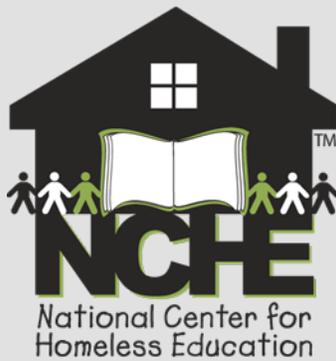
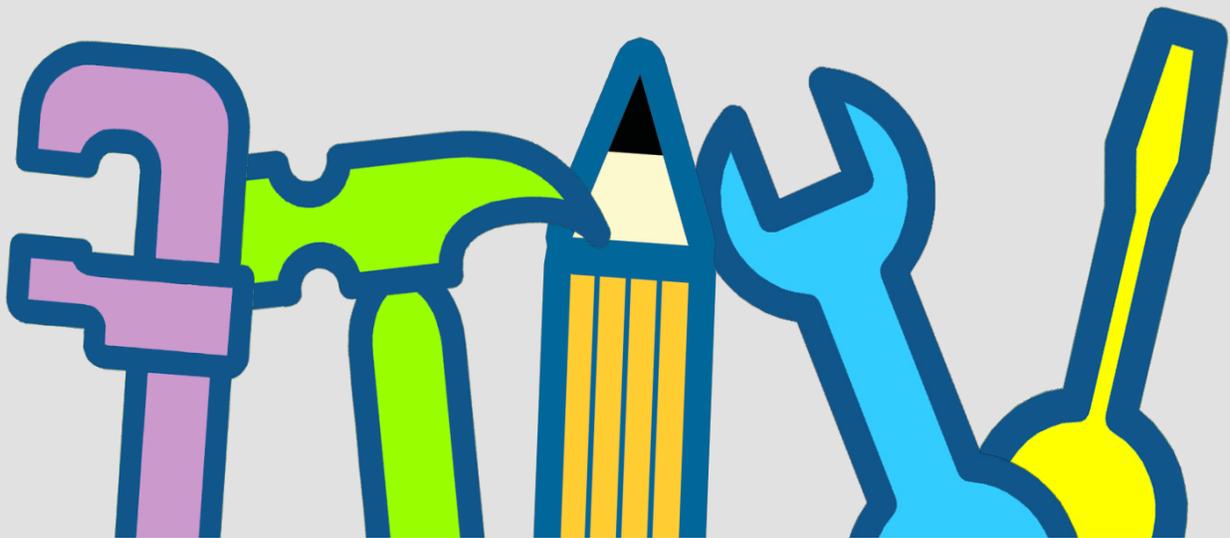


The National Center for Homeless Education's

Homeless Liaison Toolkit



2017 Edition



Homeless Liaison Toolkit

May 2017

National Center for Homeless Education



With funding from the U.S. Department of Education, the National Center for Homeless Education (NCHE) at the University of North Carolina at Greensboro provides critical information to those who seek to remove educational barriers and improve educational opportunities and outcomes for children and youth experiencing homelessness.

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Chapter One: Overview and History



Section 1.1 Why the *Toolkit*

Did you know that:

- Homeless children and youths must have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths?
- Any requirements in laws, regulations, practices, or policies that may act as a barrier to the identification, enrollment, attendance, or success in school of homeless children and youths must be eliminated?

Do you know:

- What potential barriers to identification, enrollment, attendance, and success in school may exist in local policies and procedures?
- How those barriers may be alleviated?
- What local educational agencies (LEAs or school districts) are required to do to uphold rights and ensure services for homeless children and youth?

Every LEA must know this information in order to carry out the mandates in Subtitle VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act. (Throughout the *Toolkit*, we will refer to the law as the McKinney-Vento Act.)

This *Toolkit* provides clear and specific explanations of the provisions of the McKinney-Vento Act and includes practices, procedures, and tools gathered from effective local homeless education programs. New local liaisons, as well as experienced liaisons, will be able to use the *Toolkit* to understand the law and learn ways to improve their programs. It serves as both an orientation manual for new local liaisons and as a ready reference for both new and experienced liaisons.

Section 1.2 Educational Challenges of Homeless Children & Youths

The number of homeless children and youths enrolled in school has nearly doubled since the U.S. Department of Education began collecting the information in School Year 2004-05, with 1,263,323 students identified in School Year 2014-15. An inadequate stock of affordable housing, fluctuating unemployment rates, high health costs, and natural disasters combined with shrinking public resources has resulted in a steady increase of the number of children experiencing homelessness. (For a publication that summarizes data on homeless children and youth submitted to the U.S. Department of Education, see Section 1.5 Useful Links).

Homeless children and youths face many educational barriers due to the disruption and trauma of not having a fixed, regular, and adequate place to live. Most face educational disruption due to changing schools as they move from one temporary location to another. Homeless children and youths also have higher incidences of illness, depression, and exposure to violence than their stably housed peers. Specific educational challenges faced by homeless students include

- not being identified for services;
- difficulty enrolling without records or, in the case of an unaccompanied homeless youth, without a parent or guardian present;
- difficulty regularly attending school;
- lack of stable transportation;
- frequent school changes;
- falling behind in school;
- not accruing credits on time;
- lack of basic needs including food, clothing, and adequate housing;
- stress, depression, trauma; and
- embarrassment and stigma related to their housing conditions.

Many homeless youths are also *unaccompanied*, meaning they are not in the physical custody of a parent or guardian. Being both homeless and unaccompanied leaves youths fending for themselves in a world where they are vulnerable to a myriad of potentially life-threatening dangers.

For all these reasons, school can often be the one place of stability, safety, and support in the tumultuous lives of these students.

Section 1.3 History of the McKinney-Vento Act

The first Federal law to directly impact the education of students experiencing homelessness was enacted in 1987 as part of the Stewart B. McKinney Homeless

Assistance Act. The McKinney Act, which originally contained 15 programs designed to address the needs of homeless persons, contained a subtitle with the purpose of ensuring that children and youths experiencing homelessness could enroll in school without barriers. Since the initial passage, the homeless education law has been reauthorized with stronger and more specific requirements for State educational agencies (SEAs) and LEAs to ensure the immediate enrollment, school stability, and academic support needed to increase the educational success of homeless children and youths.

Section 1.4 Education for Homeless Children and Youths Program

The Education for Homeless Children and Youths (EHCY) program at the U.S. Department of Education (ED) is overseen by a Federal coordinator. The McKinney-Vento Act authorizes ED to provide grants to SEAs to ensure that homeless children and youths have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth [42 U.S.C. § 11431(1)].

The grants, which are based on a proportion of a State's Federal allocation under Title I, Part A of the Elementary and Secondary Education Act, are used to

- Carry out the policies in the Act;
- Provide services and activities to improve the identification of homeless children and youths and enable such children and youths to enroll in, attend, and succeed in school, including in preschool programs;
- Establish or designate in the SEA an Office of the Coordinator for Education of Homeless Children and Youths that can sufficiently carry out the duties described for the Office;
- Prepare and carry out the State plan for serving homeless children and youths;
- Develop and implement professional development programs for local liaisons and other local agency educational personnel to improve their identification of homeless children and youths and heighten their awareness of and capacity to respond to specific problems in the education of homeless children and youths [42 U.S.C. § 11432(d)].

SEAs must distribute no less than 75% of their annual McKinney-Vento allocation to local school districts in subgrants and may retain the rest for State level activities (States funded at the minimum level may reserve up to 50% of their allocation.) [42 U.S.C. §§ 11432(e)(1)-(2)]. Subgrants are awarded competitively to LEAs based on their need and the quality of the applications

submitted [42 U.S.C. § 11433(c)(1)]. Currently, approximately 22% of LEAs across the nation receive McKinney-Vento subgrants (NCHE, 2015).

As noted above, every SEA has a State Coordinator for homeless education whose responsibilities are to carry out the activities specified in the law. Contact information for State Coordinators can be found on the website for the National Center for Homeless Education (NCHE) at: http://nche.ed.gov/states/state_resources.php. Among other responsibilities, State Coordinators support local liaisons by providing technical assistance about State and Federal policies as well as administering the subgrant process that provides funding to LEAs.

In addition, all SEAs are required to submit annual data to ED on homeless children and youths enrolled in school and to conduct monitoring of all LEAs to assess compliance with the provisions in the McKinney-Vento Act.

Whether they receive a subgrant or not, all LEAs are required to implement the provisions in the McKinney-Vento Act.

ED established a national technical assistance center in 1997 to better assist both SEAs and LEAs with implementation of the McKinney-Vento Act. The National Center for Homeless Education (NCHE) at the University of North Carolina-Greensboro provides a wealth of resources, including a comprehensive website, a toll-free helpline (800-308-2145), online and onsite trainings, and informational resources, including the *Homeless Liaison Toolkit*.

Section 1.5 Useful Links

**Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act
(Education for Homeless Children and Youths)
42 U.S.C. §§ 11431-11434A
<http://uscode.house.gov>**

***Education for Homeless Children and Youths Program: Analysis of Federal
Data Collection and Three-Year Comparison***
http://nche.ed.gov/ibt/sc_data.php

**National Center for Homeless Education
<https://nche.ed.gov/>**

**National Center for Homeless Education Data and Statistics on
Homelessness**

https://nche.ed.gov/ibt/aw_statistics.php

State Coordinator Contact Information

http://nche.ed.gov/states/state_resources.php

Chapter Two: Local Educational Agency and Local Liaison Responsibilities



Section 2.1 Local Educational Agencies Responsibilities Defined in the McKinney-Vento Act and Non-Regulatory Guidance

Local educational agencies (LEAs or school districts) are instrumental in ensuring that the rights and services guaranteed in the McKinney-Vento Act are implemented throughout the school district. All LEAs must follow the requirements of the McKinney-Vento Act, whether or not they have a McKinney-Vento subgrant.

