification process, which must be addressed through the regulatory process. However, to give school food authorities and households the advantages of this provision as quickly as possible, we are implementing this provision through this memorandum.

Beginning school year 2004-2005 and until issuance of a final regulation, school officials will determine household eligibility for free and reduced price meals in the traditional manner, at or about the beginning of the school year. Once approved for free or reduced price benefits, a household will remain eligible for those benefits for a maximum of 30 days after the first operating day in the subsequent school year or when a new eligibility determination is made in the new school year, whichever comes first. The household is no longer required to report changes in circumstances, such as an increase in income of \$50 per month (\$600 annually), a decrease in household size or when the household is no longer certified eligible for food stamps or Temporary Assistance for Needy Families (TANF).



Regional and State Directors
Page 2

The current free and reduced price application package includes instructions for households to report the changes in household income and household size mentioned above. We do not expect State agencies and school food authorities to make changes in their free and reduced price application materials for this school year because the enactment of this legislation is so late in the year. Any changes to the application materials now would be very burdensome to most school districts. However, school food authorities may use other means to notify households that they do not have to report changes. For example, households may be notified via the annual media/public release or notified in their notice of approval for free and reduced price school meals. The Department will revise its guidance as appropriate.

Please note that households may continue to apply for benefits any time during the school year. As noted above, this provision does not apply to households who are provided “temporary” approvals. We continue to encourage determining officials to approve households on a temporary basis when their need for assistance appears to be short-term, such as when the household reports zero income or a temporary reduction in income. A suggested time period for temporary approvals is 45 days unless otherwise stipulated by the State agency. At the end of the temporary approval, school officials must re-evaluate the household’s situation.

If you have any questions, please contact Rosemary O’Connell or Barbara Semper at 703-305-2590.



STANLEY C. GARNETT
Director
Child Nutrition Division

AN EQUAL OPPORTUNITY EMPLOYER²



Appendix P

July 19, 2004

SUBJECT: Categorical Eligibility for Free Lunches and Breakfasts of Runaway, Homeless, and Migrant Youth: Reauthorization 2004 Implementation Memo SP 4

TO: Special Nutrition Programs
All Regions

State Agencies
Child Nutrition Programs
All States

Section 107 of the Child Nutrition and WIC Reauthorization Act of 2004 (Act) amended section 9(b) of the Richard B. Russell National School Lunch Act to make runaway, homeless and migrant children categorically eligible for free meal benefits under the National School Lunch and School Breakfast Programs and is effective July 1, 2004. In addition to establishing free meal eligibility, the Act also establishes a requirement for documenting a child's status as runaway, homeless, or migratory.

Previously, through guidance, the Food and Nutrition Service extended categorical eligibility for free school meals to children considered homeless under the McKinney-Vento Homeless Assistance Act. School officials were allowed to accept statements that children were homeless from the local educational liaison for the homeless or directors of homeless shelters where the children reside. The Act now establishes in law the categorical eligibility of these children for free school meals. Please see the previously issued memoranda of April 6, 1992, *Documentation of Free and Reduce Price Meal Eligibility for Homeless Children* and of April 4, 2002, *Updated Guidance for Homeless Children in the School Nutrition Programs*, on documentation for homeless children under McKinney-Vento.

There were, however, no similar eligibility and documentation provisions for runaway youth or migrant children. At this time, we are in discussions with the Department of Health and Human Services, regarding implementation of that portion of the Act that addresses categorical eligibility for runaway youth served through grant programs established under the Runaway and Homeless Youth Act. We hope to provide guidance in the very near future on how to determine and document if a child is receiving services as a runaway and is therefore categorically eligible for free school meals.



For migratory children, each State Educational Agency's Migrant Education Program establishes their own process for determining if a child meets the criteria provided under Elementary and Secondary Education Act of 1965. State Child Nutrition Agencies must contact their State Migrant Education Program to develop a plan for sharing and documenting the migratory child's eligibility for free school meals. To find the contact for your State Migrant Education Program view the following website:

- Contact Information for all State Directors of Migrant Education
<http://www.ed.gov/programs/mep/contacts.html>

If you have any questions, please contact Rosemary O'Connell or Mara McElmurray at 703-305-2590.

/S/

STANLEY C. GARNETT
Director
Child Nutrition Division





United States
Department of
Agriculture

August 16, 2004

Food and
Nutrition
Service

SUBJECT: Categorical Eligibility for Free Lunches and Breakfasts for Migrant Children

3101 Park
Center Drive
Alexandria, VA
22302-1500

TO: Special Nutrition Programs
All Regions

State Agencies
Child Nutrition Programs
All States

This memorandum supplements our Reauthorization Implementation Memo SP 4 (July 19, 2004) by providing additional information on identifying migrant children and on the procedures that school food authorities (SFAs) and local education agencies (LEAs) should use to coordinate with the Migrant Education Program (MEP) in order to document the categorical eligibility of migrant children for free meals.

Background on the Migrant Education Program

The MEP is authorized under Title I, Part C of the Elementary and Secondary Education Act (ESEA) and provides grants to State educational agencies. The State educational agency, in turn, makes sub-grants to LEAs and other entities to provide supplemental educational and support services to migrant children. A major goal of the MEP is to minimize the disruption caused by migrant children's frequent moves. While the full definition of a migrant child in section 1309 of ESEA is rather complicated, in general under this definition, a migrant child is one who has moved across school district lines, within the last three years, in order to accompany or join a parent or guardian who has moved to seek or obtain temporary or seasonal work in agriculture or fishing.

Please note, however, that it is not necessary for local SFA personnel to apply the ESEA definition because there are already State educational agency and local MEP staff who are responsible for identifying (and maintaining supporting documentation) as to who is an eligible migrant child under ESEA.

Local Level MEP Contacts

Most State educational agencies sub-grant MEP funds to local operating agencies (LOAs) to provide program services. These LOAs are typically LEAs; however, in some states, the LOAs may be regional units that administer the MEP in multiple LEAs. When an LOA/LEA receives MEP funds, a MEP coordinator is usually designated. (However, in some LEAs, a Federal program director administers multiple federal programs including the MEP). Each LEA/LOA typically identifies and recruits migrant children in their geographic area and maintains a list of eligible migrant children.



Regional Directors
State Directors
Page 2

Documenting Free Meal Eligibility for Migrant Children

SFAs/LEAs should work directly with their LOA/LEA MEP coordinators or, where appropriate, the State MEP director, to identify migrant children and to document their eligibility for free school meals. SFAs/LEAs must accept documentation that the children are migrant children from the LOA/LEA MEP coordinator.

Documentation of migrant status to substantiate free meal eligibility is a dated list with each child's name and the signature of the LOA/LEA MEP coordinator or the State MEP director. This documentation is in lieu of free and reduced price meal applications and must be sought, as much as possible, prior to a household completing an application. Once documentation is obtained, the SFA/LEA must notify the household as soon as possible about the child's free meal eligibility. Any application submitted on behalf of the child would be disregarded.

It is particularly important that newly arrived migrant children in the LEA be documented and certified for free meals as promptly as possible. SFAs/LEAs need to establish procedures with the LOA/LEA MEP coordinator to assure prompt notification when a new migrant child is identified.

Continuing Certification

Public Law 108-265 also amended the Richard B. Russell National School Lunch Act to establish that, once a child is certified as eligible to receive free or reduced price meals, eligibility remains effective for the remainder of the school year. Our policy further allows SFAs to continue a child's eligibility from the previous year for 30 operating days into the subsequent school year or until a new eligibility determination is made, whichever occurs first. Because of this and because the MEP strives to minimize a child's disruption in services and benefits, SFAs/LEAs should attempt to share the child's free meal eligibility status with the new SFA/LEA when a migrant child moves from their jurisdiction if the family knows their new location.

Please contact Rosemary O'Connell in my office if you have any questions on this guidance.

STANLEY C. GARNETT
Director,
Child Nutrition Division



Appendix Q:

U.S. Department of Education Draft
Non-Regulatory Guidance,
March 2003

Supplementary Guidance
from the U.S. Department of Education





**EDUCATION FOR
HOMELESS CHILDREN AND YOUTH PROGRAM**

**TITLE VII-B OF THE MCKINNEY-VENTO HOMELESS
ASSISTANCE ACT,**

AS AMENDED BY THE

NO CHILD LEFT BEHIND ACT OF 2001

DRAFT NON-REGULATORY GUIDANCE



**UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, DC**

March 2003

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A. Introduction

A-1. What is the purpose of the McKinney-Vento Education for Homeless Children and Youth (McKinney-Vento) program?

The McKinney-Vento program is designed to address the problems that homeless children and youth have faced in enrolling, attending, and succeeding in school. Under this program, 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 youth. Homeless children and youth should have access to the educational and other services that they need to enable them to meet the same challenging State student academic achievement standards to which all students are held. In addition, homeless students may not be separated from the mainstream school environment. States and districts are required to review and undertake steps to revise laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youth.

A-2. What is the statutory authority for the McKinney-Vento program?

The program is authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 USC 11431 et seq.). The program was originally authorized in 1987, and most recently reauthorized by the No Child Left Behind Act of 2001.

A-3. How does the new McKinney-Vento program differ from the predecessor program?

The principal differences between the new McKinney-Vento program and the predecessor program include the following:

- *Express prohibition against segregating homeless students* – The legislation expressly prohibits a district or school from segregating a homeless child or youth in a separate school, or in a separate program within a school, based on the child or youth’s status as homeless. (See Section E of this guidance.)
- *Requirement for transportation to and from school of origin* – The State and its local educational agencies (LEAs) must adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of the unaccompanied youth, the liaison) to and from the school of origin. There are specific provisions regarding the responsibility and costs for transportation. (See Section H.)
- *Immediate school enrollment requirement* – If a dispute arises over school selection or placement, an LEA must admit a homeless child or youth to the school in which enrollment is sought by the parent or guardian, pending resolution of the dispute. (See Section G.)

- *Changes in “best interest” determination* – LEAs must make school placement determinations on the basis of the “best interest” of the child or youth. In determining what is a child or youth’s best interest, an LEA must, to the extent feasible, keep a homeless child or youth in the school of origin, unless doing so is contrary to the wishes of the child or youth’s parent or guardian. (See Section G.)
- *Local liaison in all school districts* – Every LEA, whether or not it receives a McKinney-Vento subgrant, must designate a local liaison for homeless children and youth. (See Section F.)
- *New subgrant requirements* – A State that receives an allocation greater than the State minimum allotment must competitively subgrant to LEAs at least 75 percent of its allocation. A State that receives the minimum State allotment must competitively subgrant to LEAs at least 50 percent of its allocation. (See Sections C and K.)

A-4. What Federal civil rights requirements apply to school districts in educating homeless children?

School districts, as recipients of Federal financial assistance and as public entities, must ensure that their educational programs for homeless children are administered in a nondiscriminatory manner. The Office for Civil Rights (OCR) enforces Federal laws that prohibit discrimination on the basis of race, color, or national origin (Title VI of the Civil Rights Act of 1964); sex (Title IX of the Education Amendments of 1972); age (Age Discrimination Act of 1975); and disability (Section 504 of the Rehabilitation Act of 1973, as applied to recipients of Federal financial assistance and Title II of the Americans With Disabilities of 1990, as applied to public educational entities). For more information about the application of these laws, contact the OCR enforcement office that serves your state.

A-5. What is the purpose of this guidance?

This guidance replaces the prior nonregulatory guidance for the Education for Homeless Children and Youth program. The guidance describes the requirements of the reauthorized program and provides suggestions for addressing many of those requirements. The guidance does not impose any requirements beyond those in the program legislation and other applicable Federal statutes and regulations. While States may wish to consider the guidance in developing their own guidelines and standards, they are free to develop alternative approaches that meet the applicable Federal statutory and regulatory requirements.

B. Federal Awards to States

B-1. On what basis does the Department award McKinney-Vento funds to States?

The Department awards McKinney-Vento funds to States by formula. The amount that a State receives in a given year is based on the proportion of funds it receives under Title I, Part A of the ESEA for that year. For the purpose of determining allotments, the term "State" includes each of the fifty States, the District of Columbia, and Puerto Rico. The minimum State allocation for fiscal year 2003 is \$150,000.

B-2. Are the outlying areas and the Bureau of Indian Affairs (BIA) eligible to receive McKinney-Vento funds?

Yes. The Department is authorized to reserve 0.1 percent of each year's appropriation to award grants to the outlying areas (i.e., the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands). In addition, the Department transfers, under a memorandum of agreement, 1 percent of each year's appropriation to the BIA for programs for homeless Indian students served by schools funded by the BIA.

