



McKinney-Vento 101:
Understanding the Rights of Students
Experiencing Homelessness



SESSION OUTLINE

- Education and homelessness
- Homeless education under ESSA
- McKinney-Vento definition of homeless
- Determinations of eligibility
- ESSA'S requirement to remove barriers
- Student's rights under McKinney-Vento

HOMELESSNESS CREATES BARRIERS

- Students experiencing homelessness may
 - Be unable to meet school enrollment requirements
 - Move around and change schools a lot
 - Be hungry, tired, and stressed
 - Not have needed school supplies or a quiet place to study
 - Not have access to reliable transportation
 - Not have a parent or guardian to help them (unaccompanied youth)



HOMELESSNESS AFFECTS EDUCATION



- Students experiencing homelessness are more likely to
 - Be chronically absent from school
 - Get lower grades
 - Have special education needs
 - Score poorly on assessment tests
 - Drop out of school

HOMELESS
EDUCATION
UNDER THE
EVERY
STUDENT
SUCCEEDS
ACT (ESSA)

Every Student Succeeds Act

Every student should have access to a
quality public education,
regardless of where they live, how they learn,
or how much money their parents make.



#ESSA



ESSA BASICS



The Every Student Succeeds Act (ESSA) was signed into law in December 2015



ESSA amendments provide new opportunities for schools to help students experiencing homelessness succeed in school



ESSA reauthorized the Elementary and Secondary Education Act (ESEA) and the education subtitle of the McKinney-Vento Act

ESSA'S REQUIREMENT TO REMOVE BARRIERS

States and school districts must develop, review, and revise policies to remove barriers to the school identification, enrollment and retention of McKinney-Vento students, including barriers due to outstanding fees, fines, or absences[42 U.S.C. § 11432(g)(1)(I)].

According to Education for Homeless Children and Youths Guidance, the requirement to remove barriers is a broad, ongoing requirement that should include regular input from homeless parents, youth, and advocates so that new barriers do not prevent students from full participation in school.

MCKINNEY-VENTO DEFINITION OF HOMELESS



Children and youth (including unaccompanied youth) who lack a fixed, regular, and adequate nighttime residence



Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason



Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations



Living in emergency or transitional shelters, or are abandoned in hospitals

MCKINNEY-VENTO DEFINITION OF HOMELESS



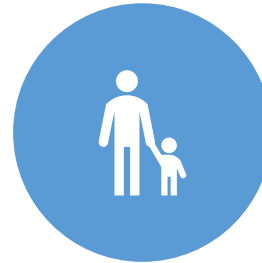
Living in a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings



Living in cars, parks, public spaces, abandoned building, substandard housing, or similar settings




Migratory children living in the above circumstances



The term *unaccompanied youth* includes a homeless child or youth not in the physical custody of a parent or guardian [42 U.S.C. § 11434a(6)].



DETERMINATIONS OF ELIGIBILITY

- The **local liaison** has the authority and responsibility to ensure that eligible students are identified; this should be a collaborative effort with school personnel, and through outreach and coordination activities with other entities and agencies [42 U.S.C. § 11432(g)(6)(A)(i)].
 - Eligibility determinations should be made on a **case-by-case basis**, considering the circumstances of each student.
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IMMEDIATE ENROLLMENT

- Children and youth experiencing homelessness have the right to **immediate school enrollment**
 - even if lacking paperwork normally required for enrollment; or
 - even if having missed application or enrollment deadlines during any period of homelessness [42 U.S.C. § 11432(g)(3)(C)(i)].
- **Enrollment** is defined as “attending classes and participating fully in school activities [42 U.S.C. § 11434a(1)].

SCHOOL STABILITY

- Children and youth experiencing homelessness have the right to attend
 - **The school of origin** [42 U.S.C. § 11432(g)(3)(I)(i)]
 - The school that a child or youth attended when permanently housed, or
 - The school in which the child or youth was last enrolled
 - Includes public preschools (to the extent that an LEA offers a public education to preschool children, including LEA-administered Head Start programs)
 - Includes receiving schools (designated receiving school at the next grade level)
 - **The local attendance area school** [42 U.S.C. § 11432(g)(3)(A)(ii)]
 - 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

BEST INTEREST

- In determining best interest, the school district shall
 - **Presume** that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the parent, guardian, or unaccompanied youth
 - **Consider student-centered factors** related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the parent, guardian, or unaccompanied youth

[42 U.S.C. §11432(g)(3)(B)]

DURATION OF SCHOOL OF ORIGIN RIGHTS

- **Homeless children and youth have the right to attend the school of origin for the duration of homelessness**

- In any case in which a family becomes homeless between academic years or during an academic year

- For the remainder of the academic year, if the child or youth becomes permanently housed during an academic year





SCHOOL OF ORIGIN TRANSPORTATION

- Parents, guardians, or unaccompanied youth have the right to request transportation to and from the school of origin
 - In determining feasibility, the district will make a determination based on the “best interest” of the homeless student

CREDIT ACCRUAL

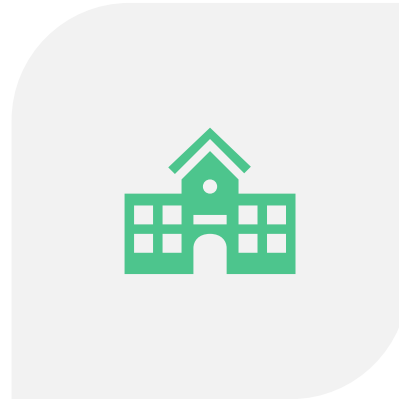
- States and school districts must implement procedures to identify and remove barriers to McKinney-Vento students receiving appropriate credit for full or partial coursework satisfactorily completed at a prior school



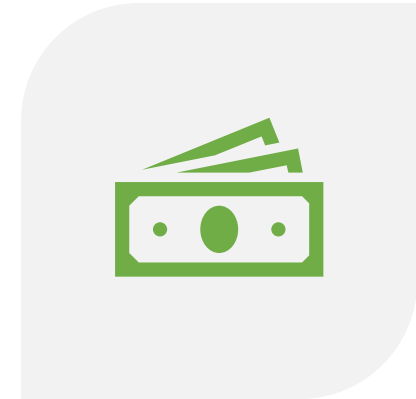
HIGHER EDUCATION



SCHOOL COUNSELORS MUST ASSIST STUDENTS EXPERIENCING HOMELESSNESS WITH **COLLEGE PREPARATION AND READINESS**



LOCAL LIAISONS MUST INFORM UNACCOMPANIED YOUTH ABOUT THEIR **INDEPENDENT STUDENT STATUS** ON THE FAFSA AND ASSIST WITH VERIFICATION OF THIS STATUS



FEE WAIVERS ARE AVAILABLE FOR AP TESTS, THE ACT, THE SAT AND COLLEGE APPLICATIONS

OTHER SUPPORTS

- Students experiencing homelessness
 - Must receive comparable services
 - Are categorically eligible for free school meals
 - Are categorically eligible for support under Title I, Part A, including supports provided through Title I, Part A homeless set-aside
 - Must be included in special education child find efforts and provided with special education services, when needed

- <https://www.youtube.com/watch?v=CX4TzWdDAFY>

Thank you for your time!



QUESTIONS?