Section 2.1.1 LEA Requirements in the McKinney-Vento Act

The McKinney-Vento Act provides a number of LEA requirements for serving homeless children and youths [42 U.S.C. § 11432(g)(3)]. The tasks outlined in the law are summarized below.

In general, LEAs must

- continue a homeless child's or youth's education in the school of origin for the duration of homelessness and for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
- enroll the homeless 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 [42 U.S.C. § 11432(g)(3)(A)].

School stability provisions require LEAs to

- 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 child's or youth's parent or guardian, or (in the case of an unaccompanied homeless youth) the 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 of homeless children and youths, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied homeless youth) the youth;

- provide a written explanation of the reasons for the LEA's decision, including information regarding the right to appeal, to the parent or guardian of a homeless student or to an unaccompanied homeless youth, if the LEA sends the child to a school other than the one requested; and
- ensure, in the case of an unaccompanied homeless youth, that the local liaison assists in placement or enrollment decisions, gives priority to the views of the youth, and provides notice of the right to appeal an LEA's best interest determination that is contrary to the youth's request [42 U.S.C. § 11432(g)(3)(B)].

Regarding enrollment and records, the enrolling school must

- immediately enroll the child or youth, even without records that are normally required for enrollment or if the child or youth has missed application or enrollment deadlines during any period of homelessness;
- contact the school last attended for relevant records;
- assist with obtaining immunizations or other required health records; and
- make any records ordinarily kept by the school available in a timely fashion when the child or youth enrolls in a new school or LEA [42 U.S.C. §§ 11432(g)(3)(C)-(D)].

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

- the child or youth must be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;
- the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth must be provided with a written explanation of any decisions related to eligibility, school selection or enrollment made by the school, LEA, or State educational agency (SEA), including the rights to appeal the decision;
- the parent, guardian, or unaccompanied youth must be referred to the local liaison to carry out the dispute resolution process; and

- in the case of an unaccompanied youth, the local liaison must ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of the dispute [42 U.S.C. § 11432(g)(3)(E)].

Privacy provisions require LEAs to

- treat information about a homeless child’s or youth’s living situation as a student education record and not deem it to be directory information [42 U.S.C. § 11432(g)(3)(G)].

Comparable services provisions require LEAs to

- provide services comparable to those received by other students in the school [42 U.S.C. § 11432(g)(4)].

Coordination provisions require LEAs to

- coordinate with local social services agencies and other agencies or entities 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. § 11432(g)(5)(A)(i)].

Section 2.1.2 LEA Requirements Mandated for Inclusion in Education for Homeless Children and Youths State Plans

States may have additional policies that LEAs are responsible for implementing related to the education of homeless children and youths. Every SEA is required to have a State plan that includes further LEA responsibilities enforced by the State. State Coordinators can provide information on any additional requirements in each state.

Section 42 U.S.C. § 11432(g)(1) of the McKinney-Vento Act describes State plan components that can impact LEAs, including

- a description of how homeless children and youths are provided opportunities to meet the same challenging State academic standards as all students are expected to meet;
- a description of the procedures the SEA will use to identify homeless students and assess their needs;
- a description of procedures for the prompt resolution of disputes regarding educational placement;
- a description of programs for school personnel (including local liaisons, principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel) to

heighten the awareness of the specific needs of homeless children and youths, including children and youths who are runaway and homeless youths;

- 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 nutrition programs;
- a description of procedures that ensure that homeless children have access to public preschool programs administered by the SEA or LEA as provided to other children in the State;
- a description of procedures that ensure that homeless youths and youths separated from public schools are identified and accorded equal access to appropriate secondary education and support services;
- a description of procedures that ensure that eligible homeless children and youths do not face barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs, if they are available at the State and local levels;
- strategies to address problems resulting from enrollment delays caused by requirements of immunization and other required health records; residency requirements; lack of birth certificates, school records, or other documentation; guardianship issues; or uniform or dress code requirements;
- a demonstration that the SEA and LEAs will develop, review, and revise policies to remove barriers to the identification, enrollment, and retention of homeless children and youths, including barriers to enrollment and retention due to outstanding fees or fines, or absences;
- an assurance that the SEA and LEAs will adopt policies to ensure that homeless children and youth are not segregated or stigmatized;
- an assurance that LEAs designate an appropriate staff person who is able to carry out the duties required of the local liaison position;
- an assurance that transportation will be provided, at the request of a parent or guardian (or liaison in the case of an unaccompanied homeless youth), to and from the school of origin;
- an assurance that the SEA and LEAs will adopt policies and practices to ensure participation by the liaison in professional development and other technical assistance activities provided as determined appropriate by the Office of the State Coordinator; and
- a description of how homeless youth will receive assistance from counselors to advise and prepare them for college.

Section 2.2 Homeless Liaison Responsibilities

The local liaison is the key to ensuring homeless children and youths receive the services they need. Required in all LEAs regardless of subgrant status, the liaison is the primary contact between homeless families, school and LEA staff, shelter workers, and other service providers.

In 42 U.S.C. § 11432(g)(6)(A), the McKinney-Vento Act lists the responsibilities of the local liaison. The law states that local liaisons will ensure that

- homeless children and youths are identified by school personnel through outreach and coordination with other agencies;
- homeless children and youths are enrolled in, and have a full and equal opportunity to succeed in, school;
- homeless families, children, and youths have access to and receive educational services for which they are eligible, including Head Start programs, early intervention services under Part C of the Individuals with Disabilities Education Act (IDEA), and other preschool programs administered by the LEA;
- homeless families, children, and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
- 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;
- public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to parents and guardians and unaccompanied youth;
- enrollment disputes are mediated according to 42 U.S.C. § 11432(g)(3)(E);
- the parent or guardian of a homeless child or youth, and any unaccompanied homeless youth, is fully informed of all transportation services, including transportation to the school of origin;
- school personnel who serve homeless children and youths receive professional development and other support;
- unaccompanied homeless youths are enrolled in school, have opportunities to meet the same challenging State academic standards established for other students, and are informed of their status as independent students

and assisted to receive verification of their status for completing the Free Application for Federal Student Aid (FAFSA).

Section 2.3 Become Familiar with the Liaison Role

The local liaison can fulfill many roles. In carrying out the responsibilities of the position, this person will be an administrator, a professional development coordinator, a school social worker, and an outreach specialist. The LEA will need to shape the position based on its current needs in serving homeless children and youths. Therefore, the LEA must provide the liaison with sufficient time and capacity to carry out the required set of duties to ensure that the LEA is in compliance with the law. Section 15 Additional Resources contains good practices instrumental to helping local liaisons prioritize tasks.

Over time, the local liaison's responsibilities should be revised to reflect the following: the number of children and youths identified, trends in poverty and homelessness, the amount of support from community agencies and other entities serving homeless families and youth, the level of awareness in both the schools and the community of homeless student needs and related legal requirements, and the level of implementation that has occurred in the LEA. This will allow the district to appoint a liaison with the skills and knowledge most likely to meet the needs of homeless children and youths.

Appendix 2.A “Local Liaison Responsibilities” provides the text from the McKinney-Vento Act related to the duties of the local liaison.

Section 2.3.1 Review the McKinney-Vento Act

Local liaisons should be familiar with the exact language of the McKinney-Vento Act. While the law may not be easy reading, having certain sections committed to memory, or at least at your fingertips, will assist you with teasing out the nuances of implementation when questions arise. Appendix 2.B “Quick Guide to Important Sections of the McKinney-Vento Act” is a compilation of key portions of the law for easy reference.

Section 2.3.2 Learn about Your LEA's Services for Homeless Children and Youths

As a new local liaison, it is important to learn as much as possible about your LEA's implementation of the McKinney-Vento Act. Table 2.1 “Understanding

the Homeless Education Program in My LEA” provides questions and possible sources for answers that will help you understand your LEA’s approach to serving homeless children and youths. Appendix 2.C “Understanding My LEA’s Homeless Education Program” provides a worksheet to help you record responses to the questions.