C. State Uses of Funds

C-1. For what purposes may a State use its McKinney-Vento allocation?

A State may use its McKinney-Vento allocation for the following purposes:

- *State activities* - A State that receives an allocation greater than the State minimum allotment (i.e., greater than \$150,000 for FY 2003) may reserve for State-level activities up to 25 percent of its allocation for that fiscal year. A State funded at the minimum level may reserve for State-level activities up to 50 percent of its allocation for that fiscal year.
- *Subgrants to LEAs* - An SEA must award funds not reserved for State-level activities to LEAs on a competitive basis.

C-2. For what purposes may a State use McKinney-Vento funds that are reserved for State-level activities?

A State may use McKinney-Vento funds that are made available for State use to support the broad array of activities conducted by the Office of Coordinator for Education of Homeless Children and Youth. (See Section 722(f) of the legislation and Part D of this guidance.) The SEA may conduct these activities directly or through grants or contracts.

D. Office of the Coordinator For Education Of Homeless Children And Youth

D-1. What are the primary responsibilities of the State Coordinator for Education of Homeless Children and Youth?

The primary responsibilities of the State coordinator are to:

- Develop and carry out the State's McKinney-Vento plan;
- Gather valid, reliable, and comprehensive information on the problems faced by homeless children and youth, the progress of the SEA and LEAs in addressing those problems, and the success of McKinney-Vento programs in allowing homeless children and youth to enroll in, attend, and succeed in school;
- Coordinate services on behalf of the McKinney-Vento program;
- Provide technical assistance to LEAs in coordination with the local liaisons to ensure that LEAs comply with the McKinney-Vento Act; and
- Collect and transmit to the U.S. Department of Education, upon request, a report containing the information that the Department determines is necessary to assess the educational needs of homeless children and youth.

D-2. What are the reporting requirements that State coordinators must meet?

The McKinney-Vento Act gives the Department the authority to collect from States, at such times as the Department may require, information that the Department determines is necessary to assess the educational needs of homeless children and youth. The Department will be issuing further guidance on State reporting responsibilities.

D-3. What are the State coordinator's responsibilities regarding the coordination of services?

State coordinators must facilitate coordination among the SEA, the State social services agency, and other agencies (including agencies providing mental health services) to provide services to homeless children and youth and their families. To improve the provision of comprehensive services to these children and youth and their families, coordinators must coordinate and collaborate with educators, including child development and preschool program personnel, and service providers. Additionally, State coordinators must coordinate services with local liaisons and community organizations and groups representing homeless children, youth, and families. Comprehensive services include health care, nutrition, and other social services.

Where applicable, State coordinators must also coordinate services with State and local housing agencies responsible for developing comprehensive affordable housing strategies under Section 105 of the Cranston/Gonzalez National Affordable Housing Act (Public Law 101-625).

D-4. What are the technical assistance responsibilities of State coordinators?

State coordinators must provide technical assistance to LEAs, in coordination with local liaisons, to ensure LEA compliance on such issues as school choice and placement, enrollment policies, enrollment disputes, school records, duties of local liaisons, and reviewing and revising policies that may act as enrollment barriers. Through strong leadership and collaboration and communication with the LEA liaisons, the State coordinator can help ensure that districts will carry out the requirements of the Act. Establishing clear-cut policies and procedures at the State level and making sure districts know and understand them will facilitate the smooth and consistent implementation of the Act.

Enrollment Barriers

The school enrollment and retention barriers that homeless children and youth most frequently face are the following: transportation, immunization requirements, residency requirements, providing birth certificates, and legal guardianship requirements.

U.S. Department of Education's McKinney-Vento Report To Congress for Fiscal Year 2000 References, Appendix G

D-5. Is the State coordinator required to provide technical assistance only to school districts that receive McKinney-Vento subgrants?

No. The State coordinator must provide technical assistance to all school districts. The McKinney-Vento Act requires that all homeless children be given the opportunity to achieve to challenging State academic standards.

D-6. By what means should State coordinators provide technical assistance?

The State coordinator may provide a wide range of coordinated technical assistance activities. These may include State conferences, guidance documents for LEA liaisons, a State website that addresses McKinney-Vento issues and provides a listing of State resources, a listserv, a toll-free help line, and newsletters or bulletins. Many school districts have not implemented targeted services for homeless children and youth. Therefore, State level technical assistance will be essential to familiarize new LEA liaisons with the requirements of the McKinney-Vento Act and to provide guidance on serving eligible students.

D-7. What are examples of technical assistance that school districts may need?

Areas in which school districts and LEA liaisons may need technical assistance include the following:

- Understanding the requirements of the McKinney-Vento Act;
- Establishing procedures to address problems related to enrollment and school selection;

- Transportation disputes, including inter-district disputes;
- Determining LEA needs and developing a plan for services;
- Creating school district and community awareness of the needs of eligible students;
- Identifying Federal, State, and local resources;
- Identifying children and youth in homeless situations;
- Collecting data;
- Parental involvement activities; and
- Identifying strategies for improving academic achievement.

Technical Assistance Strategies: Best Practices

Many State and local homeless education coordinators conduct extensive awareness activities. As school personnel gain a broader understanding of the needs of homeless children and youth, they are better able to implement policies and practices that ensure access to school and support success in school.

Information dissemination is often cited as a successful strategy used by State coordinators to ensure school districts understand and uphold the McKinney-Vento Act. Information dissemination activities include the publication of guidance and manuals, holding State conferences for homeless education and providing web pages on SEA websites.

Several State coordinators reported visiting McKinney-Vento subgrantees to offer assistance with program evaluation. Technical assistance through interagency coordination is key to meeting the needs of eligible students and providing comprehensive services that are continuous and non-duplicative.

The Education of Homeless Children and Youth Program: Learning to Succeed References, Appendix G

E. Prohibition Against Segregation

E-1. May States or districts segregate homeless children and youth in separate schools or in separate programs within a school?

No. Homelessness alone is not sufficient reason to separate students from the mainstream school environment. SEAs and LEAs must adopt policies and practices to ensure that students are not segregated or stigmatized on the basis of their status as homeless. Services provided with McKinney-Vento Act funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the school's regular academic program.

- If a State receives funds under the McKinney-Vento program, every district in that State – whether or not it receives a McKinney-Vento subgrant from its SEA – is prohibited from segregating homeless students in separate schools or in separate programs within schools, based on the child’s or youth’s status as homeless.
- Schools may not provide services with McKinney-Vento funds on school grounds in settings that segregate homeless children and youth from other children and youth, except as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youth.

There is a very limited exception to the prohibition against segregating homeless students in separate schools or in separate settings within a school that applies only to four “covered counties” – Orange County, CA; San Diego County, CA; San Joaquin County, CA; and Maricopa County, AZ – if the conditions described in section 722(e)(3)(B) are met. The Department has provided separate guidance on this exception to the affected States and districts.

E-2. May a district educate homeless children at an off-school facility, such as a shelter?

No. Homeless children and youth must be educated as part of a school’s regular academic program. Services must be provided to homeless children and youth through programs and mechanisms that integrate homeless children and youth with their nonhomeless counterparts. Services provided with McKinney-Vento funds must expand upon or improve services provided as part of the regular school program.

E-3. May a school separate a child from the regular school program if he or she resides in a domestic violence shelter?

Schools should take all necessary steps to protect children who are victims of domestic violence, such as protecting children's identity in school database systems, arranging for anonymous pick up and drop off locations for school buses, enrolling children in a different school, sensitizing bus drivers and school personnel to the child's circumstances, training school staff on confidentiality laws and policies, and helping families to file copies of protective orders with schools. In this way, schools can address safety concerns and provide equal educational opportunities without causing further disruption in children's lives.

E-4. Are "transitional classrooms" in shelters, where children and youth receive educational services while they are being assessed or while they wait for school records, permissible under McKinney-Vento?

No. Districts are required to adopt policies that will eliminate barriers to school enrollment that may be caused by tracking, obtaining, and transferring records.

F. Local Liaisons

F-1. Is every LEA in a State required to designate a local liaison for homeless children and youth?

Yes. Every LEA – whether or not it receives a McKinney-Vento subgrant – is required to designate a local liaison.

F-2. What are the responsibilities of the local liaison for homeless children and youth?

The local liaison serves as one of the primary contacts between homeless families and school staff, district personnel, shelter workers, and other service providers. The liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed academically.

Local liaisons must ensure that:

- Homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies;
- Homeless students enroll in, and have full and equal opportunity to succeed in, the schools of the LEA;
- Homeless children and youth receive educational services for which they are eligible, including Head Start, Even Start, and preschool programs administered by the LEA, and referrals to health, mental health, dental, and other appropriate services;
- Parents or guardians of homeless children and youth are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children;
- Parents and guardians and unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing transportation services;
- Enrollment disputes are mediated in accordance with the requirements of the McKinney-Vento Act; and
- Public notice of the educational rights of homeless students is disseminated to locations where children and youth receive services under the Act.

In meeting these responsibilities, local liaisons will assist homeless children and youth with activities such as the following:

- Enrolling in school and accessing school services;
- Obtaining immunizations or medical records;
- Informing parents, school personnel, and others of the rights of homeless children and youth;

- Working with school staff to make sure that homeless children and youth are immediately enrolled in school pending resolution of disputes that might arise over school enrollment or placement;
- Helping to coordinate transportation services for homeless children and youth; and
- Collaborating and coordinating with State Coordinators for the Education of Homeless Children and Youth and community and school personnel responsible for providing education and related support services to homeless children and youth.

Needs Assessment: Best Practices

A particularly effective tool for addressing the problems faced by homeless children and youth is implementing a needs assessment process that, in turn, can shape the development of an action plan. Taking time to identify the needs of homeless children and families and the resources the school district and community offer will enable the liaison to make informed decisions about the types of activities that will result in services to enhance opportunities for school success for eligible students. The liaison can collaborate with other programs, organizations, and agencies to set goals for homeless education programs and services and should collect data on an ongoing basis to determine progress in achieving the goals. The data will provide the foundation for the improvement of services for eligible students.

Local Homeless Liaison Toolkit References, Appendix G

F-3. What is the relationship between the SEA and the local liaisons?

An SEA must ensure that each of its LEAs designates an appropriate staff person to serve as a liaison for homeless children and youth. The SEA should obtain from each of its LEAs, by a date specified by the State, contact information concerning the local liaisons.

Through its State coordinator, the SEA should provide guidance to LEAs to assist them in designating local liaisons and in understanding the duties and responsibilities of the liaisons. The SEA should work with LEAs and local liaisons throughout the year to ensure that homeless children and youth are receiving the services that they need in order to enroll in, attend, and succeed in school.

F-4. How can a State assist LEAs in designating local liaisons?

The State may issue guidance to LEAs that describes factors for an LEA to consider in designating its liaison. The type of person best suited to address the problems faced by homeless children and youth may vary according to the particular circumstances within a State or district. For example, in appointing a liaison, an LEA might consider the following:

- If it is likely that the LEA will have to revise local policies and procedures to address enrollment and school attendance barriers, the LEA may want to designate as a liaison an individual who is currently in a position to communicate effectively with policymakers. That person might be a director of pupil services, a local Title I coordinator, or an assistant superintendent.
- If an LEA has in place strong local policies and procedures to assist homeless students, the LEA might consider designating as a liaison an individual closer to the provision of direct services. For example, social workers, other support staff, and guidance counselors have been successful liaisons due to their skills and experience with outreach efforts in the community.

F-5. What strategies can a local liaison use to identify homeless preschoolers?

Local liaisons can identify preschool-aged homeless children by working closely with shelters and social service agencies in their area. In addition, the liaison should work with school personnel, who can inquire, at the time they are enrolling homeless children and youth in school, whether the family has preschool-aged children. The LEA liaison should also collaborate with the school district special education program. The Individual with Disabilities Education Act (IDEA) requires that highly mobile children with disabilities, such as migrant and homeless children who are in need of special education and related services, are located, identified and evaluated. Additionally, IDEA requires that homeless preschoolers and all homeless children be included in the “Child Find” process for early identification of special education needs.

F-6. How can a local liaison assist homeless families in enrolling their children in a preschool if the program has a waiting list?

The LEA liaison should work with preschool program staff to remind them how important their services are for homeless children and to inform them of how waiting lists often create barriers for homeless families who wish to enroll their children. Some preschool programs keep slots open specifically for homeless children.