Table 2.1 Understanding the Homeless Education Program in My LEA

Question	Source
Who is the State Coordinator for the homeless education program in my State? What technical assistance and training does the State Coordinator provide to LEAs?	NCHE Website; SEA Homeless Education Website
How much time is allocated to the local homeless liaison position? What additional staff support is in place?	Supervisor
How many homeless children and youths did the LEA identify last year? Are the numbers identified increasing or decreasing? By how much?	LEA Data Manager
Does the LEA have a McKinney-Vento subgrant? If so, what are the approved activities to serve homeless children and youths? What are my reporting responsibilities? For how long will the LEA receive funds through this grant?	McKinney-Vento Subgrant Application
How much money is set aside for services for homeless children and youths through Title I, Part A? How was the amount of these funds determined? On what were these funds spent last year? How may they be accessed?	Title I Coordinator, Consolidated Application
What are the challenges to implementing the McKinney-Vento program in the LEA?	Phone and Email Logs, Documentation on Disputes
What local policies and procedures are in place to support services for homeless children and youths? What policies or procedures create barriers to the education of homeless children and youths?	LEA Policy Handbook, School Board Policies, Phone and Email Logs, Documentation on Disputes, LEA Program Coordinators (Tutoring Programs, Nutrition, Special Education, English Language Learning, Migrant)
What data must be collected on homeless children and youths, and what procedures are in place to collect and report this data?	State Coordinator, LEA Data Coordinator
How many homeless children and youths were transported to their school of origin in the past year? What are the procedures for arranging transportation?	Pupil Transportation Director, Student Files

Question	Source
What McKinney-Vento compliance issues have been identified in my district?	SEA Monitoring Reports
What is the local dispute process for the McKinney-Vento program, and who is involved in the process other than the liaison?	Written Dispute Policy
What homeless education awareness activities have taken place in the LEA? What role groups have been involved? Were the activities effective?	Meeting Agendas and Notes
With whom are the primary community agencies collaborating to serve homeless children and youths?	Meeting Agendas and Notes, Phone and Email Logs
Are posters on McKinney-Vento services displayed in all schools? When was the last time posters and other awareness materials were placed in each school in the LEA?	Observation in Schools, Budget or Fiscal Office

You may not be able to find answers to all these questions immediately. Nevertheless, whatever information you do find will help orient you to the role of the local liaison. Moreover, these questions will guide you in

- keeping abreast of challenges, processes, and procedures related to serving homeless children and youths in the LEA,
- fostering conversations with others involved in serving homeless children and youths in the LEA and community, and
- establishing files of information that can be passed along to a liaison who might succeed you in the position.

Section 2.3.3 Contact Key Personnel and Agencies

Many new local liaisons feel overwhelmed by the scope of their responsibilities. However, keep in mind that many people, programs, and agencies exist to assist liaisons in serving homeless children and youths. As a new liaison, you should connect with certain key people soon after you assume your position. Chapter 9 “Unaccompanied Homeless Youth” and Chapter 11 “Collaboration” provide more details on and strategies for linking homeless students to services and establishing collaborations with external agencies.

Table 2.2 “Key Role Groups and Agencies to Contact” provides a list of people and agencies to contact and what information and services they may provide.

Table 2.2 Key Role Groups and Agencies to Contact

Person or Agency to Contact	Information or Services Provided
State Coordinator for Homeless Education	Your State Coordinator will be able to link you to essential training for your position, add you to a distribution list for local liaisons to receive routine communication, and link you with other local liaisons for support.
LEA Title I Coordinator	The Title I Coordinator will be able to explain what Title I services are provided to homeless children and youths and how Title I, Part A set-aside funds are spent.
Coordinator for Special Education	The Coordinator for Special Education will explain how children who are homeless and highly mobile can be evaluated and provided services in a timely way even though they may move in and out of the district; also, you should ask to review Individualized Education Plans (IEPs) for homeless children and youth and attend IEP meetings for these students.
Director of Pupil Transportation	Establishing ongoing communication with the Director of Pupil Transportation will ensure that you work together as partners to arrange transportation for homeless students expeditiously.
Director of Child Nutrition	The Director of Child Nutrition will explain procedures to ensure homeless children and youths are provided free meals. This happens as soon as the nutrition program is provided the names of students identified as homeless. The Director of Child Nutrition should also notify liaisons of any barriers to providing free meals immediately.
District Data Manager	The District Data Manager can explain the process for the annual collection and submission of data on homeless students. This person is also a great resource for accessing data about the needs of homeless students that can be used to create awareness among school personnel and community members.
Housing and Urban Development (HUD) Programs	Programs that receive funding from HUD are mandated to coordinate with local homeless liaisons. Contacting these agencies and cultivating relationships will help you <ul style="list-style-type: none"> • understand the “big picture” of homelessness in your LEA, • establish ongoing communication that can assist you with identifying homeless children and youth and linking them to services, • explore collaborative relationships to share resources.
Shelter Providers	Shelter providers play a key role in helping to identify homeless children and families and referring them to schools. Providing them with your contact information and awareness posters will assist in establishing ongoing communication. To find programs in your community funded by the Runaway and Homeless Youth Act, visit: http://www.acf.hhs.gov/programs/fysb/grants/fysb-grantees

Person or Agency to Contact	Information or Services Provided
Head Start	Head Start is mandated to prioritize services for young homeless children and to coordinate with homeless liaisons. Contacting the Head Start program in your LEA will assist you with identifying homeless students and exploring collaborative opportunities.

Section 2.3.4 Keep Key Documents on Hand

As the primary person responsible for ensuring the LEA fully implements the McKinney-Vento Act, liaisons must field questions from parents, school staff, community partners, and sometimes even members of the media. They must also provide training in both the LEA and community. In order to quickly and accurately answer questions, liaisons should keep information readily available in either electronic or hard copy files. This practice will also facilitate consistent answers to questions, reducing the likelihood of mistakes during extremely busy times.

The following documents and information are particularly useful to keep on hand:

- McKinney-Vento Act,
- Education for *Homeless Children and Youths Program Non-Regulatory Guidance*, 2016,
- *Determining Eligibility for Rights and Services Under the McKinney-Vento Act* and the *School Selection* issue briefs published by NCHE,
- LEA and State dispute resolution policies,
- LEA policies related to the enrollment and education of homeless children and youth,
- memoranda and communications from the State Coordinator,
- a copy of the LEA’s McKinney-Vento subgrant proposal,
- homeless education program monitoring reports,
- barrier tracking logs (phone and e-mail),
- LEA data on homeless children and youth, and
- community contacts for homeless families.

2.3.5 Learn about Key Issues and Best Practices

The field of homeless education is a moving target; new trends and issues are continually emerging, and new laws and policies are developed by various

programs and agencies on an ongoing basis. Local liaisons have a wealth of resources to assist them with keeping current in the field. Key supports include information, technical assistance, and training provided by the State Coordinator for homeless education.

In addition, note the resources offered by the following two organizations:

National Center for Homeless Education (NCHE): NCHE operates the U.S. Department of Education’s technical assistance center for the Education for Homeless Children and Youth program. NCHE provides a comprehensive website, webinars, onsite trainings, and publications that are updated on a regular basis. NCHE also hosts a listserv that provides updates, announcements, and links to resources. A Helpline to assist those who serve homeless children and youth with understanding and implementing the law is available via both phone (800-308-2145) and email (homeless@serve.org).

National Association for the Education of Homeless Children and Youth (NAEHCY): NAEHCY is a leader in advocacy and policy development in the area of homeless education. NAEHCY provides publications and activities to keep members abreast of emerging issues and proposed policy changes. In partnership with NCHE, NAEHCY hosts an annual conference that brings State Coordinators, local homeless liaisons, shelter and service providers, researchers, and advocates together to learn and network.

Section 2.4 Useful Links

**Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act
(Education for Homeless Children and Youths)**

42 U.S.C. §§ 11431-11434a

<http://uscode.house.gov>

*Education for Homeless Children and Youth Program Non-Regulatory
Guidance*

U.S. Department of Education

<https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716updated0317.pdf>

Issue Brief: *Local Homeless Education Liaisons*

<http://nche.ed.gov/downloads/briefs/liaisons.pdf>

Issue Brief: *Local Homeless Liaisons: Important Information for New Liaisons*
<http://nche.ed.gov/downloads/briefs/new-liaisons.pdf>

Issue Brief: *Local Homeless Liaisons: Making the Right Selection and Supporting Their Effectiveness*

<http://nche.ed.gov/downloads/briefs/liaison-selection.pdf>

Issue Brief: *Determining Eligibility for Rights and Services under the McKinney-Vento Act*

http://nche.ed.gov/downloads/briefs/det_elig.pdf

Issue Brief: *School Selection*

http://nche.ed.gov/downloads/briefs/sch_sel_checklist.pdf

Section 2.5 Resources and Tools for Chapter Two

Appendix 2.A Homeless Liaison Responsibilities

Appendix 2.B Quick Guide to Important Sections of the McKinney-Vento Act

Appendix 2.C Understanding My Homeless Education Program

Chapter Three: Identification of Students Experiencing Homelessness



As the first of the local liaison responsibilities outlined in the McKinney-Vento Act, identification of students in homeless situations is one of the core duties for a liaison and one that is likely to require a significant amount of the liaison's time. Identifying all students experiencing homelessness is critical as it allows liaisons to help students who may have difficulty with enrollment, allows liaisons to connect students to educational support and community services, and increases the likelihood that homeless students will overcome the extra educational challenges they face.

Section 3.1 The Definition of Homelessness

The McKinney-Vento Education for Homeless Children and Youth Act provides a definition of homeless children and youths to be used by state and local educational agencies (LEAs). It defines homeless children and youths to be those who lack a fixed, regular, and adequate nighttime residence. Under the larger umbrella of lacking a fixed, regular, and adequate nighttime residence, the law also provides several examples of situations that meet the definition. The examples include children and youths

- sharing housing due to a loss of housing, economic hardship, or a similar reason;
- living in hotels, motels, trailer parks, or camping grounds due to a lack of alternative adequate housing;
- living in emergency or transitional shelters;
- abandoned in hospitals;
- living in a public or private place not designated for, or normally used as, a regular sleeping accommodation for human beings;
- living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar places;
- living in one of the above circumstances and who are migratory according to the definition in Section 1309 of the Elementary and Secondary Education Act of 1965 [42 U.S.C. § 11434a(2)].