Identifying Homeless Children and Youth: Best Practices

Homeless children and youth are difficult to identify for many reasons, and thus often go unnoticed by school personnel. In order to identify homeless children both in and out of school, LEA liaisons can coordinate with community service agencies, such as shelters, soup kitchens, food banks, transitional living programs, street outreach teams, drop-in centers, community action agencies (especially in rural areas, where there may be no shelters), welfare departments, housing departments, public health departments, and faith-based organizations to begin to develop a relationship on issues such as the school enrollment process, transportation, and other student services.

Where available, the LEA liaisons can engage the local homeless task force, homeless coalition, and homeless assistance Continuum of Care as partners in the identification of students who are homeless. LEA liaisons can develop relationships with truancy officials and/or other attendance officers and train them how to recognize school absences that may be the result of homelessness. They can provide officials with information so that they may discreetly refer eligible students to appropriate services.

LEA liaisons can use creative techniques to identify unaccompanied homeless youth while respecting their privacy and dignity, such as administering surveys to peers, using enrollment questionnaires, or providing specific outreach to areas where eligible students who are out of school might congregate. Liaisons can make special efforts to identify homeless preschool children.

LEA liaisons can provide a district-wide residency questionnaire to all students upon enrollment. Questionnaires that may suggest homelessness can be sent to the local liaison for a final determination of homeless status, and, if affirmative, lead to the provision of referrals and other assistance (*See Example in Appendix D.*)

LEA liaisons should avoid using the word "homeless" in initial contacts with school personnel, families, or youth. For most people, the word "homeless" conjures up stereotypical images of adults, not children or youth in classrooms. School personnel may be unlikely to recognize students who are homeless initially, but often respond affirmatively when asked if they know of students who are staying temporarily with relatives, are staying at campgrounds or in their car, are living at motels, are living with another family temporarily, or have moved several times in a year.

Families and students who are homeless may not think of themselves as "homeless" because of the stigma attached. Therefore, outreach posters and materials placed in shelters, campgrounds, motels, and public housing projects should describe the symptoms of homelessness (for example, different kinds of living situations) rather than simply refer to a person's "homeless" status.

Local Liaison Toolkit References, Appendix G

G. School Placement and Enrollment

G-1. On what basis does an LEA make school placement determinations for homeless children and youth?

Homeless children and youth frequently move, and maintaining a stable school environment is critical to their success in school. To ensure this stability, LEAs must

make school placement determinations on the basis of the “best interest” of the homeless child or youth. Using this standard, an LEA must --

- (a) Continue the child or youth’s education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year; or
- (b) Enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

G-2. How does an LEA determine the child or youth’s “best interest”?

In determining a child or youth’s best interest, an LEA must, to the extent feasible, keep a homeless child or youth in the “school of origin” unless doing so is contrary to the wishes of the child or youth’s parent or guardian. If an LEA wishes to send a homeless child or youth to a school other than the school of origin or a school requested by the parent or guardian, the LEA must provide a written explanation of its decision to the parent or guardian, together with a statement regarding the right to appeal the placement decision.

G-3. Why is it so important to maintain a stable education for homeless children and youth?

Changing schools significantly impedes a student’s academic and social growth. The literature on highly mobile students indicates that it can take a student four to six months to recover academically after changing schools. Highly mobile students have also been found to have lower test scores and overall academic performance than peers who do not change schools. Therefore, the McKinney-Vento Act calls for LEAs to maintain students in their school of origin to the extent feasible.

G-4. What should a school district consider when determining the extent to which it is feasible to educate a homeless child or youth in his or her school of origin?

As stated above, to the extent feasible, a district must educate a homeless child or youth in his or her school of origin, unless doing so is contrary to the wishes of the parent or guardian. 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 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 temporary shelter or other temporary location; and the time remaining in the school year.

G-5. What procedures must an LEA follow if a dispute arises between a school and a parent or guardian regarding placement of a homeless child or youth?

If a dispute arises over school selection or enrollment, the LEA must immediately enroll the homeless student in the school in which enrollment is sought by the parent

or guardian, pending resolution of the dispute. Similar provisions apply to placement of unaccompanied youth. Inter-district enrollment disputes should be resolved at the SEA level (*See G-9*).

Homeless families and youth may be unaware of their right to challenge placement and enrollment decisions. Therefore, the LEA must provide the parent, guardian or unaccompanied youth with a written statement of the school placement decision and the appeal rights. The LEA must refer the unaccompanied youth, parent or guardian to the LEA liaison, who must expeditiously carry out the dispute resolution process.

When enrollment disputes arise, it is critical that students not be kept out of school. Interruption in education can severely disrupt the students' academic progress. To avoid such disruptions, LEAs need an established process for resolving school placement disputes. Permitting students to enroll immediately in the school of choice pending resolution of disputes helps provide needed stability.

LEA homeless liaisons help ensure that disputes are resolved objectively and expeditiously. Written notice protects both students and schools by outlining the specific reasons for the school's decision. It facilitates dispute resolution by providing decision-makers with documents to guide their determinations.

G-6. In providing special services to homeless children and youth, how does a school or district avoid stigmatizing those children?

As stated above, a district or school may not segregate homeless children and youth from the mainstream school environment. Homeless children and youth are entitled to receive all of the services that are provided to their nonhomeless counterparts and in the same setting as their non-homeless peers.

In some circumstances, it may be appropriate to provide additional services to homeless children and youth in a separate setting. In doing so, a district should be careful not to stigmatize these students. If a district does implement a supplemental program exclusively for homeless children, such as a shelter-based evening tutoring program, it should not be called "the homeless tutoring program" or the "shelter tutoring program." Instead, the district should use a name such as "Discovery Club" or "Homework Club" to avoid stigmatization.

Enrollment and Attendance Statistics

The FY 2000 Report to Congress stated that 87 percent of homeless K-12 children and youth are enrolled in school. However, only 77 percent attended school regularly. Less than 16 percent of eligible preschool aged children are enrolled in preschool programs.

U.S. Department of Education's McKinney-Vento Report to Congress or Fiscal Year 2000 References, Appendix G

G-7. What are a school’s responsibilities for enrolling homeless children and youth?

A school selected on the basis of the best interest determination (*see* G-1 and G-2) must immediately enroll the homeless child or youth, even if the child or youth is unable to produce the records normally required for enrollment (such as previous academic records, medical records, proof of residency, birth certificates, or other documentation). The enrolling school must immediately contact the school last attended by the child or youth to obtain relevant academic or other records.

If a child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school must immediately refer the parent or guardian to the LEA homeless liaison, who must assist in obtaining the immunizations or records. The records must be maintained so that they are available in a timely fashion when the child enters a new school or school district. To facilitate immediate enrollment, timely transfer of records from school to school should also take into account procedures for State-to-State record transfers.

The McKinney-Vento legislation provides a broad mandate to States and districts to change policies or practices that act as a barrier to the enrollment, attendance, and school success of homeless children. It is important for them to review policies and practices on an on-going basis, so that new barriers do not prevent children from receiving the free, appropriate public education to which they are entitled.

G-8. What are some steps that LEAs can take to ensure immediate enrollment?

Homeless children and youth often do not have the documents ordinarily required for school enrollment. Enrolling them in school immediately not only provides these children and youth needed stability, but is also legally required.

To facilitate immediate enrollment, LEAs should consider the following practices:

- Train all school enrollment staff, secretaries, guidance counselors, school social workers, and principals on the legal requirements regarding immediate enrollment;
- Review all regulations and policies to ensure that they comply with the McKinney-Vento requirements;
- Develop affidavits of residence or other forms to replace typical proof of residency. Such forms should be carefully crafted so that they do not create further barriers or delay enrollment;
- Develop caregiver affidavits, enrollment forms for unaccompanied youth, and other forms to replace typical proof of guardianship. Again, such forms should be carefully crafted so they do not create further barriers or delay enrollment;
- Establish school-based immunization clinics or other opportunities for on-site immunizations;
- Collaborate with community-based or public agencies to provide school uniforms within a district and among neighboring districts;
- Accept school records directly from families and youth;

- Contact the previous school for records and assistance with placement decisions;
- Develop short educational assessments to place students immediately while awaiting complete academic records;
- Inform families and youth in a language they can understand or in an accessible format as appropriate of their right to attend either their school of origin or local school;
- Inform families and youth in a language they can understand or in an accessible format as appropriate of their right to transportation and immediate enrollment;
- Develop clear, understandable and accessible forms for written explanations of decisions and the right to appeal; and
- Expediently follow up on any special education referrals or services and language assistance services.

G-9. What are effective strategies for a LEA to use to resolve enrollment disputes?

An LEA should consider the following strategies for effectively resolving school enrollment disputes:

- Disputes should be resolved at the district level rather than the school level;
- When inter-district issues arise, representatives from all involved districts and the SEA should be present to resolve the dispute;
- A State-level appeal process, involving the State coordinator, should be available for appeals from district-level decisions and inter-district disputes (*See Section 722(g)(1)(C)*);
- The dispute resolution process should be as informal and accessible as possible, and allow for impartial and complete review;
- Parents, guardians, and unaccompanied youth should be able to initiate the dispute resolution process directly at the school they choose, as well as at the school district or LEA homeless liaison's office;
- States should establish timelines to resolve disputes at the local and State level;
- Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their position;
- Students should be provided with all services for which they are eligible while disputes are resolved;
- Written notice should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand. The notice should include:
 1. Contact information for the LEA homeless liaison and State coordinator, with a brief description of their roles;
 2. A simple, detachable form that parents, guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process. (The school should copy the form and return the copy to the parent, guardian or youth for their records when it is submitted);

3. A step-by-step description of how to dispute the school's decision;
4. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
5. Notice that "immediate enrollment" includes full participation in all school activities;
6. Notice of the right to appeal to the State if the district-level resolution is not satisfactory; and
7. Timelines for resolving district- and State-level appeals.

H. Transportation

Transportation: The Number One Barrier

The FY 2000 Report to Congress cited lack of transportation as the number one barrier that homeless children and youth faced in attempting to enroll in and attend school regularly.

U.S. Department of Education's McKinney-Vento Report to Congress for Fiscal Year 2000 References, Appendix G

H-1. What responsibilities do SEAs and LEAs have regarding providing transportation services to homeless children and youth?

SEAs and LEAs are responsible for reviewing and revising policies, including transportation policies, that may act as barriers to the enrollment and retention of homeless children and youth in schools in the State. Under the McKinney-Vento Act, homeless children and youth are entitled to receive the transportation and other services that are available to non-homeless students.

SEAs and LEAs must adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to or from the "school of origin" (*see* definition in Appendix A) in accordance with the following requirements:

- If the homeless child or youth continues to live in the area served by the LEA in which the school of origin is located, that LEA must provide or arrange for the child's or youth's transportation to or from the school of origin.
- If the homeless child or youth continues his or her education in the school of origin but begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.

Steps to Improve Transportation for Homeless Students

Although the McKinney-Vento Act permits homeless students to remain in their schools of origin despite their residential instability, lack of transportation commonly prevents them from doing so. Given that transportation has been one of the foremost enrollment barriers, States should highlight in guidance to districts the new transportation responsibilities of LEAs under the reauthorized McKinney-Vento legislation.

Additionally, highly mobile students have been found to have lower test scores and overall academic performance than peers who do not change schools. This diminished achievement hurts students and schools. States should work in concert with LEAs to develop practices and policies to ensure that transportation is provided as required under the legislation.

Adopting a “One Child, One School, One Year” policy and providing transportation to enable a student to remain at his/her school of origin assures that a homeless student need not change schools before the end of a current academic year.

The Education for Homeless Children and Youth Program: Learning to Succeed References, Appendix G

H-2. How can LEAs ensure that the education of homeless students is not disrupted during inter-district transfers?

LEAs should have in place inter-district (and inter-State, where appropriate) agreements that address potential transportation issues that may arise as homeless students transfer from one district to another.

Develop a Systematic Process to Meet Transportation Needs

A systematic process - with agreed-upon steps and individual roles - can get homeless students to and from school efficiently and reliably.

- Identify one individual as the key contact regarding transportation
- Develop a process to determine the best interests of the student regarding travel to a particular school
- Standardize transportation-related data collection and processing
- Plan for transportation emergencies with back-up support
- Identify other sources for funding or arranging transportation

The Education of Homeless Children and Youth Program: Learning to Succeed References, Appendix G

H-3. May funds under Part A of Title I or Part A of Title V of the ESEA be used to transport homeless students to and from the school of origin?