When considering if a student meets the criteria in the definition provided by the law, it is important to remember that the list provided is only a guide, and more situations may exist that meet the criteria than are actually listed. However, liaisons must always rely on the criteria outlined in the law of lacking fixed, regular, and adequate nighttime residence as the ultimate test of whether a student's housing meets the definition. For more on the specific nuances related to eligibility criteria for students, see Chapter 4 Determining Eligibility.

Section 3.2 The Role of the Liaison in Identifying Homeless Students

While it is true that local liaisons themselves will and should identify many of the homeless students in a LEA, the actual charge in the law is for local liaisons to ensure that homeless students are identified “by school personnel through outreach and coordination activities with other entities and agencies” [42 U.S.C. § 11432(g)(6)(i)]. The language in the law means two important things. First, local liaisons are not expected to do the work alone and bear the sole responsibility for identifying students. Second, collaboration with other educational programs and even agencies outside the LEA is not only encouraged, but it is expected. The collaborations involved in ensuring students in homeless situations are identified may be very informal or be structured around formal activities and relationships.

Section 3.2.1 Collaboration Within the School District

Schools are as much a social environment as they are a place for learning. Since students and staff spend a large amount of time together, they often learn a good deal about each other. This kind of environment lends itself to many informal opportunities to identify homeless students. For example, a school counselor may identify a student who is homeless after they notice that a student is asking friends to help cover the lunch fee each day. On the other hand, the relaxed environment of the lunchroom can lead to students making comments that are overheard by the lunchroom staff and cause them to notice that perhaps the student is homeless. Essays written by students which reveal the nature of the students' living arrangements can leave teachers wondering what they can do to help homeless students as well. In each of these instances, the liaison can maximize their ability to identify students that qualify as homeless by establishing relationships with the other school staff. The key in these instances and many others like them is to make sure staff members are aware of the role and identity of the liaison so that they may refer students as situations raise red flags. By providing staff groups within the school district with basic information about the liaison's role and the

definition of homelessness, liaisons will achieve greater success with their objective of identifying students in need. (For more information on general collaboration requirements for services provided by the school district, see Chapter 15 Managing the Work.)

School staff who may be particularly helpful in meeting the requirement to identify homeless students include

- school nurses;
- front office and registration staff;
- truancy and attendance officers;
- cafeteria staff;
- bus drivers;
- school social workers and counselors;
- classroom teachers and aides; and
- administrators, such as principals or directors of special education and Title I.

While informal collaborations within the district are critical, federal education law also includes requirements for more formal collaborations that can increase homeless student identification. For example, in addition to the requirement in the McKinney-Vento Act that liaisons ensure the identification of students by school personnel, Title I, Part A, also includes requirements for collaboration, as does the Individuals with Disabilities Education Act (IDEA). Title I, Part A requires that programs operated under its authority coordinate at the state and local levels [20 U.S.C. § 6311(g)(2)(K) and 20 U.S.C. § 6312(c)(4)]. All districts must also have an application approved by the SEA that addresses Title I, Part A coordination with McKinney-Vento. Child Find provisions in IDEA include a specific requirement that states ensure homeless children with disabilities are identified, located, and evaluated [20 U.S.C. § 1412(a)(3)(A)]. By including language in the McKinney-Vento Act regarding required collaborations, as well as in the federal laws governing other educational and related programs, the responsibility for ensuring collaborations on behalf of homeless students is shared by all the programs involved.

Section 3.2.2 Collaboration with Other Entities and Agencies

As mentioned earlier in Section 3.2, in addition to the responsibility of the liaison to work with other school personnel to identify homeless students, the McKinney-

Vento Act also requires liaisons to work with other entities and agencies to identify students without fixed, regular, and adequate. By requiring collaboration with entities external to the school district, the law actually reduces the burden on LEAs and liaisons by providing them with an avenue for assistance. For example, many younger children and their parents or guardians temporarily stay at homeless shelters and are therefore easier to identify for services. Head Start programs are specifically charged with serving the students most in need, which makes them a logical partner for identifying both those students in preschool and their older siblings experiencing homelessness, who would benefit from educational services through the LEA. Communities that receive shelter funding through the U.S. Department of Housing and Urban Development also operate what is known as a Continuum of Care (CoC), which represents all stakeholders invested in serving persons experiencing homelessness. The CoC may include shelter providers, food banks, faith-based organizations, and other agencies, making it easy for a liaison to connect with a large number of organizations through one CoC.

While the law is not very specific about the types of activities that should be undertaken to ensure homeless students are identified, it does have one required activity to increase identification: that public notice about the rights of homeless children and youth is disseminated where families are likely to receive services [42 U.S.C. § 11432(g)(6)(vi)]. Schools, family shelters, public libraries, and soup kitchens are all examples of locations where a notice of rights must be posted by the liaison. While not an exhaustive list, other places and organizations with which liaisons may want to work to post a statement of rights include

- youth organizations,
- transitional living program sites,
- day or community centers,
- Community Action Agencies,
- welfare and housing offices,
- Workforce One offices,
- homeless coalitions,
- free or low cost health clinics,
- low cost motels,
- storage facilities,
- check cashing businesses, and
- laundromats.

Section 3.2.3 Strategies to Increase Identification

A variety of strategies exist to increase the identification of students who lack fixed, regular, and adequate housing. Many can be incorporated into other existing activities, reducing the amount of time and cost needed by the LEA to conduct them.

Housing questionnaires

Including a housing questionnaire with a simple statement of rights in the general enrollment and registration packet received by all students as they sign up for school is a good way to ensure the entire student population is informed. By providing the information in all the enrollment packets, no one feels singled out or stigmatized, but even those who are not homeless become more aware of things happening in the community. See Appendix 3.A Sample Housing Information Form.

Enrollment forms for programs serving at-risk students

By reviewing the forms for other educational programs, such as the school meals, Title I, or 21st Century Community Learning Centers programs, liaisons can quickly identify students who may qualify as homeless. Cooperative agreements with early childhood programs like Head Start can also lead to questions on enrollment or intake forms that result in referrals to the liaison when a homeless child is identified.

Quick reference lists

Keeping a list of local low-cost motels or shelters discretely located on the desk of enrollment staff for easy reference can help the staff recognize addresses that may indicate homelessness when students enroll.

Cooperative enrollment events

Events like Kindergarten Round-up or Head Start enrollment fairs can lead to more identified students. Many communities also host events referred to as Homeless Connect, which focus on connecting persons in need with agencies and organizations that can help them, including schools.

Awareness trainings

Strategies for raising the awareness of school staff and community members can include brief updates during regular staff meetings or more intensive workshops that target specific goals related to homelessness and educational outcomes.

Relationship building

By making personal contact with managers at low-cost hotels, social service agencies, local law enforcement, and other public service agencies, liaisons can increase the number of people on the lookout for students in need.

District website

The LEA website often contains the student handbook and other important information targeted to students and their families. It can be a great tool for increasing awareness and disseminating information about the rights of homeless students as well as listing contact information for the liaison.

Attendance hearings

Liaisons may recognize homelessness in students who are under review for attendance problems related to their homelessness which other staff may miss. By either participating in behavior review committees or by training truancy and attendance officers, liaisons will increase the identification of homeless students.

Mailing labels and transportation logs

Checking transportation or address logs may be a good way to identify students who are doubled-up due to loss of housing as liaisons may notice several families in one location. Likewise, working with the transportation department to identify any unusual transportation changes or requests can also result in the identification of homeless students.

Section 3.2.4 Special Populations

The McKinney-Vento Act requires that special attention be given to those homeless children and youths who are not already attending school [42 U.S.C. § 11432(g)(7)(C)]. This could include preschool students, students who have dropped out or failed to enroll, or unaccompanied homeless youths. Several tips have already been mentioned regarding early childhood or general enrollment, but liaisons should also take steps to identify those students who are deemed unaccompanied homeless youth. Unaccompanied youths are those not in the physical custody of a parent or guardian [42 U.S.C. § 11434a(6)]. Strategies that may be useful in reaching unaccompanied homeless youths are listed below.

Involving youth

Students who may be too embarrassed to ask for assistance or otherwise trust an adult may be willing to reach out to a liaison if other youth are involved or inform them of their rights.

Surveying youth

Youth may become estranged from their families after enrolling in school; a mid-year youth survey could help identify those students not otherwise identified through enrollment questionnaires. Liaisons may also be able to work with their health services offices to include this information as a part of the Youth Risk Behavior Survey (YRBS), a national, school-based survey to evaluate adolescent behaviors that harm health and well-being.

Targeting outreach

Notices regarding the rights of youths experiencing homelessness should be posted in places where youths may see them and be written in a youth friendly format. Working with street outreach teams for youths can also be a good way to reach youth.

Incorporating the topic

The topic of homelessness can be incorporated into the school curriculum or school convocations. This not only reaches youth who are homeless but also housed youth with homeless friends who may be willing to help connect them to liaisons. For example, students could be assigned a current events project in their civics course on the topic of homelessness.

Section 3.2.5 Useful Links

Issue Brief: *Identifying Students in Homeless Situations*

<http://nche.ed.gov/downloads/briefs/identification.pdf>

Issue Brief: *Who is Homeless?*

http://nche.ed.gov/downloads/briefs/who_is_homeless.pdf

Section 3.2.6 Resources and Tools for Chapter Three

Appendix 3.A Sample Housing Information Form

Chapter Four: Determining Eligibility



In the previous chapter, the discussion focused on legal requirements for liaisons and school districts related to identifying homeless students from a broad perspective, as well as general tips and strategies that the liaison can use to increase student identification. This chapter will also have tips and strategies, but the discussion will move deeper into the topic and examine how to determine the eligibility of individual students.