No. LEAs may not use funds under Title I, Part A or Title V, Part A to transport homeless students to or from their school of origin. Transportation services to the school of origin are mandated under the McKinney-Vento Act’s legislation. The supplanting provisions in Title I and Title V prohibit such funds from being used to support activities that the LEA would otherwise be required to provide.

H-4. Who should be involved in developing and implementing transportation policies for homeless students?

School districts can best address the transportation needs of homeless and other highly mobile students through a team approach. However, based on the best interest of the student and in consultation with the parent, the LEA determines the mode of transportation. The LEA’s transportation director is a key figure in the process and should work with district leadership, the local liaison for homeless students, neighboring districts, and homeless service providers to develop effective transportation policies and procedures.

Steps district directors of pupil transportation can take to support the transportation of homeless children and youth

- Communicate regularly with the district homeless liaison
- Establish procedures to receive information about the transportation needs and pickup location of homeless students
- Train bus drivers and dispatchers on the rights and needs of homeless students, as well as on the need for sensitivity and confidentiality
- Develop a bus routing system that can respond flexibly and quickly to new “pickups”
- Be aware of new motel and shelter locations and prepare to include bus stops nearby
- Support increased district commitment to provide homeless students transportation to school, as well as to before-and after-school programs.

The Education for Homeless Children and Youth Program: Learning to Succeed References, Appendix G

H-5. Is an LEA required to transport homeless students to and from their school of origin, if needed, while enrollment disputes are being resolved?

Yes. The McKinney-Vento Act’s transportation requirements apply while disputes are being resolved. Therefore, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), the LEA must provide or arrange for transportation to

and from the school of origin. Inter-district transportation disputes should be resolved at the SEA level (*See* section 722(g)(1)C)).

H-6. If an LEA does not provide transportation to non-homeless students, is it required to transport homeless students?

Yes. As discussed above, the legislation not only requires an LEA to provide comparable services, including transportation services, to homeless students, it also requires an LEA, at the request of a parent or guardian, to provide or arrange for transportation to and from the school of origin.

H-7. Do LEA transportation responsibilities apply to all LEAs in the State or only to those LEAs that receive a McKinney-Vento subgrant?

This requirement applies to all LEAs in the State.

I. Comparable and Coordinated Services

I-1. What are an LEA’s responsibilities regarding “comparable services”?

An LEA in a participating State must provide services to each homeless child and youth that are comparable to services offered to other students in the school. These services include public preschool programs, and educational programs or services for which a homeless student meets the eligibility criteria, such as programs for children with disabilities, programs for students with limited English proficiency, vocational education, programs for gifted and talented students, before and after school programs, school nutrition programs, and transportation.

I-2. What are the responsibilities of an LEA regarding coordination of services for homeless children and youth?

LEAs are responsible for coordinating with local social service agencies, other service providers and programs, including the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.), and with other LEAs on issues such as transportation and the transfer of records. Additionally, they must coordinate with housing assistance providers (*see* D-3). The purpose of this coordination is to ensure that eligible students have access and reasonable proximity to available education and related support services. It is also important to coordinate efforts in order to raise the awareness of school personnel and service providers of the effects of homelessness and the challenges that homeless students face.

J. Homeless Unaccompanied Youth

J-1. Why does the McKinney-Vento Act place special emphasis on serving the needs of homeless unaccompanied youth?

Homeless unaccompanied youth often face unique barriers in enrolling and succeeding in school. These barriers include school attendance policies, credit accrual, and legal guardianship requirements. Without a parent or guardian to advocate for them and exercise parental rights, they may be denied enrollment and remain out of school for extended periods of time. Unaccompanied youth also may not understand their educational rights, or know how to acquire this information.

J-2. How do local liaisons assist homeless unaccompanied youth in accessing the educational services to which they are entitled?

Local liaisons assist unaccompanied youth in accessing educational services through such activities as:

- Helping unaccompanied youth choose and enroll in a school, after considering the youth's wishes;
- Providing unaccompanied youth in a language they can understand or in an accessible format with notice of their right to appeal decisions counter to their wishes;
- Informing youth of their right to transportation to and from the school of origin, and assisting unaccompanied youth in accessing transportation; and
- Ensuring that unaccompanied youth are immediately enrolled in school pending the resolution of disputes.

K. Subgrants to LEAs

K-1. What portion of an SEA's McKinney-Vento allocation must be used for subgrants to LEAs?

An SEA that receives more than the minimum statutory McKinney-Vento allocation (*see* section 722(c)(i)) must subgrant at least 75 percent of its allocation to LEAs. (*See* C-1.)

An SEA that receives the minimum statutory McKinney-Vento allocation must subgrant at least 50 percent of its allocation to LEAs. (*See* C-1.)

K-2. On what basis does an SEA award McKinney-Vento subgrants to LEAs?

An SEA awards McKinney-Vento subgrants to LEAs competitively on the basis of the needs of the LEAs requesting assistance and the quality of their applications.

K-3. What information must an LEA include in its application for McKinney-Vento funds?

An LEA that seeks a McKinney-Vento award must submit to its SEA an application that contains the following information:

- An assessment of the educational and related needs of homeless children and youth in the area served by the LEA;
- A description of the services and programs that the LEA would provide;
- An assurance that the LEA meets the maintenance of effort requirement;
- An assurance that the LEA would use subgrant funds in compliance with section 722(g) (3) through (7) of the Act; and
- A description of policies and procedures that the LEA would undertake to ensure that its activities would not isolate or stigmatize homeless children and youth.

K-4. For how long may an LEA receive a subgrant?

An LEA may receive McKinney-Vento subgrant funds for a period not to exceed three years. An LEA may re-apply for additional McKinney-Vento funds after the initial three-year period expires. The LEA's subsequent application must meet the requirements outlined in K-3 above.

L. Local Uses of Funds

L-1. For what activities may an LEA use McKinney-Vento subgrant funds?

LEAs must use McKinney-Vento funds to assist homeless children and youth in enrolling, attending, and succeeding in school. In particular, the funds may support the following activities:

- (1) Tutoring, supplemental instruction, and other educational services that help homeless children and youth reach the same challenging State content and State student performance standards to which all children are held. As clearly specified in the ESEA as reauthorized by the NCLB Act, all academic enrichment programs for disadvantaged students, including programs for homeless students, must be aligned to State standards and curricula. Additionally, when offering supplemental instruction, LEAs should focus on providing services for children and youth that reflect scientifically-based research as the foundation for programs and strategies to ensure academic success.

- (2) Expedited evaluations of eligible students to measure their strengths and needs. These evaluations should be done promptly in order to avoid a gap in the provision of necessary services to such children and youth. Evaluations may also determine a homeless child or youth's eligibility for other programs and services, including educational programs for gifted and talented, special education and related services for children with disabilities, English language acquisition, vocational education, school lunch, and appropriate programs or services under ESEA.
- (3) Programs and other activities designed to raise awareness among educators and pupil services personnel of the rights of homeless children and youth under the Act, and the special needs such children and youth have as a result of their homelessness.
- (4) Referrals of eligible students to medical, dental, mental, and other health services.
- (5) Paying the excess cost of transportation not otherwise provided through Federal, State, or local funds, to enable students to attend schools selected under section 722(g)(3) of the Act.
- (6) Developmentally appropriate early childhood education programs for homeless children of preschool age that are not provided through other Federal, State, or local funds.
- (7) Services and assistance to attract, engage, and retain homeless children and youth, and unaccompanied youth, in public school programs and services provided to nonhomeless children and youth.
- (8) Before- and after-school programs, mentoring, and summer programs for homeless children and youth. Qualified personnel may provide homework assistance, tutoring, and supervision of other educational instruction in carrying out these activities.
- (9) Paying fees and costs associated with tracking, obtaining, and transferring records necessary for the enrollment of students in school. The records may include birth certificates, guardianship records, immunization records, academic records, and evaluations of students determining eligibility for other programs and services.
- (10) Education and training programs for parents of homeless children and youth regarding the rights their children have as homeless individuals and the educational and other resources available to their children.
- (11) Programs coordinating services provided by schools and other agencies to eligible students to expand and enhance such services. Coordination with programs funded under the Runaway and Homeless Youth Act should be included in this effort.

- (12) Pupil services programs providing violence prevention counseling and referrals to such counseling.
- (13) Programs addressing the particular needs of eligible students that may arise from domestic violence.
- (14) Providing supplies to non-school facilities serving eligible students and adapting these facilities to enable them to provide services.
- (15) Providing school supplies to eligible students at shelters, temporary housing facilities, and other locations as appropriate.
- (16) Providing extraordinary or emergency services to eligible students as necessary to enroll and retain such children and youth in school.

L-2. Where may an LEA provide services for homeless children and youth?

To the maximum extent practicable, an LEA must provide McKinney-Vento services through programs that integrate homeless and non-homeless children and youth. The services must be designed to expand or improve services provided as part of a school's regular academic program, but may not replace services provided under the regular program.

LEAs may provide subgrant services through programs on school grounds or at other facilities. If services are provided on school grounds, the schools may use McKinney-Vento funds to provide the same services to other children and youth who are determined by the LEA to be at risk of failing in, or dropping out of, school.

As discussed in Part E of this guidance, LEAs and schools may not provide services in settings within a school that segregate homeless children and youth from other children and youth, except as necessary for short periods of time for health and safety emergencies, or to provide temporary, special, and additional services to meet the unique needs of homeless children and youth.

L-3. May a district or school provide an after-school program that exclusively serves homeless children with McKinney-Vento funds?

Homeless children are entitled to participate in the regular after-school program provided by the school, and schools must address all barriers to their full participation in these programs. If no after-school programs are provided by the school or the programs provided do not meet the needs of homeless children, McKinney-Vento funds may be used for after-school services for homeless children, and for non-homeless children who are at risk of failing in, or dropping out of, school.

M. Coordination with Title I, Part A of the ESEA

M-1. Are homeless children and youth eligible to receive Title I, Part A services?

Yes. Homeless children and youth are automatically eligible for services under Title I, Part A of the ESEA, whether or not they live in a Title I school attendance area or meet the academic standards required of other children for eligibility. Homeless children and youth may receive Title I educational or support services from schoolwide and targeted-assistance school programs.

A State must include in its State Title I plan a description of how the plan is coordinated with the McKinney-Vento Act. *See* Section 1111(a)(1) of the ESEA. Additionally, an LEA receiving Title I, Part A funds must include in its local plan a description of how the plan is coordinated with the McKinney-Vento Act. The local plan must describe services provided to homeless children.

M-2. Are homeless children and youth who attend non-Title I schools eligible to receive Title I, Part A services?

Yes. An LEA must provide comparable services to a homeless student who does not attend a Title I school. An LEA must reserve funds for homeless children who do not attend participating Title I schools and may, for instance, provide support services to children in shelters and other locations where homeless children live. Services should be provided to assist homeless students to effectively take advantage of educational opportunities.

This provision applies to homeless students in public and private schools, institutions for neglected children and, where appropriate, local institutions such as local community day school programs. *See* Section 1113 of the ESEA.

SEA and LEA Title I plans must be coordinated with the plans agencies develop under the McKinney-Vento Act. LEAs can develop formulas for reserving the appropriate amount of Title I funding for students who are experiencing homelessness, as required in Section 1113(c)(3). However, Title I funds may not be used to assist with transportation costs (*See* H-4 above).

M-3. What types of services may an LEA provide to homeless students with funds reserved under Section 1113(c)(3) of Title I?

An LEA may use funds reserved under this section to provide services to eligible homeless students in both Title I and non-Title I schools that are comparable to services provided to non-homeless students in Title I schools. Services provided

should assist such children in meeting the State's challenging academic content and academic achievement standards.

An LEA has the discretion to use reserved funds to provide a homeless student with services that are not ordinarily provided to other Title I students and that are not available from other sources. For example, where appropriate, an LEA at its discretion may provide a student with an item of clothing to meet a school's dress or uniform requirement so that student may effectively take advantage of educational opportunities.

Reservation of Fund for Homeless Students

Many school districts with subgrants pool Title I and McKinney-Vento funds to support extended day and summer activities, provide school supplies, tutoring and other resources.

Several States provide formulas for all LEAs to use Title I set-asides based on shelter counts (nightly average multiplied by a district's per-pupil allocation). LEAs may adjust the amounts based on local data and needs assessments.

Several LEAs use local counts (one month averages and one day counts) of homeless students multiplied by Title I per-pupil allocation to compute set-aside amounts.

Symposium on Homeless Education and Title I - Hosted by U.S. Department of Education and the National Center for Homeless Education (NCHE) 2001 References, Appendix G

M-4. Does a State's academic assessment system need to include homeless students?