Section 4.1 Steps to Determining Eligibility

Each student has a unique housing situation; as a result, determinations regarding eligibility and services under McKinney-Vento must be made on a case-by-case basis for each student. At times, making determinations about the homeless status of a student is extremely simple as the student clearly meets the criteria of lacking a fixed, regular, and adequate nighttime residence. Unfortunately, there are also times when it can be difficult to tell if the student's housing situation meets the criteria. Regardless of the ease in identification, the process of determining a student's eligibility involves three basic steps.

- 1) Gather all the relevant information.
- 2) Analyze what you know.
- 3) Seek consultation as needed.

If your district uses a residency questionnaire during enrollment, you may have all the information that you need to make a housing status determination by simply looking over the information provided about the student on the form. However, many situations require the liaison to follow up with additional questions about the student's housing to get further clarification. If you need to follow up with a family or unaccompanied youth to ask additional questions, it is important to explain to the family or youth that the purpose for the questions is to determine if the student is eligible for additional educational supports. Considering the nature of the information being shared, some families or students may be hesitant to provide details. As a result, it is also important to have discussions regarding potential homelessness and related services in a location that provides privacy and discretion. Similarly, it is advisable that liaisons avoid using the word homeless

Homelessness is defined as lacking a fixed, regular, and adequate nighttime residence. Situations specifically described in the McKinney-Vento Act include sharing housing due to loss of housing, economic hardship, or a similar reason, living in hotels, motels, trailer parks, or camping grounds due to lack of adequate housing, living in emergency or transitional housing, or children abandoned at hospitals. It also includes a primary nighttime residence that is not designed for or ordinarily used as a sleeping accommodation for humans, living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, and migratory children living in one of the circumstances described previously. For the full definition, see Appendix 4.A Legal Definition of Homelessness.

as some families do not realize they qualify as homeless or may be too embarrassed by the label. Using terms like families in transition, displaced, or referring to temporary housing situations can help to reduce the stigma experienced by students and their families.

Once you have gathered what seems to be all the relevant information, it is time to put the pieces of the puzzle together and determine if the student lacks a fixed, regular, and adequate nighttime residence. Remember, the student's housing must meet all three criteria to be considered permanently housed. If one or more of the three criteria (fixed, regular, and adequate) is missing, the student would be considered homeless under the McKinney-Vento Act's definition.

While homeless is a term that is defined in the law, the terms fixed, regular, and adequate are not. As you determine a student's eligibility to be considered homeless, it may help to consult definitions offered by standard reference dictionaries, i.e., *Merriam-Webster's Collegiate Dictionary* and *Ballentine's Law Dictionary*. Fixed is defined as "not subject to change or fluctuation" (*Merriam-Webster's Collegiate Dictionary*, Tenth Edition) and inhabitant is described "as distinguished from an occasional lodger or visitor"

(*Ballentine's Law Dictionary*, Third Edition). The term regular is also defined by Merriam-Webster as "normal or standard." *Ballentine's Law Dictionary* further defines it as "consistent," while adequate is described as "fully sufficient and equal to what is required, as well as lawfully and reasonably sufficient" (*Ballentine's Law Dictionary*, Third Edition). In other words, if a housing situation does not clearly fall under one of the categories provided in the definition of

homelessness provided in the law, you should ask yourself if the student can go to the same place every night to sleep in a safe and sufficient space. If the answer is no, the student likely meets the criteria of lacking a fixed, regular, and adequate nighttime residence and should be considered homeless.

Unfortunately, even after gathering good information, talking with parents or guardians, and comparing your notes to the law, it can still be difficult to tell if a student qualifies as homeless at times. In that case, you have options to get help making a determination. Much like every public school district has a liaison for homeless education, every state has a State Coordinator for homeless education. The responsibilities of State Coordinators include providing technical assistance to local liaisons, which means they can be a great resource when trying to make housing status determinations. A directory including State Coordinator contact information is on the NCHE website at https://nche.ed.gov/states/state_resources.php. In addition to contacting your State Coordinator for insight, NCHE operates a helpline which liaisons can contact at (800) 308-2145 or homeless@serve.org. Another option is to reach out to other local liaisons in your area with whom you have a collaborative relationship. Regardless of which option you choose, connecting with someone else on a confusing case can ensure that students are appropriately identified and connected to resources. Do keep in mind that while consultation with others can result in benefits like further information or problem solving, it is ultimately the liaison's responsibility to make the determination regarding the student's eligibility.

Section 4.2 Complex Conditions: Doubled-Up

Doubled-up situations can be particularly confusing when making housing determinations because it can be difficult to discern fixed housing from temporary. The law refers to this category of homelessness as “sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason” [42 U.S.C. § 11434a(2)(b)(i)]. According to data collected by the U.S. Department of Education, this category of nighttime residence is the type experienced by the largest number of students each year (NCHE, 2013).

If the reason the family or youth moved in with a family member or friend is clearly due to loss of housing or even job loss, it can be easy to determine that the housing fits the category of doubled-up. Similarly, sometimes shared housing is clearly inadequate and therefore easy to identify. However, some situations are less clear as homelessness can last from a few hours to many years and may involve a variety of circumstances. It is important to keep in mind that the reason for the lost housing is not discussed in the law and can include a wide range of catalysts such as unpaid rent or mortgage payments on the part of the family or landlord, housing covenant violations, fires, natural disasters, and more.

Additionally, there is no time limit on homelessness. As long as the student fits the definition of lacking a fixed, regular, and adequate nighttime residence, the student will be eligible for McKinney-Vento services.

If you encounter a confusing shared housing situation, asking some of the following questions may help you determine if the student is eligible for assistance under the McKinney-Vento definition:

Why did the family move in together? Was it for mutual benefit or due to a crisis or other precipitating event?

Is there a plan for the household to remain intact over a long term, or is it a short term situation?

Where would the family be if they were not able to stay where they are? In a clearly homeless situation or in another apartment or house?

Does everyone have a bed to sleep in? Is the plumbing and electric service safe? Is the housing otherwise adequate?

Is the family being added to the lease, or have they signed a lease?

Does the homeowner or renter have a legal right to force the family to leave without cause if they choose to do so?

Not all doubled-up situations are homeless according to the law, but they do often provide a feasible option for families when shelters are unavailable or full. In the instance that a family has doubled-up with another, only the family who is temporarily staying in the housing should be considered homeless, with very rare exception. Liaisons should re-evaluate the housing of homeless students at the beginning of each school year to verify that the student still lacks fixed, regular, and adequate housing.

Section 4.3 Complex Conditions: Unaccompanied Homeless Youth

Over time, the law has been adjusted through reauthorization to better meet the needs of students experiencing homelessness. One such adjustment includes the

insertion of a definition for *unaccompanied youth* in law, along with information about rights specifically for unaccompanied homeless youth. An unaccompanied youth is a youth who is “not in the physical custody of a parent or guardian” [42 U.S.C. § 11434a(6)].

When making a determination about McKinney-Vento rights for youth, liaisons must determine if the student is both homeless and unaccompanied as the student could be one or both. When working with youth, evaluating the housing status before considering unaccompanied status can make the process less confusing. If the situation is not homeless, the youth is not afforded rights under the McKinney-Vento Act, even if the student is unaccompanied; in this instance, state or local policy will apply.

It is also important to note that the definition discusses physical custody. A parent or guardian could still retain legal custody of a youth, but not have physical custody of the youth. More information about the rights of this subpopulation of homeless students will be discussed in Chapter 9 Unaccompanied Homeless Youth.

Section 4.4 Complex Conditions: Substandard Housing

When considering the definition of homelessness, the term adequate is often associated with substandard housing. Substandard housing does not have a definition in federal law or rule. This can lead to frustration on the part of liaisons making eligibility determinations, but it also allows liaisons to have flexibility in making determinations that reflect regional norms and community standards that would be difficult to capture in a single definition applied to the entire country. One simple consideration for liaisons is to determine if the housing is up to state or local building codes and health and safety codes. If it is not, the housing is probably substandard and any student residing there would likely meet the definition of homeless due to inadequate housing.

Examples of substandard housing could include homes:

- without adequate heat, electricity, or water;
- with unsafe heat sources or electrical service;
- with unsafe conditions, such as holes in flooring;
- with a kitchen or plumbing that is inoperable; or
- condemned by housing or other government authorities.

Inadequate or substandard housing can also refer to conditions that go beyond the structure of the building, such as overcrowding. As you consider if a home is adequate, it may be helpful to ask yourself, “Is this home safe? Does it meet basic needs and provide sufficient space for the individuals living in it?” If the answer is no to any part of those questions, the housing may be inadequate and indicate homeless conditions.

Section 4.5 Complex Conditions: Natural Disasters

Mental health experts consider returning to school a critical step in the healing process for children and youth whose lives have been disrupted by disasters (UCLA, n.d.). Going to school helps these students find the structure, normalcy, and routine that is essential to their health and well-being. Children and youth who are displaced by disasters, like other students in homeless situations, are forced to live in a variety of unstable, temporary arrangements. These arrangements include facilities set up by relief and community agencies, as well as motels, cars, campgrounds, and sharing the housing of others. Students displaced by disasters will generally meet the definition of homelessness in the McKinney-Vento Act.

Section 4.6 Do’s and Don’ts for Confirming Eligibility

Determining the eligibility of students as homeless can be a complicated process at times. By having a policy or a set of procedures in place, you can simplify the process and facilitate the timely enrollment of homeless students. Having policies and procedures in place ensures that your district is in compliance with the federal law and can also help your district avoid invasive or threatening techniques that are inappropriate or damage the relationship of the school with families and the community.

The following list includes strategies to help liaisons confirm the eligibility of students as homeless.

- Do implement the use of a district-wide residency questionnaire.
- Do have parents, youth, or caregivers sign enrollment forms indicating that McKinney-Vento services are offered based on information they have provided about their living situations.
- Do use only school staff trained on the McKinney-Vento Act and homelessness to do home visits.
- Do use visits only when necessary. Do explain to the family, youth, and the homeowner why the visit is occurring. Assure them that all

information will remain confidential, and conduct only the minimum investigation necessary to verify the living situation.

- Do collaborate with neighboring school district liaisons.
- Do contact previous schools to determine if the student was identified as homeless while attending that school.
- Do use caller ID to verify when parents or youth call from a hotel, motel, or shelter.
- Do talk with parents and youth about their situations, focusing on basic questions and using care and sensitivity.
- Do work with parents, youth, and caregivers to determine if they are able to provide any documents that could confirm their living situations.

Keeping interactions with families and youth positive and supportive instead of invasive and threatening is essential to keeping homeless students connected to school.

- Don't contact landlords or housing agencies to conduct investigations about a student or family as it violates the Family Educational Rights and Privacy Act (FERPA) and is unlikely to provide useful information.
- Don't conduct surveillance of students or families, such as following them, observing them from outside their residences, or talking to neighbors about their living situations.
- Don't use police officers for home visits.
- Don't require documents like eviction notices, utility bills, occupancy permits, or notarized letters from host families.
- Don't force caregivers to obtain legal custody or guardianship. The McKinney-Vento Act requires the immediate enrollment of unaccompanied youth; legal custody or guardianship cannot be prerequisites and are not appropriate in many instances.
- Don't force people into shelters or onto the streets as a prerequisite for McKinney-Vento services.

NCHE has several briefs on the topic of confirming the eligibility of homeless students that can be used to train school staff on the definition of homelessness and appropriate procedures.

Section 4.7 Useful Links

Issue Brief: *Confirming Eligibility for McKinney-Vento Services: Do's and Don'ts for Local Liaisons*

https://nche.ed.gov/downloads/briefs/verif_ll.pdf

Issue Brief: *Confirming Eligibility for McKinney-Vento Services: Do's and Don'ts for School Districts*

https://nche.ed.gov/downloads/briefs/verif_sch.pdf

Issue Brief: *Determining Eligibility for Rights and Services Under the McKinney-Vento Act*

https://nche.ed.gov/downloads/briefs/det_elig.pdf

Issue Brief: *Meeting the Needs of Students Displaced by Disasters: Youth on Their Own*

https://nche.ed.gov/downloads/briefs/csds_youth.pdf

Issue Brief: *What School District Administrators Should Know About the Educational Rights of Children Displaced by Disasters*

https://nche.ed.gov/downloads/briefs/csds_admin.pdf

Section 4.8 Resources and Tools for Chapter Four

Appendix 4.A Legal Definition of Homelessness

Chapter Five: Enrolling Homeless Students



Enrolling homeless students is a core concept in the McKinney-Vento Act as the law’s purpose is to ensure that every homeless child or youth has equal access to a free, appropriate, public education. The term *enrollment* is a critical part of the law and is defined as, “attending classes and participating fully in school activities” [42 U.S.C. § 11434(a)(1)]. Schools are required to enroll homeless students immediately, even if they have missed application or enrollment deadlines while experiencing homelessness and regardless of what point in the school year in which a homeless student presents for enrollment.

In addition to enrolling students in the general education program, local liaisons are to ensure that homeless students receive educational and related services for which the families and students are eligible. As a result, homeless students should be enrolled in any program operated by the school that is appropriate for the student’s needs, such as the school meals program, services through Title I, Part A, school transportation, and preschool programs administered by the local educational agency. It is important to note that homeless students are eligible for Title I Part A services even if they are not attending a Title I school [20 U.S.C. § 6315(c)(2)(E)]. Local liaisons also must ensure access to community-based programs such as Head Start (including Early Head Start), other public preschool programs, early intervention services under part C of the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1431 et seq.), and healthcare, dental, mental health and substance abuse services, and housing services that facilitate school attendance or success. It is appropriate to provide these referrals at the time of enrollment. (See Chapter 7 Transportation for more information and Chapter 16 Related Legislation and Guidance for more information on other school services.) Also, students must be enrolled immediately.

Section 5.1 Documents Required for Enrollment

Students experiencing homelessness often do not have documents or records that are typically required for school enrollment. The McKinney-Vento Act recognizes that students often do not have the usual documentation at the time of enrollment and requires schools to enroll homeless students even if they do not have paperwork normally required. Liaisons or other appointed staff should follow up with the family and assist them with obtaining school, immunization,

or health records needed by the school.

Districts should review and revise enrollment policies to allow for reasonable flexibility regarding enrollment documentation. For example, districts often require “reasonable proof of date of birth” at the time of enrollment. While a birth certificate would obviously meet this need, other options could include medical records that include a date of birth, baptismal records, passports, or other government issued documentation. Additionally, the limited resources of homeless families can make it especially difficult for parents or guardians to make unplanned visits to the school, especially if it requires them to miss work. As a result, to the extent possible, schools should gather all necessary documents, complete required forms, and make appropriate referrals at the time of the initial visit to the school for enrollment.

Section 5.2 Placing Students in Classrooms Without Records

To maximize continuity and minimize disruption, immediate enrollment and appropriate placement decisions require a quick analysis of information available about the student being enrolled. A quick analysis of student needs can start with whatever information is readily on hand. LEAs should request records immediately from the schools that students attended previously. For those students, whose records might be unavailable or possibly even damaged or missing due to a natural disaster, it is incumbent upon receiving schools to begin building new student records based on information gathered from parents, students, local district or state-level student databases, and any other reliable sources of student information. While waiting for records to arrive, phone or email conversations with teachers and school counselors may assist liaisons in determining which classroom is an appropriate placement for students. Similarly, doctors, nurses, or psychologists involved in the evaluation and development of an Individualized Education Program (IEP) can also help schools determine the most appropriate classroom placement. Report cards, tests, and homework assignments provided by families or youth can be good sources of information as well.

Sample questions for parents include:

- Do you have any papers from the previous school, such as notes from teachers, homework assignments, tests, progress reports, or any other papers?
- Have you worked with your child on any recent homework assignments? If so, what were the assignments about?
- What were your child’s grades like? What does your child find easy?

Difficult?

- Did you ever go to a meeting at school with a lot of teachers, a doctor, or someone from the school district office?
- Did you ever sign any papers that talked about goals for your child or special school services?
- How many students were in your child's classroom?
- How many teachers were in your child's classroom?

Sample questions for students could include:

- What was your school day like at your former school?
- What were you learning in your math/history/science/language class?
- What did you find easy? Difficult?
- What were some of your recent homework assignments? Do you have any old homework assignments, tests, notes from teachers, or other papers from school?
- What was the name of your math/history/science/language class?
- Did you ever spend time alone or in a small group with a different teacher?
- Did you ever spend time alone or in a small group in a different classroom?
- What were your grades like?

Many textbooks have placement tests and chapter or unit pretests. These can often be used quickly and easily by classroom teachers to guide instructional placement decisions. Ultimately, homeless students must be placed into the classes that seem most appropriate at the time of enrollment, with adjustments made later based on new information, if necessary.

Section 5.3 Enrolling Unaccompanied Homeless Youth

Due to the recognition of unaccompanied homeless youths by the McKinney-Vento Act, it is important to note that the absence of a parent or guardian is not sufficient reason to delay or deny enrollment.

Unaccompanied homeless youth who are completely on their own or staying with a non-custodial caregiver must be enrolled immediately. Conditional enrollment based on the requirement that an adult obtain legal guardianship or custodianship within a set amount of time directly contradicts the law.

Liaisons are specifically charged with ensuring that unaccompanied homeless youth are aware of the educational and related opportunities

available to them. Liaisons should discuss the options for enrollment with unaccompanied youth and ensure they receive assistance with making enrollment decisions, giving priority to the youth's wishes.

Caregiver forms, which outline who can act on behalf of an unaccompanied youth in educational matters, can be very helpful during enrollment and when making educational decisions for the students. As your district develops new forms or revises existing ones, language that creates enrollment barriers or delays should be avoided.

Section 5.4 Other Considerations

In addition to the McKinney-Vento Act, other state and federal laws may dictate the process used to enroll homeless students. For example, the Family Educational Rights and Privacy Act (FERPA) outlines to whom records can be released and under what conditions, which can be especially important when enrolling students who are survivors of domestic violence. FERPA does allow for the transfer of records from one local educational agency (LEA) to another without parental consent, as long as the LEA has made a reasonable attempt to notify the parent of the disclosure or includes in the district's annual FERPA notification to parents that school records will be forwarded to enrolling schools. This allows districts to easily get records needed for unaccompanied homeless youth.