Yes. The final regulations that implemented changes to the standards and assessment requirements of Title I, Part A require States to include homeless students in their academic assessment, reporting, and accountability systems, consistent with section 1111(b)(3)(C)(xi) of the ESEA. Assessments of homeless students are to be included in school district or in State accountability when students have been in a school for a full academic year. However, States are not required to disaggregate, as a separate category, the assessment results of homeless students.

As homeless children and youth fall at the low end of the poverty continuum, LEAs and States should include the assessments of homeless students in the economically disadvantaged category of disaggregation, in addition to other applicable categories (e.g., "all student category").

Strategies to Facilitate Coordination and Collaboration Between Title I and the McKinney-Vento Act

- Ensure that LEA local liaisons attend Title I conferences and in-services, and that Title I coordinators attend homeless education conferences and in-services.
- Ensure collaboration between local Title I coordinators and LEA local liaisons on a plan that identifies ways that Title I will serve children and youth experiencing homelessness.
- Ensure collaboration between the State Title I coordinator and the State McKinney-Vento coordinator on the State Title I plan or the State consolidated plan.
- Share Title I and Homeless Education handbooks with programs.
- Collect and share across within and across districts concrete data on the needs of children and youth in homeless situations.
- Initiate district efforts to make organizational accommodations for eligible students as necessary in such areas as transportation, remaining in the school of origin, records transfer, class scheduling, and special services that will help them enroll, attend, and succeed in school.
- Ensure that the needs of highly mobile students are included in the school improvement plans and not addressed as a separate issue.
- Establish and widely disseminate information on district-wide policies, procedures, and guidelines to identify and serve eligible students.
- Ensure LEA homeless liaison representation on the Committee of Practitioners.
- Include homeless parents in Title I parental involvement policies and create opportunities for homeless parents to be involved.

Symposium on Homeless Education and Title I - Hosted by U.S. Department of Education and the National Center for Homeless Education (NCHE) 2001
References, Appendix G

N. Education for Homeless Children and Youth Contact information

N-1. Whom do I contact for further information about the McKinney-Vento program?

For further information or technical assistance, please contact the program office (202) 260-0826 or by fax at (202) 260-7764.

The McKinney-Vento Homeless Education Assistance Act and the *No Child Left Behind Act of 2001* can be accessed via the Internet by visiting the U.S. Department of Education website: <http://www.ed.gov/offices/OESE/esea/>.

APPENDIX A: DEFINITIONS

For local schools to comply with legislation related to serving students experiencing homelessness, they must identify eligible students. The McKinney-Vento Act defines *homeless children and youth* (twenty-one years of age and younger) as:

- Children and youth who lack a fixed, regular, and adequate nighttime residence, and includes children and youth who are:
 - sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as *doubled-up*);
 - living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
 - living emergency or transitional shelters;
 - abandoned in hospitals; or
 - awaiting foster care placement.
- Children and youth who have 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.
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- Migratory children who qualify as homeless because they are living in circumstances described above.

Unaccompanied Youth. The term *unaccompanied youth* includes a youth not in the physical custody of a parent or guardian. This would include youth living in runaway shelters, abandoned buildings, cars, on the streets, or in other inadequate housing and children, youth denied housing by their families (sometimes referred to as “throwaway” children and youth), and school-age unwed mothers, living in homes for unwed mothers, who have no other housing available.

If a child or youth’s living situation does not clearly fall into the situations described above, the LEA should refer to the McKinney-Vento definition of “fixed, regular and adequate nighttime residence” and consider the relative permanence of the living arrangements. Determinations of homelessness should be made on a case-by-case basis. Note that incarcerated children and youth and children and youth in foster care are *not* considered homeless. In addition, the community and schools should work together to reach homeless families and unaccompanied youth and ensure they are aware of their educational rights. Developing local policies and procedures and reaching out to the community and educational staff who require information on homeless students, and the legal requirements, and supportive practices in serving homeless students, is critical to successfully fulfill the intent of the McKinney-Vento Act.

School of Origin. The *school of origin* is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

APPENDIX B: RELATED EDUCATION LEGISLATION

The McKinney-Vento Act states that homeless children and youth must have access to the same educational services provided to other students. In addition, other educational legislation makes reference to serving homeless students. For example:

- Head Start has added homeless preschoolers as a targeted population to be served. Background on homelessness and its impact on young children, as well as implementation guidance can be found in a 1992 Information Memorandum from the Head Start Bureau (U.S. Department of Health and Human Services, Log Number: ACF-IM-92-12: http://www.nlchp.org/FA_Education/us_hhs_memo.pdf). Just as the legislation requires public schools to identify and remove barriers that may delay enrollment, the same requirement applies to preschool programs, such as Head Start.
- The Individuals with Disabilities Education Act (IDEA) requires that homeless preschoolers and all homeless children be included in the Child Find process for early identification of special education needs. It is recommended that, when possible, the eligibility process for identifying special needs should be expedited to avoid delays in provided services to eligible children caused by frequent mobility.
- Title I targets students most at risk of failing in school. A child who is homeless and attending any school in the district is eligible for Title I services. These schools include schoolwide programs, targeted assistance schools, and non-Title I schools. LEAs must reserve (set aside) a portion of Title I funds needed to provide services eligible students in non-Title I schools that are comparable to those being received by other Title I students. In addition, in order to receive their allocation of Title I funds, the LEA must include how the district will coordinate with the McKinney-Vento Homeless Assistance Act when filing their plan with the SEA. *See* Section 1111(a)(1); Section 1112(a)(1); Section 1112(b)(1)(E)(ii); Section 1112(b)(1)(O); Section 1113(c)(3)(a); and Section 1115(b)(2)(E).
- Free and reduced priced meals – The application process for free and reduced priced meals can be expedited for students experiencing homelessness. Schools that have determined a student is homeless and requires free meals may make this determination without completing the full application process. Local liaisons have been identified by the U.S. Department of Agriculture: http://www.nlchp.org/FA_Education/new_usda_memo.pdf

APPENDIX C: DRAFT STANDARDS AND INDICATORS OF QUALITY*

Draft Standards and Indicators of Quality For the Evaluation of Local Education Programs For Homeless Children and Youth (McKinney-Vento Programs)

***The following information in Appendix C is not a part of the U.S. Department of Education's Government Performance Results Act (GPRA) requirements. It is neither required nor endorsed by the Department. It is offered as part of the technical assistance and support provided to States and LEAs by the National Center for Homeless Education (NCHE) at SERVE**

Program evaluation is a critical element of program improvement. Although many good programs exist, what is lacking is an emphasis on using data to see if we are making a difference. It is vital to construct tools to ensure that we make continuous progress in serving homeless children and youth.

An appropriate evaluation plan compares the program of interest to a set of standards and indicators characteristic of high quality programs for homeless children and youth. Standards express general characteristics of high quality programs while indicators are subunits of the standards and describe more specific aspects of the programs.

During the summer 2001, NCHE convened a work group of State coordinators, local coordinators, representatives of national organizations, program evaluation specialists, and U.S. Department of Education staff. The group developed the following quality outcome standards and indicators for McKinney-Vento programs. SERVE Evaluation Program staff led the group through a process to develop indicators based on discussions of effective programs and practices that result in increased school enrollment, attendance, and achievement of homeless children and youth.

Reflecting the McKinney-Vento legislation, the following five standards and their associated indicators were drafted to facilitate local program personnel to evaluate their programs with the results leading to effective programmatic decisions.

Standard 1. *Within one full day of an attempt to enroll in a school, homeless children and youth will be in attendance.*

Rationale: Homeless children and youth are often denied enrollment or are enrolled but not allowed to attend school until certain requirements are met. Research shows that gaps in attendance are linked to poor academic performance; children cannot learn if they are not in school.

McKinney-Vento: The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, or other documentation. [Sec. 722(g)(3)(C)(i) of McKinney-Vento]

Standard 2. *Homeless pre-k to 12 children and youth will have stability in school.*

- 2.1. Attendance rates will be at or above the relevant district average.**
- 2.2. Students will remain in the school of origin for the period of homelessness or, if permanently housed, for the remainder of the school year, unless parents or unaccompanied youth requested transfer to another school.**

Rationale: School stability and continuity in school enrollment are associated with school success including achievement, promotion, and graduation. Research studies have indicated that a child may lose 4-6 months of academic progress with each move to a new school. The importance of a child attending one school and of attending consistently (in one school or in several schools without gaps during a transition if the child must change schools) cannot be underestimated.

McKinney-Vento: The local education agency serving each child or youth to be assisted under this subtitle shall, according to the child's or youth's best interest continue the child's or youth's education in the school of origin for the duration of homelessness in any case in which a family becomes homeless between academic or during an academic year; or for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year. [Sec.722(g)(3)(A)(i)(I) and (II) of McKinney-Vento]

Standard 3. *Homeless children and youth will receive specialized services when eligible.*

- 3.1. Eligible homeless preschool children can participate in public preschool (Head Start, Even Start, State pre-K, preschool programs for children with disabilities under the Individuals with Disabilities Education Act, meals, programs for children with limited English proficiency, and Title I pre-school programs).**
- 3.2. Eligible homeless children and youth can receive special education and related services under the Individuals with Disabilities Education Act, educational and related aids and services under Section 504 of the Rehabilitation Act of 1973, and educational programs for students with limited English proficiency.**
- 3.3. Homeless Children and youth will receive appropriate services, based on assessment of individual needs, through a combination of resources, including, but not limited to Title I, McKinney-Vento, and other federally funded programs.**

Rationale: Consistent with the intent of the *No Child Left Behind Act*, the provision of services to the neediest of students is essential to closing the academic achievement gap between students most at risk of failure and those least at risk. Homeless students

frequently move from school to school before eligibility for specialized programs can be determined or before they can rise high enough on waiting lists to be admitted to programs. Programs must find ways to accommodate their eligibility policies and procedures to address the needs of highly mobile students.

McKinney-Vento: Each homeless child or youth to be assisted under this subtitle shall be provided services comparable to services offered to other students in the school selected ..., including the following: transportation services; educational services for which the child or youth meets the eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency; programs in vocational and technical education; programs for gifted and talented students; school nutrition programs. [Sec. 722(g)(4) of McKinney-Vento]

Standard 4. Parents or persons acting as parents of homeless children and youth will participate meaningfully in their children’s education.

- 4.1. Parents or persons acting as parents will have a face-to-face conference with the teacher, guidance counselor, or social worker within 30 days of enrollment.**
- 4.2. Parents or persons acting as parents will be provided with individual student reports informing them of their child’s specific academic needs and achievement on academic assessments aligned with state academic achievement standards.**
- 4.3. Parents or persons acting as parents will report monitoring or facilitating homework assignments.**
- 4.4. Parents or persons acting as parents will share reading time with their children (i.e., parent reads to child or listens to child read).**
- 4.5. Parents who would like parent skills training will attend available programs.**
- 4.6. Parents or guardians will demonstrate awareness of McKinney rights.**
- 4.7. Unaccompanied youth will demonstrate awareness of McKinney-Vento rights.**

Rationale: Research shows that one of the most critical indicators of academic success is the involvement of parents in their children’s education. In families experiencing homelessness, parents often face many challenges to their participation in their children’s education. School districts need to take extra steps to help parents in homeless families become involved in the education of their children.

McKinney-Vento: Each local educational agency liaison for homeless children and youth ... shall ensure that the parents or guardians of homeless children and youth are

informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children. [Sec. 722(g)(6)(A)(iv) of McKinney-Vento]

Title I, Part A regarding Standard 4.2: [A state assessment system shall] produce individual student interpretive, descriptive, and diagnostic reports, consistent with clause (iii) that allows parents, teachers, and principals to understand and address the specific academic needs of students, and include information regarding achievement on academic assessments aligned with State academic achievement standards, and that are provided to parents, teachers, and principals, as soon as is practicably possible after the assessment is given, in an understandable and uniform format, and to the extent practicable, in a language that parents can understand. [Sec. 1111(b)(3)(C)(xii) of the ESEA]

Standard 5. Homeless children and youth in grades 3-12 will meet their states' academic standards.

- 5.1. Performance on standards-based assessments in reading and math will be within or above the proficient range or will show a one-for-one gain.**
- 5.2. Rates of promotion to the next grade level will be at or above the district average.**
- 5.3. Rates of high school graduation or equivalent will be at or above the district average.**

Rationale: Consistent with the *No Child Left Behind Act*, homeless children and youth must be given the opportunity to achieve to the same high standards as all other children. Each of the preceding standards helps to provide the support a homeless child or youth needs to succeed academically.

McKinney-Vento: Homeless children and youths should have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging State student academic achievement standards to which all students are held. [Sec. 721(4) of McKinney-Vento]

Appendix D: Sample Student Residency Questionnaire*

Everyday Unified School District

*[This form was not developed nor is it endorsed by the U.S. Department of Education. It is not a required form. It was adapted for use as an example].

This questionnaire is intended to address the McKinney-Vento Act. Your answers will help the administrator determine residency documents necessary for enrollment of this student.

1. Presently, where is the student living? *Check one box.*

Section A	Section B
<input type="checkbox"/> in a shelter <input type="checkbox"/> with more than one family in a house or apartment <input type="checkbox"/> in a motel, car or campsite <input type="checkbox"/> with friends or family members (other than parent/guardian) <i>CONTINUE:</i> If you checked a box in Section A , complete #2 and the remainder of this form.	<input type="checkbox"/> Choices in Section A do not apply <i>STOP:</i> If you checked this section, you do not need to complete the remainder of this form. Submit to school personnel.

2. The student lives with:

- 1 parent
- 2 parents
- 1 parent & another adult
- a relative, friend(s) or other adult(s)
- alone with no adults
- an adult that is not the parent or the legal guardian

School: _____

Name of Student _____ Male Female

Birth Date _____ / _____ / _____ Age: _____ Social Security# _____
Month / Day / Year

Name of Parent(s)/Legal Guardian(s) _____

Address _____ ZIP: _____ Phone/Pager: _____

Signature of Parent/Legal Guardian _____ Date: _____

School Use Only - Campus Administrator's determination of Section A circumstances:
--

➔ FAX to Attendance, Guidance and Counseling 777-777

If the parent has checked Section B above, completion of form is not required. For any choices in Section A, this form must be completed and faxed to Attendance, Guidance and Counseling Department immediately after completion. All campuses must keep original forms separately from the Student Permanent Record for audit purposes during the year.

Name and phone number of a School Contact Person who may know of the family's situation:

_____ Date faxed: _____

Appendix E: Dispute Resolution Process School Sample Form*

Everyday Independent School District

.*[This form was not developed nor is it endorsed by the U.S. Department of Education. It is not a required form. It was adapted for use as an example].

School Name: _____
School Address: _____ Phone: (777) _____ Fax: (777) _____
Student's Name: _____ I.D.#: _____ Grade: ____
Current Address: _____ Current Phone: _____
Parent/Guardian/Complaining Party's Name: _____

Relationship: Parent Guardian Unaccompanied Youth Other:

Current Address: _____ Current Phone: () _____

Please note: Information regarding student's address, phone number, and information protected by Everyday School Records Act and can only be released to parent/guardian, the student, or to a person specifically designated as a representative of the parent/guardian.

Lives in a Shelter Yes No

Name of school that parent chooses child to be immediately enrolled in and /or transported to/from until dispute is resolved:

Is this the school of origin*? Yes No

**School of Origin means the school that the child attended when permanently housed or the school in which the child was last enrolled.*

If no, from which school was the student transferred? _____

Reason for the Complaint: _____

Signature of parent/guardian/complaining party:

Date:

Principal's Actions on the Complaint

Taken within __ school day(s) after receiving notice of the complaint.

Date Homeless liaison was notified of the dispute:

Action taken by principal to resolve the dispute: __

Was the dispute resolved? Yes No

Explanation:

Appendix F: Dispute Resolution Process School District Sample Form*

EVERYDAY PUBLIC SCHOOLS

*[This form was not developed nor is it endorsed by the U.S. Department of Education. It is not a required form. It was adapted for use as an example].

Student's Name: _____ I.D.#: _____

Grade: _____

School Name: _____

District Action On Complaint

Taken within ____ school days after receiving notice of the complaint.

Did the Education Liaison resolve this dispute? Yes No

If dispute was resolved: describe the actions taken by the Education Liaison to resolve the dispute to the satisfaction of parent/guardian:

If dispute was *not* resolved to the satisfaction of the parent/guardian: provide the date that a District Education Officer convened a meeting of the parties and briefly describe the outcome of this meeting:

The following organizations are willing to provide low-cost or free legal assistance to residents of Everyday*:

Everyday Coalition for the Homeless Main Street Everyday, USA (800) 555-5555
Everyday Coalition is willing to provide to homeless children and parents free legal services regarding educational matters.

*By listing these organizations as sources of low-cost or free legal services, the Everyday Board of Education does not in so doing recommend or advocate the use of the services of the listed organizations, nor is the Board responsible for the quality of services provided by any of these listed organizations, should their services be used.

Action taken by Everyday School District to resolve the dispute (if necessary): _

Was the dispute resolved? Yes No Date:

Explanation:

Appendix G: References

The Education of Homeless Children and Youth Program: Learning to Succeed. (November, 2002). Chapter I, Phillips, C.M., Wodatch, J.K., & Kelliher, C.T. *Access and achievement: Reducing barriers for homeless children and youth.* Chapter II, Funkhouser, J.E., Riley, D.L., Suh, H.J., and Lennon, J.M. *Educating Homeless Children and Youth: A Resource Guide to Promising Practices.* Washington, DC: U.S. Department of Education.

Local Homeless Liaison Toolkit. (January, 2003). (Pre-Publication Draft) Popp, P.A., Hindman, J.I., Stronge, J.H. National Center for Homeless Education at SERVE Greensboro, NC.

Report To Congress Fiscal Year 2000. (December, 2001). Education for Homeless Children and Youth Program, Washington, D.C.: U.S. Department of Education.

Symposium on Homeless Education and Title I. (Proceedings, 2001). Hosted by U.S. Department of Education and the National Center for Homeless Education at SERVE, Greensboro, NC.

**Summary of McKinney-Vento Act Guidance/Policy
from the United States Department of Education
Toolkit Appendix Q / Supplementary Guidance**

Summary of Issues and Guidance Received July 3, 2003 via e-mail

Issue: District's obligation for transporting formerly homeless students.

- Once permanently housed, LEAs are **not** required to provide transportation to the school of origin under the McKinney-Vento Act.
- Recognizing the need to provide educational stability to homeless students who become permanently housed, LEAs are encouraged to prevent fragmentation of school services and continue the school of origin option. Since these students are no longer covered under the McKinney-Vento requirement to provide transportation, Title I funds reserved under Section 1313(c)(A), other Title I funds, Title V funds, or McKinney-Vento funds **may** be used to provide transportation to the school of origin. (While students are homeless, transportation is a requirement of the law and using other federal funds is interpreted as supplanting.)

Issue: Preschool Programs Operated by an SEA or LEA

- There is no requirement to transport children experiencing homelessness in preschool programs to the school of origin. These programs are considered voluntary educational services outside the requirements of compulsory education. "It is the Department's position that compulsory education and access to pre-school educational services - even if provided by a State or local governmental agency - can not be held to the same standard ... It would be a gross misapplication of the McKinney-Vento statute to impose upon States an obligation to set requirements for public pre-school education other than the existing comparability and coordination language."

-----Original Message----- TEXT of Email

From: Rutkin, Gary [mailto:Gary.Rutkin@ed.gov]

Sent: Thursday, July 03, 2003 3:02 PM

To: National Association for the Education of Homeless Children and Youth (NAEHCY) Listserv

Subject: Recent guidance on McKinney-Vento

Colleagues:

From time to time the Department will have an opportunity to address broad issues that were not included in the published draft guidance. Please find below items that have been reviewed internally by the Department as guidance to the field:

Guidance/Policy issue for Homeless Education Program on Districts' obligation for transporting formerly homeless students.

States have inquired, based on Section 722(g)(3) Local Educational Agency Requirements, if an LEA makes a best interest determination to transport a homeless student to the school of origin and the student may continue to attend for the remainder of the year, even after they become permanently housed, does the LEA have an obligation to continue to provide transportation to the school of origin after it is determined that the student is no longer homeless?

The McKinney-Vento Act expressly requires LEAs to provide or arrange transportation for homeless students to and from their school of origin at the request of a parent or guardian (based on child's best interest and feasibility). ED's homeless guidance reinforced this by stating that as a statutory requirement, transportation to school of origin cannot be paid for using other Federal funds (no supplanting requirement).

Additionally, McKinney-Vento allows students who become homeless between or during academic years to continue in the school of origin for the remainder of the academic year if the student becomes permanently housed during an academic year. However, there is no statutory definition of permanently housed. The statute refers to fixed, regular and adequate nighttime housing.

Discussions on this issue with the Office of General Council and the OESE Senior Policy Group it was determined that the provision of transportation to the school of origin is based on a student's status as homeless. The provision to remain in the school of origin during the remainder of the year is to provide for school stability. However, the transportation provision is for homeless students only. Once a student becomes permanently housed and chooses to remain in their school of origin, it is at the district's discretion to continue to provide or arrange transportation, as appropriate. The district is under no statutory obligation.

Guidance/Policy issue for Homeless Education Program on Districts' use of Federal funds to pay the excess costs of transporting formerly homeless students.

States have inquired in a similar vein to the prior question: if a student is no longer homeless and would otherwise qualify for Title I, A services, may districts use Title I funds reserved under Section 1113(c)(3)(A), other Title I or Title V funds to pay for the excess costs of transportation to the school of origin?

ED Homeless education program guidance states: "LEAs may not use funds under Title I, Part A or Title V, Part A to transport homeless students to or from their school of origin. Transportation services to the school of origin are mandated under the McKinney-Vento Act's legislation. The supplanting provisions in Title I and Title V prohibit such funds from being used to support activities that the LEA would otherwise be required to provide."

Homeless children and youth are automatically eligible for services under Title I, Part A. An LEA must reserve funds for homeless children who do not attend participating Title I schools and may, for instance, provide support services to children in shelters and other locations where homeless children live.

However, the legislation is silent on the educational support needs of formerly homeless students who become 'permanently housed' during the academic year. The McKinney-Vento Act permits formerly homeless students to remain in their school of origin despite residential instability, yet lack of transportation can prevent them from doing so. Given that transportation has been one of the foremost enrollment barriers, States are asked to highlight in guidance to districts the new transportation responsibilities of LEAs under the reauthorized McKinney-Vento legislation. It is equally important for the Department to encourage school districts to prevent fragmentation of school services for formerly homeless students who may not be able to maintain the continuity of their education in the school of origin once transportation support is no longer provided under the statute.

School districts should be encouraged to adopt a number of options to aid formerly homeless students to remain in the school of origin for the remainder of the school year. If a homeless child or youth becomes permanently housed during an academic school year, school districts may wish to use Title I funds reserved under 1313(c)(3)(A), other Title I funds, Title V or where available, McKinney-Vento subgrant funds, to cover the excess costs of transportation to the school of origin for the remainder of the school year. This practice will assist students who are in the highest economically disadvantaged category to receive appropriate education and support services uninterrupted by sudden changes in housing status that is often not in their control.

While this is an unintended gray area of the legislation, school districts may use such funds to assist a formerly homeless student to remain in their school of origin. Homelessness and transition to more permanent housing are often fragile periods for families. While the use of Title I and Title V funds for transportation is unallowable for homeless students, formerly homeless students would not create an issue of supplanting. The use of such funds may be viewed as appropriate for students who were homeless during the school year in which they became permanently housed. Therefore, district may use funds, as appropriate, reserved under Section 1313(c)(3)(A), other Title I funds, Title V or where available, McKinney-Vento subgrant funds to assist a formerly homeless student to remain in their school of origin for the remainder of the academic year, if they become permanently housed. This recommendation to LEAs is permissive and is not a mandatory condition of services or implied burden.

Preschool Programs Operated by an SEA or LEA

Recently questions have come up about district obligations for transporting preschoolers to the school of origin. Information on this topic was recently shared by partner organizations desiring to assist in interpreting the statute. It is the Department's position that compulsory education and access to pre-school educational services - even if provided by a State or local governmental agency - can not be held to the same standard. The entire authorization and reauthorization of ESEA is based on students receiving FAPE based on compulsory attendance. There is no concept for a 'school of origin' for a voluntary pre-school educational service. Most state compulsory education laws stem from statutes written in the 19th or early 20th century which makes minimum school age of 6 with permission for 5 year olds to enter into this system. Parents can be subject to legal actions for violating state compulsory education attendance laws. Only special education requires pre-school education for 3-5 year olds - and this is by Federal law. It would be a gross misapplication of the McKinney-Vento statute to impose upon

States an obligation to set requirements for public pre-school education other than the existing comparability and coordination language.