IDEA contains specific timelines that begin as soon as students with disabilities enroll; working with the district's special education department can ensure a smooth transition for homeless students who have disabilities.

Along with working with other laws and policies, local liaisons also often need to work closely with local truancy officers or state attendance officers and may want to consult with them regarding state compulsory education law, state mandated caregiver forms, and other similar issues.

Unfortunately, some students will present themselves for enrollment at a point during the semester or school year at which it would be impossible for students to accrue credits for classes under normal circumstances. In this instance, schools must still allow the student to enroll in and attend school and participate in school activities. Meanwhile, local liaisons must ensure students receive appropriate credit for full or partial coursework satisfactorily completed while attending a prior school. That could include providing partial credits for completed work, providing mastery-based credits, using credit recovery programs, chunking credits, or possibly using summer school opportunities to make up for lost school time.

Section 5.5 Useful Links

Issue Brief: *Enrollment*

<https://nche.ed.gov/downloads/briefs/enrollment.pdf>

Issue Brief: *Prompt and Proper Placement: Enrolling Students Without Records*

<https://nche.ed.gov/downloads/briefs/assessment.pdf>

Issue Brief: *When Legal Guardians are not Present: Enrolling Students on Their Own*

<https://nche.ed.gov/downloads/briefs/guardianship.pdf>

Chapter Six: School Selection



The issue of school selection may come up when a homeless student is initially enrolling in a school, but it may also come up for a student recently identified as homeless who is already attending a particular school. According to the McKinney-Vento Act, students have the following school selection options:

- The school of origin or
- The school that non-homeless students who live in the attendance area are eligible to attend [42 U.S.C. § 11432(g)(3)(A)].

The *school of origin* is defined as “the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool.” [42 U.S.C. § 11432(g)(3)(I)(i)]. The law also states, “When the child or youth completes the final grade level served by the school of origin, the term ‘school of origin’ shall include the designated receiving school at the next grade level for all feeder schools” [42 U.S.C. § 11432(g)(3)(I)(ii)].

The duration of homelessness that a family or unaccompanied youth experiences may be brief, or it may last a long time. As a result of this variability, the law also addresses how long a student is eligible to attend the school of origin. A homeless student may attend a school of origin for the entire duration of the homelessness or until the end of any school year in which the student becomes permanently housed. Students who become homeless over the summer may also remain in their school of origin for the upcoming school year [42 U.S.C. § 11432(g)(3)(A)(i)].

Regardless of the school option chosen, the placement of students experiencing homelessness should always be based on the student’s best interest.

Section 6.1 Best Interest

The task of choosing which school a student should attend can sometimes be a daunting one. Regardless of the choice ultimately made, the best interest of the student is the determining factor for decisions about school placement.

Under the McKinney-Vento Act:

In determining the best interest of the homeless child or youth regarding school selection, the LEA must

- i. 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 child's or youth's parent, guardian, or (in the case of an unaccompanied youth) the youth;
- ii. 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 of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth;
- iii. if, after conducting the best interest determination based on consideration of the presumption in clause (i) and the student-centered factors in clause (ii), the LEA determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, provide the child's or youth's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal; and
- iv. in the case of an unaccompanied youth, ensure that the LEA liaison assists in the placement or enrollment decisions, gives priority to the views of the unaccompanied youth, and provides notice of the right to appeal [42 U.S.C. § 11432(g)(3)(B)].

Frequent school changes can cause educational disruption and additional stress for a student experiencing homelessness that result in many homeless students falling behind in school, performing poorly, and dropping out. A student should always be kept in the school of origin, unless doing so (1) directly contradicts the desires of the parent, guardian, or unaccompanied youth or (2) would negatively impact the student's achievement, education, health, and safety. Allowing a homeless student to remain in the school of origin may reduce the potential harm to his or her educational outcomes. However, the school selection conversation should always be student-centered, considering the unique factors of each student's situation. Remaining in the school of origin may not always be in the best interest of a student. For example, length of a commute for a very young child, more appropriate academic options or different extracurricular activities could indicate that the local attendance area school would be a better choice for school selection.

All decisions about school placement must be made on a case-by-case basis given the myriad of variables involved. Good questions to consider include:

1. How permanent does the family's current living arrangement appear to be?
2. How deep are the child's or youth's ties to his or her current school?
3. How anxious is the child or youth about an upcoming or recent move?
4. How strong is the child academically?
5. How do the programs and activities at the local school compare to those at the school of origin?
6. Does one school have programs and activities that address the unique needs or interests of the student that the other school does not have?
7. Would the timing of the school transfer coincide with a logical juncture, such as after testing, after an event significant to the child or youth, or at the end of the school year?
8. How would the length of the commute to and from the school of origin impact the child's or youth's education?
9. Are there any safety issues to consider?

A checklist of issues to consider may help liaisons guide the discussion on selecting the school in the student's best interest. Appendix 6.A is a sample checklist that can be adapted to fit your district's needs. If a district has large numbers of homeless students, it may be beneficial to train several staff members to assist parents, guardians, and unaccompanied youth in this decision-making process.

If a district sends a student to a school other than the school requested by the parent, guardian, or unaccompanied youth, the school must provide a written explanation to the parent, guardian, or unaccompanied youth. The written notice must also include information about how to appeal the decision. More

information on the resolution of such disputes will be covered in Section 8 Dispute Resolution.

Section 6.2 Additional Considerations

The McKinney-Vento Act requires that district policies and procedures are reviewed regularly to ensure that no barriers to academic engagement and success exist for homeless students. As a part of your district review, it is advisable to examine your process for making best interest determinations. For example, over time, bus routes or schedules may change, creating challenges for getting

homeless students to their school of origin on time. LEAs must also remove barriers that would prevent homeless youth from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a previous school [42 U.S.C. § 11432(g)(1)(F)(ii)]. In addition, LEAs must remove any barriers to enrollment and retention of homeless students due to outstanding fees or fines, or absences [42 U.S.C. § 11432(g)(1)(I)].

If the LEA determines that remaining in the school of origin is in the best interest of a homeless student, the local liaison should follow up to ensure that transportation to and from the school of origin is arranged expeditiously and the student is linked to all supports afforded to homeless students, such as free meals and academic support, in order to maintain the student's educational stability.

If enrolling in a new school is in the best interest of the student, many simple things can be done to minimize the negative impact of the change, while maximizing student resiliency. If possible, arrange a school transfer at a time where there is a natural break, such as at the end of the school year or at the end of a grading period.

Liaisons in a sending school should ensure that schools send a student's records immediately to the new school, without any delays or barriers caused by outstanding fees, fines, or absences. The local liaison should encourage schools to send samples of the student's work to the new school. The local liaison may want to contact the liaison in the receiving school district to ensure that the student is immediately enrolled and to discuss what services the student may need.

Liaisons in a receiving school should encourage teachers and principals to

- take time to talk to and welcome students individually;
- use a get-to-know-you questionnaire or journal assignment;
- give a “welcome gift” (school supplies, school clothes, etc.);
- introduce new students to the class;
- identify faculty and peer mentors or buddies;
- provide a short, simple written list of classroom rules and procedures;
- make sure the students have a chance to have a class job or role and to participate in extracurricular activities;
- have school personnel meet with parents and students when registering;
- create an orientation video for parents, service providers, and students;
- create a file and a portfolio of class work for students to take when leaving the school;

- establish school and classroom-level routines for incoming and departing transfers; and
- identify concrete ways to enable high school students to obtain credit even if they transfer to another school mid-semester.

In addition to removing barriers and smoothing transitions, local liaisons should note whether their state or local policies allow school enrollment options beyond the school of origin and local attendance area school. Many LEAs have open enrollment policies that offer additional options for school selection. Alternative education programs or charter schools may be available and meet a homeless student’s needs. Furthermore, some homeless students with disabilities may need an alternative placement due to their Individualized Education Program. Liaisons should work with the program coordinators for these other programs or schools to ensure appropriate enrollment in the student’s best interest. See Chapter 11 Collaboration for information on working with other programs.

Section 6.3 Useful Links

Issue Brief: *School Selection*

https://nche.ed.gov/downloads/briefs/school_selection.pdf

Classrooms with Revolving Doors: Recommended Practices for Middle Level and High School Teachers of At-Risk and Highly Mobile Students

https://nche.ed.gov/downloads/eff_teach_mh.pdf

Issue Brief: *Maximizing Credit Accrual and Recovery for Homeless Students*

<https://nche.ed.gov/downloads/briefs/credit.pdf>

Section 6.3 Resources and Tools for Chapter Six

Appendix 6.A School Selection: A Checklist

Chapter Seven: Transportation



Section 7.1 The Importance of Transportation for Homeless Students

Transportation is one of the biggest barriers to regular school attendance and school stability for homeless students. While many local educational agencies (LEAs) struggle to meet the McKinney-Vento requirements for transporting homeless students, the importance of enabling homeless students to continue in their school of origin or to participate fully in school without being hampered by the lack of transportation cannot be overestimated.

Section 7.2 School of Origin Transportation Requirements

The McKinney-Vento Act requires every state and its LEAs 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...in accordance with the following, as applicable:

- 1) If the homeless child or youth continues to live in the area served by the LEA 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 LEA in which the school of origin is located.
- 2) If the homeless child's or youth's living arrangements in the area served by the LEA 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 LEA, the LEA of origin and the LEA 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 LEAs are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally [42 U.S.C. § 11432(g)(1)(J)(iii)].