Gary

Gary Rutkin

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**Summary of McKinney-Vento Act Guidance/Policy
from the United States Department of Education
Toolkit Appendix Q / Supplementary Guidance**

Summary of Issue and Guidance Received July 22 & 23, 2003 via e-mail

Issue: Definition of homeless children and youth “awaiting foster care”

The definition of the homeless children and youth found in the *No Child Left Behind Act of 2001* includes children and youth “awaiting foster care.” This term can be interpreted in a variety of ways. The following correspondence from the United States Department of Education explains that under foster care legislation, there is no such thing as “awaiting foster care.” Once children are identified, they are part of the system. However, it is possible to use McKinney-Vento requirements, such as those related to remaining in the school of origin and immediate enrollment, when a child or youth in the foster care system is living in a *temporary situation*. Such determinations should be made on a case-by-case basis and will require collaboration between local homeless education liaisons and personnel in foster care. Please note the bolded section of the correspondence from July 23, 2003 that offers the most helpful information.

-----Original Message----- TEXT of Email

From: "Rutkin, Gary" <Gary.Rutkin@ed.gov>

Subject: Children awaiting foster care placement

Date: Tue, 22 Jul 2003 15:38:55 -0400

Dear Colleagues;

As stated previously, from time to time the Department will add to its guidance on the McKinney-Vento Education for Homeless Children and Youth Program. We have had several inquiries regarding the statutory meaning for children "awaiting foster care placement". After consultation with program and public policy officials at the U.S. Department of Health and Human Services and its Administration for Children and Families, which oversees laws and policies related to foster care, we offer the following information:

Under Section 725(2) of the McKinney Vento Homeless Assistance Act, the term "homeless children and youth" means individuals who lack a fixed, regular, and adequate nighttime residence and includes children and youth who are "awaiting foster care placement". Some questions have arisen concerning the meaning of the phrase "awaiting foster care placement". The purpose of this note is to provide some additional guidance on this issue.

Children and youth who have already been placed in foster care are not considered homeless; children and youth who are awaiting foster care placement are considered homeless. In interpreting the phrase "awaiting foster care placement", we are guided by the definition of "foster care" in 45 CFR 1355.20, a regulation promulgated by the Department of Health and Human Services. Under this regulation, children and youth in the following circumstances have been placed in foster care and, therefore, are not considered to be homeless:

"Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the State 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, childcare 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 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."

In determining whether a child or youth is "homeless" under the McKinney-Vento legislation because he or she is "awaiting foster care placement", local school officials should consult with their district liaison for homeless children and youth as well as their local public social service agency providers. The determination should include public social service agency providers' input, in as much as the agency may be able to define its relationship to the child or youth based on current or prior family court actions.

Gary

Gary Rutkin

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U.S. Department of Education

400 Maryland Ave, SW

Washington, D.C. 20202

-----Original Message----- TEXT of Email

From: "Rutkin, Gary" <Gary.Rutkin@ed.gov>

Subject: FW: Children awaiting foster care placement- follow-up

Date: Wed, 23 Jul 2003 16:33:10 -0400

I was asked to clarify how the HHS regulations would permit a dialogue between schools and social service agencies regarding identifying a student as both homeless and 'awaiting a foster care placement', if in fact there appears to be no instances of awaiting foster-care. Obviously we have incompatible language with legislations designed to protect and serve at-risk children. For McKinney-Vento purposes, which means for purposes of serving the needs of a child who fits the definition of homeless children and youth, liaisons can be guided by the HHS regulatory definitions, **however, they can still collaborate with social services to jointly advocate for educational services that supports the educational needs of an individual student in a given temporary living situation. For example, both parties may reach an agreement to serve a student under McKinney-Vento while in a short-term emergency placement in order to maintain a stable school setting (e.g., school of origin). It is, therefore, essential to establish collaborative relationships to help define how language that supports children eligible for McKinney-Vento (awaiting foster care placement) can be used to help them receive those services, even when there are competing regulations.** We believe circumstances will naturally come about that we cannot anticipate that will call for flexibility in interpreting how statutory language is applied to serve the best needs of homeless students. As State Coordinators you are in the best position to recommend and guide liaisons in understanding how to be flexible in supporting students, while understanding compatible and competing statutory requirements.

Appendix R:

Calculating Title I Set Asides





No Child Left Behind FINANCIAL COMPLIANCE INSIDER

FREE SAMPLE ISSUE

Four Methods for Determining New Mandatory Title I, Part A Set-Aside for Homeless Children

NCLB has made big changes in the way school districts address the needs of homeless students. Because the McKinney-Vento Homeless Education Assistance Act was reauthorized as part of NCLB, districts that receive Title I, Part A funds must now comply with new requirements, including a mandatory set-aside of those funds to serve homeless children. And districts must use the McKinney-Vento definition of “homeless” when determining which students are eligible for services under the mandatory set-aside. But districts throughout the country are struggling to comply with the law because NCLB leaves it up to districts to decide how to determine the amount of this set-aside.

NCLB Section 1113(c)(3)(A) says that a district “shall reserve such funds as are necessary” to provide services to homeless children and that these services must be comparable to the services the district provides to children in Title I, Part A schools. And Section 200.77(a)(1) of the Title I regulations says that districts “must reserve funds as are reasonable and necessary” to serve homeless children. Before NCLB, Title I, Part A said that districts needed to reserve funds only “where appropriate” to serve homeless children. This language gave districts the option to reserve funds, rather than make the set-aside mandatory, explains Dona Bolt, Oregon State Coordinator for Homeless Education. And NCLB expanded the federal definition of homeless so that many more students are now covered by this definition than districts may have previously identified.

To help you comply with the new mandatory set-aside requirement, we’ll explain the definition of homeless you must apply to determine who’s covered by the set-aside. And because NCLB doesn’t tell you how to determine the set-aside, we’ll give you expert advice on four methods you can consider using in your district to determine how much of your Title I, Part A funds to reserve.

Which Children Are Homeless?

Before you can determine how much of your Title I, Part A funds you need to set aside to serve homeless students in your district, you need to understand which students are

homeless. The definition appears in Section 725(2) of the McKinney-Vento Act, located in Title X, Part C of NCLB. According to this definition, homeless children are those “who lack a fixed, regular, and adequate nighttime residence.” This includes not only those who live in shelters, abandoned buildings, cars, and public spaces but also children who share housing with other families because of economic hardship or live in motels, hotels, trailer parks, or campgrounds. This definition of homeless is much broader than the one districts receiving Title I, Part A funds typically used before NCLB, warns Bolt.

Insider Says: To successfully serve homeless students, make sure that your district’s “homeless liaison,” as well as school staff, such as registrars, secretaries, and counselors, who are involved with enrolling new students, understand the broad scope of the law’s definition of homeless, says Barbara James, project director for the Texas Homeless Education Office. McKinney-Vento requires every school district to designate a local liaison whose responsibilities include ensuring that homeless children are identified, enrolled in and attend school, and have opportunities for academic success, explains James.

How to Determine Set-Aside

Section 1113(c)(3)(A) requires districts to reserve funds to serve homeless students, but it doesn’t tell them how to figure out what the right amount should be or give districts a formula to use. Section M-2 of the U.S. Department of Education’s (ED’s) Draft Guidance on the Education for Homeless Children and Youth Program says that districts can develop their own formulas for complying with the set-aside requirement. Based on discussions with state coordinators for homeless education programs, we’ve identified four methods you might be able to use to determine your set-aside for homeless students. Before you use one of these methods, be sure to discuss it with your state educational agency.

Method #1: Identify homeless students’ needs, and fund accordingly. The best way to determine the set-aside is to figure out how much it costs to pay for the

services that homeless children in your district need and reserve that amount of Title I, Part A funds to pay for them, explain Bolt and James. To make this determination, you should look at how much it cost last year to have your homeless liaison fulfill the requirements set out in Section 722(g)(6) of McKinney-Vento, Bolt explains. In addition to coordinating the identification and school enrollment of homeless children, this provision of the law requires liaisons to inform parents of homeless children about “educational and related opportunities available to their children,” assist parents of homeless children in accessing school transportation, and provide public notice of the educational rights of homeless children at places like soup kitchens and family shelters. Based on last year’s cost data, you can allocate your Title I, Part A set-aside, taking into account any changes you anticipate in your population of homeless students.

Method #2: Obtain count of homeless students, and multiply by Title I, Part A per-pupil allocation. Suppose your district hasn’t been using NCLB’s expanded definition of homeless to provide services or you just don’t have available the kind of cost information described in Method #1. In that case, you’ll need to use a formula to calculate your set-aside. One way to calculate the set-aside is to do a thorough count of homeless students in your district and multiply the number of homeless students you identify by your district’s Title I, Part A per-pupil allocation, says James.

Example: Your district identifies 10 children as homeless, using the McKinney-Vento definition. Your Title I, Part A per-pupil allocation is \$600. You could comply with the set-aside requirement by reserving \$6,000 ($\$600 \text{ per-pupil allocation} \times 10 \text{ students}$).

But getting an accurate count of homeless students can be challenging. One way to do a count is to survey your staff about their knowledge of which students in your schools meet the definition of homeless. But if you do this, the surveyors must thoroughly understand the law’s definition of homeless and how to apply this definition to the survey data they gather, Bolt explains. And because Section E-1 of the draft guidance bars segregating or stigmatizing homeless students, you must be careful that your surveying methods identify homeless students without doing that, James adds.

If you can’t get an accurate count of homeless students through surveys, you may be able to rely on other available data on homeless students in your district as the basis for calculating your set-aside. For example, your state’s housing agency or statewide homeless coalition may have data on homeless people, says James. But some homeless count methods produce more reliable data than others. For instance, a shelter count may include information about only those individuals who are in shelters and may not count individuals who don’t use them, such as those who share housing with relatives or friends because of economic hardship, explains James.

Method #3: Reserve an amount of funds greater than or equal to the amount of your McKinney-Vento subgrant request. If you’re applying for a McKinney-Vento subgrant, consider using an amount equal to or greater than your subgrant request as your Title I, Part A set-aside, advises Bolt. For example, if your district applies for a \$20,000 McKinney-Vento subgrant, reserve at least \$20,000 in Title I, Part A funds to serve homeless children. Not only may this satisfy the set-aside requirement in Section 1113(c) (3)(A), but because states award McKinney-Vento subgrants to districts on a competitive basis, a larger Title I, Part A set-aside makes your subgrant application more competitive, says Bolt. Matching your subgrant request with Title I, Part A funds also ensures that you don’t violate “supplement, not supplant” rules about the use of federal funds, she adds.

Some states require a district to at least match its McKinney-Vento subgrant request with Title I, Part A funds, so make sure you consult your state educational agency’s Coordinator for Homeless Education to learn your state’s application requirements for McKinney-Vento subgrants, advises Bolt.

Method #4: Reserve a specific percentage based on your district’s poverty level or total Title I, Part A allocation. If you don’t have the time or resources available to get an accurate count of homeless students and aren’t applying for a McKinney-Vento subgrant, consider setting aside an amount of Title I, Part A funds that’s tied to either your Title I, Part A allocation or your district’s poverty level data. Some districts set aside a specific percentage of their Title I, Part A funds to comply with the requirements of Section 1113(c)(3)(A). For example, a district might set aside between 1 percent and 5 percent of its total allocation, depending on the district’s poverty level, says James. Higher-poverty districts might want to reserve more funds for the set-aside because there are generally more homeless students in higher-poverty areas, she explains.

Insider Says: Because this last method is the most arbitrary, it’s a good idea to look at some comparison data to see whether your set-aside is appropriate, recommends Bolt. For example, you might look at your district’s student mobility rates or U.S. census poverty rates for your district. If these numbers are high, this might correlate to a high number of homeless students in your district, she says, so you should make sure that your Title I, Part A set-aside accounts for this by raising the amount of your set-aside. Or you may want to count the students in your district who participate in free and reduced-priced lunch programs. Because homeless children are automatically eligible for these programs, a high count of participating students may indicate a high number of homeless students, Bolt explains. ■

INSIDER SOURCES

Dona Horine Bolt: Office of Student Services, Oregon Dept. of Education; dona.bolt@state.or.us.

Barbara James: Project Director, Texas Homeless Education Office, Charles A. Dana Ctr., The Univ. of Texas at Austin, 2901 IH 35, Austin, TX 78722; babawawa@mail.utexas.edu.

Appendix S:

Ensuring Enrollment for Unaccompanied Youth



NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY

School Enrollment for Unaccompanied Youth

Unaccompanied youth are those “not in the physical custody of a parent or guardian”¹ and include young people who have run away from home or have been forced to leave their homes. Unaccompanied youth live in a wide variety of situations, including shelters, the streets, abandoned buildings, doubled-up with friends or relatives, cars and campgrounds. A recent study of youth who had run away from or been forced out of their homes found that over one-third of the youth reported sexual abuse and one-half reported physical abuse in the home.² Severe dysfunction in the home is also common. For example, over two-thirds of the youth reported that at least one parent abused drugs or alcohol. Many young people are not welcome in their homes due to their sexual orientation or identity, pregnancy, or other types of family conflict.

Despite their dire circumstances, many unaccompanied youth remain committed to education. School may be the only safe, stable environment in their lives. These young people recognize the importance of an education and earnestly desire to attend and succeed in school. Delays in enrollment will not only negatively impact these young people’s academic achievement, but it may also deter them from remaining in school.

By definition, unaccompanied youth live apart from their parents and legal guardians. Therefore, they may attempt to enroll in school independently, or with the

¹ 42 U.S.C. 11434A(6) (2002).

² MacLean, Michael G., Embry, Lara E. & Cauce, Ana Mari (1999). Homeless Adolescents’ Paths to Separation from Family: Comparison of Family Characteristics, Psychological Adjustment, and Victimization. *Journal of Community Psychology*, 27(2), 179-187.

Drafted by the National Law Center on Homelessness & Poverty, July 2003.

Address questions/comments to Patricia Julianelle, at julianelle@nlchp.org.

This information is not offered as legal advice and should not be used as a substitute for seeking professional legal advice. It does not create an attorney-client relationship with you.

assistance of a friend, relative or mentor. The lack of a parent or legal guardian cannot delay the enrollment of an unaccompanied youth. Schools must immediately enroll homeless youth in school, even if they are “unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.”³ States must address enrollment delays caused by guardianship issues.⁴ Therefore, schools cannot delay enrollment for unaccompanied youth, even if they lack proof of guardianship or other documentation.

To ensure immediate access to school for unaccompanied youth, the McKinney-Vento Act presents a broad directive to states and school districts to revise policies and practices that act as barriers to enrollment of unaccompanied youth and all homeless children and youth.⁵ Although all homeless youth have a right to enroll in and attend public school, school policies that require parent or guardian involvement in enrollment effectively eliminate or stall this right for unaccompanied youth. The McKinney-Vento Act does not expressly command states to allow youth to enroll completely independently; therefore states have taken different approaches to remedy the enrollment difficulties faced by unaccompanied youth. However, every school district must have a

³ See 42 U.S.C. §11432(g)(3)(C)(i) (2002) (“The school selected...shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.”).

⁴ See 42 U.S.C. §11432(g)(1)(H)(iv) (2002) (explaining that each State must submit a plan discussing strategies addressing “problems resulting from enrollment delays that are caused by...guardianship issues...”).

⁵ See 42 U.S.C. §11431(2) (2002) (“In any State that has a compulsory residency requirement as a component of the State’s compulsory school attendance laws or other laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youths, the State will review and undertake steps to revise such laws, regulations, practices, or policies to ensure that homeless children and youths are afforded the same free, appropriate public education as provided to other children and youths.”); 42 U.S.C. §11432(g)(1)(I) (2002) (State plans must demonstrate “that the State educational agency and local educational agencies in the State have developed, and shall review and revise, policies to remove barriers to the enrollment and retention of homeless children and youths in school in the State.”).

designated staff person, referred to in the McKinney-Vento Act as a liaison, who must assist unaccompanied youth in placement and enrollment decisions, explain the youth's right to appeal school decisions, ensure the youth is immediately enrolled in school while appeals are pending, and ensure the youth has access to transportation to school.⁶

Explicit Statutory Language

The clearest and strongest way for states to eliminate enrollment delays caused by guardianship issues is to pass a state law specifying that schools must enroll unaccompanied youth in school. Oregon's statute is one model. The relevant language reads: "A school district shall not exclude from admission a child located in the district solely because the child does not have a fixed place of residence or solely because the child is not under the supervision of a parent, guardian or person in a parental relationship."⁷ New York's Education of Homeless Children statute is even more specific, by defining "designator" (the person who chooses the school district and enrolls the student) as a parent, guardian or "the homeless child, if no parent or person in parental relation is available," or "the director of a residential program for runaway and homeless youth... in consultation with the homeless child, where such homeless child is living in such program."⁸ Missouri law specifically provides that, "in order to register a pupil, the parent or legal guardian of the pupil or the pupil himself or herself shall provide" necessary documentation.⁹

⁶ 42 U.S.C. §§11432(g)(3)(B)(iii), 11432(g)(3)(E)(iv); 11432(g)(6)(A)(vii) (2002).

⁷ OR. REV. STAT. §339.115(7) (1999).

⁸ N.Y. ED. LAW §3209(1)(b)(2) (McKinney 2001).

⁹ MISS. REV. STAT. §167.020(2) (West 2002).

Board Policy and Agency Supervision

State Board of Education policy can also alleviate problems unaccompanied youths encounter. With proper agency supervision, board policies can be as effective as state laws in ensuring immediate enrollment for young people. The West Virginia Board of Education policy on attendance explains that a student is officially enrolled when a “student appears at school to enroll with or without a parent/guardian; or student and/or parent/guardian appears at school to enroll with or without records.”¹⁰

Caregiver Authorization Forms

Passing state laws, regulations or state school board policies that allow unaccompanied youth to enroll themselves in school presents the fewest barriers to immediate enrollment. However, some states have adopted an alternative, which permits enrollment without a parent or legal guardian, as long as a responsible adult accompanies the youth. For example, California and Virginia use “caregiver” forms to permit non-parent adults to enroll youth in school. California law requires the caregiver to be a California resident at least 18 years of age.¹¹ This form is helpful and benefits many youth who live with friends or relatives. However, some unaccompanied youth are forced to live on their own and are not able to seek support from a caregiver. The caregiver form continues to exclude these students. A state wishing to create a caregiver procedure should be careful to address this concern and to use plain language and simple procedures to prevent delays in enrollment.¹²

¹⁰ West Virginia, Legislative Rule, Board of Education, Attendance (4110) §126-81-4.

¹¹ CAL. FAM. CODE § 6550 (West 1996). The California Department of Education has developed form to implement this statute, which incorrectly states that the caregiver must be a relative. Requiring a caregiver to be a relative would render the process useless to youth who are residing with friends, mentors, or other unrelated individuals.

¹² Caregiver forms, much like appointments of surrogate parents for students with disabilities, do not affect the primary rights or responsibilities of parents toward their children. Parents retain

Unwritten Policy

The McKinney-Vento Act requires local educational agency (LEA) liaisons to work closely with homeless youth to ensure immediate enrollment in school, including while disputes are pending.¹³ Liaisons are thereby given the authority, and responsibility, of ensuring that unaccompanied youth are enrolled in school. The majority of states seem to expect liaisons to implement this requirement, without mandating a particular enrollment procedure or providing explicit direction from the state level. While this practice may work in many circumstances, it creates a risk that particular schools or school personnel may not permit unaccompanied youth to enroll in school, either through ignorance of the law or unwillingness to enroll the students.¹⁴ As long as state and local policies do not create an exception to guardianship requirements for unaccompanied youth, those states and LEAs have not complied with the McKinney-Vento Act's requirement to revise policies and practices that act as barriers to enrollment of unaccompanied youth and all homeless children and youth.

Conclusion

Those states that have enacted state laws or policies to provide for the immediate enrollment of unaccompanied youth are much more likely to avoid enrollment delays and to be in compliance with the McKinney-Vento Act. States that lack written policies for enrolling unaccompanied youth should enact such policies, through advocacy with the

these rights and responsibilities until their children reach the age of majority or a court removes parental rights.

¹³ 42 U.S.C. §11432 (g)(3)(E)(iv) (2002).

¹⁴ Email correspondence with state homeless education coordinators about enrollment requirements confirmed that secretaries, principals and superintendents are not always aware of the law. The sheer number of school districts in the United States, combined with school building and district staff turnover, compound this problem.

state department of education, state school board or state legislature. As long as policies that present barriers to the enrollment of unaccompanied youth remain on the books, these states are not complying with the McKinney-Vento Act. In the short term, states that are awaiting this change should continue educating schools about the McKinney-Vento Act's requirements and the role of the liaison. At the local level, liaisons must ensure unaccompanied youth can enroll in school immediately. Liaisons should adopt local policies to ensure enrollment, such as flexible caregiver forms or other procedures.

Glossary



Dispute resolution	A procedure developed by the State Coordinator for Homeless Education to handle situations that may arise between a school district and a parent/guardian trying to enroll a student experiencing homelessness.
Doubled up	Occurs when people not in the same immediate family live together due to the loss or unavailability of housing, so they meet the definition of being homeless. People who choose to live together for cultural reasons or out of a desire to save money would not be considered homeless.
Emancipated youth	Youths ages 16–17 may choose to become emancipated from parents or legal guardians through a juvenile court procedure. Emancipated youths have been deemed by a court of law to be capable of independent living and decisions. Therefore, they are able to enroll themselves in school.
ESEA	Elementary and Secondary Education Act.
Homelessness	Affects someone who lacks a fixed, regular, and adequate residence. A <i>fixed</i> residence is one that is stationary, permanent, and not subject to change. A <i>regular</i> residence is one that is used on a nightly basis. An <i>adequate</i> residence is one that is sufficient for meeting both the physical and psychological needs typically met in home environments.
IASA	Improving America’s Schools Act.
IDEA	Individuals with Disabilities Education Act that describes the rights of children and youth with disabilities to a free, appropriate education.
LEA	Local education agency; reference to local school districts.
McKinney-Vento Act	Provides for the education of homeless children and youth. It states that barriers to the enrollment of these students must be eliminated and provides limited funding to states. In particular, proof of residency, missing school records, and missing immunization records cannot deny enrollment to children and youth experiencing homelessness. Furthermore, school districts must post the right of this population to a free, appropriate public education; provide, when feasible, for the student to stay in his/her school of origin; and provide for student access and success in school. Comparable services offered to housed students must be available for the students who are homeless. This includes before- and after-school programs, free and reduced-price lunch programs, and services such as special education.
PL	Public Law.



Runaway and abandoned youth

Children or youth who have left home and live in runaway shelters, abandoned buildings, with friends, on the streets, in parks, or in other inadequate accommodations are considered homeless. The student is eligible to attend school in the district where he or she is residing regardless of where the parents live, even if the parents are willing to provide a home for the child.

School of origin

The school the student was attending prior to becoming homeless or the last school in which the student was enrolled.

Throwaway children

Students whose parents, for whatever reason, will no longer care for them in their home.

Title I

Federal program providing funding to help at-risk students.

**Unsupervised/
unaccompanied youth**

There is no adult supervision in a parental role. The youth is eligible to enroll himself or herself in school.



About SERVE

The SERVE Center at UNCG, under the leadership of Dr. Ludwig David van Broekhuizen, is an education organization with the mission to promote and support the continuous improvement of educational opportunities for all learners in the Southeast. The organization's commitment to continuous improvement is manifest in an applied research-to-practice model that drives all of its work. Building on research, professional wisdom, and craft knowledge, SERVE staff members develop tools, processes, and interventions designed to assist practitioners and policymakers with their work. SERVE's ultimate goal is to raise the level of student achievement in the region. Evaluation of the impact of these activities combined with input from stakeholders expands SERVE's knowledge base and informs future research.

This rigorous and practical approach to research and development is supported by an experienced staff strategically located throughout the region. This staff is highly skilled in providing needs assessment services, conducting applied research in schools, and developing processes, products, and programs that support educational improvement and increase student achievement. In the last three years, in addition to its basic research and development work with over 170 southeastern schools, SERVE staff provided technical assistance and training to more than 18,000 teachers and administrators across the region.

The SERVE Center is governed by a board of directors that includes the governors, chief state school officers, educators, legislators, and private sector leaders from Alabama, Florida, Georgia, Mississippi, North Carolina, and South Carolina.

SERVE's operational core is the Regional Educational Laboratory. Funded by the U.S. Department of Education's Institute of Education Sciences, the Regional Educational Laboratory for the Southeast is one of ten Laboratories providing research-based information and services to all 50 states and territories. These Laboratories form a nationwide education knowledge network, building a bank of information and resources shared and disseminated nationally and regionally to improve student achievement. SERVE's National Leadership Area, Expanded Learning Opportunities, focuses on improving student outcomes through the use of exemplary pre-K and extended-day programs.

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