The law requires LEAs to coordinate interdistrict activities with other LEAs, specifically mentioning the coordination of transportation [42 U.S.C. § 11432(g)(5)(A)(ii)]. It is important to note that this requirement applies to all

LEAs whether or not the LEA receives subgrant funds and whether or not the LEA provides transportation to other students.

Homeless children and youths have the right to remain in their school of origin for the duration of homelessness, in any case in which a family becomes homeless between academic years or during the academic year, and for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year [42 U.S.C. § 11432(g)(3)(A)].

Related to transportation, the law states, “The State and its LEAs in the State 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” [42 U.S.C. § 11432(g)(1)(J)(iii)].

With regard to the role of the local liaison, the law states that liaisons must ensure that “...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...and is assisted in accessing transportation to the school that is selected...” [42 U.S.C. § 11432(g)(6)(A)(viii)].

Section 7.3 Best Interest for School Selection and Transportation to the School of Origin

In determining the school for a homeless child or youth to attend that is in his or her best interest (local attendance area school or school of origin), the McKinney-Vento Act states that the LEA shall

- i. 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 child’s or youth’s parent, guardian, or (in the case of an unaccompanied youth) the youth; and
- ii. 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 of homeless children and youths, giving priority to the request of the child’s or youth’s parent or guardian or (in the case of an unaccompanied youth) the youth[42 U.S.C. § 11432(g)(3)(B)].

Note that the focus of the best interest determination is on the child or youth. Therefore, the distance of a commute or time on a bus is a consideration only as it impacts the achievement, education, health, and safety of the child or youth. Once the local liaison and parents agree that remaining in the school of origin is in the best interest of the child, the school district must provide transportation to and

from the school of origin, if requested. An LEA may not refuse to provide transportation to the school of origin due to lack of an available bus or other resources once this best interest determination has been made.

Section 7.4 Determining the Mode of Transportation

The LEA ultimately determines the mode of transportation; however, it is important to ensure that the mode of transportation does not create barriers to a homeless student's education (ED, 2016, p27-28).

For example, transportation arrangements should ensure that a homeless student is able to participate for the full school day, neither arriving late nor leaving before the school day has ended. Extremely early pick-up times or public bus transfers for young children also may be problematic and should be considered carefully when arranging transportation.

The mode of transportation also should not stigmatize a homeless student or betray the confidentiality of his or her living status. Bus routes, for example, should be arranged such that students staying in homeless shelters can be picked up and dropped off in a way that does not reveal their place of temporary residence. For example, buses can make a stop at the shelter the first stop in the morning and the last stop in the afternoon.

School districts in urban areas are often able to arrange discounts for homeless students to utilize public transportation. If this option is available, you should make sure that the student is old enough to manage riding a city bus or arrange for the parent to ride the bus with the child. Additionally, when the method of transportation chosen by the district is public and the child is too young to travel alone, the district must provide transportation for the parent to and from the temporary residence when needed.

In suburban or rural areas, if parents or unaccompanied homeless youth have working automobiles, many school districts will arrange for the parents to drive their children to school (or for an unaccompanied homeless youth to drive). The LEA may provide a gas card or voucher for the parent or youth. It is important to ensure that the parent or youth understands that the amount provided to pay for gas should be spent only on transportation to and from school. The LEA should also note days when the student is not in attendance and adjust the amount accordingly.

Another consideration for determining the most logical mode of transportation includes safety policies. The McKinney-Vento Act does not override state educational agency (SEA) and LEA safety policies. If, for example, a state or district policy allows students to travel only on a yellow school bus, then the LEA must arrange bus transportation for homeless students. If students are allowed to be transported in cars or taxis, local liaisons should consult with the school district attorney regarding liability and requirements for background checks for the drivers.

In addition, the local liaison should consult with the State Coordinator about any other state policies or practices related the transportation of homeless students that may be in place.

Section 7.5 Comparable Services

Homeless students have the right to services comparable to those offered to other students, including transportation [42 U.S.C. §11432(g)(4)(A)]. For example, transportation during optional summer school is required for a homeless student if it is provided to nonhomeless students. Similarly, homeless students participating in an after-school program have a right to transportation after the program is finished for the day if other students that participate in the program receive transportation home.

Section 7.6 Reviewing and Revising Policies to Remove Educational Barriers

The McKinney-Vento Act states that SEAs and LEAs are responsible for reviewing and revising ANY policies that may act as barriers to the identification OR enrollment of homeless children and youths in school [42 U.S.C. §11432(g)(7)]. Transportation policies are included, as a lack of transportation can be a considerable barrier for homeless students. Because homeless students often experience challenges not faced by housed students, the provision of services to homeless students may need to extend beyond what is provided to regularly housed students.

LEAs must arrange transportation without delay to meet the McKinney-Vento Act's requirement that homeless students are provided immediate school enrollment, defined as "attending classes and participating fully in school activities" [42 U.S.C. § 11434a(1)]. This may require an interim transportation arrangement until a bus route or other suitable transportation is established.

Section 7.7 Funding Resources

The following are available options to provide transportation services to homeless students.

LEA Transportation Funds or General Funds

Providing transportation for homeless students to and from the school of origin when requested is a LEA responsibility mandated in the McKinney-Vento Act. This responsibility exists for all LEAs, even when an LEA may not provide transportation for other students. As such, most districts rely on state transportation or general funds to provide homeless students with school transportation.

McKinney-Vento Subgrants

The McKinney-Vento Act states that LEAs with subgrants may utilize subgrant funds to cover “the excess cost of transportation” [42 U.S.C. § 11433(d)(5)]. While the law does not define this phrase, the expectation is that the LEA will cover the same level of cost for transporting homeless students as other students, before relying on subgrant funds.

Those LEAs that chose to use McKinney-Vento subgrant funds for the excess cost of transporting homeless students need to include a justification for the expenditures based on their applications' needs assessments (C.F.R. Title 34, Section 75.730). Keep in mind that subgrants are intended to meet a range of needs for homeless students, not just transportation needs. Your State Coordinator can answer questions about the McKinney-Vento subgrant application process and allowable expenses in your state.

Section 7.8 Title I, Part A and Transportation for Homeless Students

Funds reserved for homeless students under Title I, Part A (set aside funds) may be used to provide homeless children and youths with services not ordinarily provided to other students, including providing transportation to and from the school of origin [20 U.S.C. § 6313(c)(3)(C)(ii)]. Liaisons should coordinate with their Title I directors to assess the needs of homeless students and determine what transportation needs can be met with the Title I, Part A reservation for homeless students. Title I, Part A funds may also be used to pay for the salary of the local homeless education liaison.

Title I, Part A set-aside funds for homeless students may be used for other transportation needs for homeless students, such as transportation to enable a homeless student to participate in an educational activity after school if transportation is not otherwise available. Title I, Part A set-aside funds also may be used to provide transportation to enable parents to be more involved in their child's education. See Section 7.13 Links to Resources for the NCHE brief entitled *Serving Students Experiencing Homelessness under Title I, Part A* for more information.

Section 7.9 Collaboration within the LEA

The local liaison, LEA pupil transportation director, and other LEA administrators should work together to develop effective transportation policies and procedures. (See Chapter 15 Managing the Work for more information on developing protocols for the LEA.). With ongoing communication and a clear delineation of responsibilities, LEAs can ensure that homeless students are provided needed transportation in an efficient and timely way, and ensure all relevant parties are in the loop regarding what transportation is needed and what the most appropriate modes of transportation are.

Many districts utilize special education buses for transporting homeless students. The U. S. Department of Education's Office of Special Education Programs (OSEP) allows the use of designated special education buses for transporting homeless students as long as the transportation needs of all special education students have been met. See Section 7.13 Links to Resources for a link to an August 2013 OSEP Dear Colleague Letter that supports this use of special education buses.

All parties involved in student transportation should be familiar with the McKinney-Vento Act. This includes bus drivers, because they are often the first and last school personnel to come in contact with students experiencing homelessness over the course of a day; as a result, they may develop supportive relationships with the students. Drivers may assist with identifying students in homeless situations too, as they observe changes in when and where students are picked up or dropped off.

Section 7.10 Collaboration with other LEAs

When LEAs are arranging transportation across school district lines, the school personnel of all LEAs involved should discuss the mode of transportation for each student prior to initiating the transportation. Agreeing upon general guidelines for sharing the responsibility and cost of transporting homeless students among LEAs ahead of time eliminates confusion and conflicts when transportation needs to be arranged immediately for a homeless student. Some LEAs establish memoranda of agreement, while others make arrangements more informally. Liaisons and pupil transportation directors should review these agreements annually and revise as needed.

Some effective collaboration practices include

- convening a regional joint McKinney-Vento training that includes pupil transportation directors, local liaisons, social workers, and bus drivers;
- convening a regional meeting each year of local liaisons and pupil transportation directors to discuss procedures for arranging transportation for homeless students and to address collaboration challenges;
- identifying a pupil transportation staff person whose primary responsibility it is to arrange transportation for homeless students; and
- establishing an electronic database for homeless students needing and receiving transportation, allowing liaisons and the pupil transportation department to immediately access current transportation commitments.

Most interdistrict disputes over transportation can be prevented through good communication and efforts to agree upon transportation arrangements. In the instance in which an interdistrict disagreement about transportation services occurs, dispute should be resolved at the SEA level. During a dispute related to eligibility, school selection or enrollment, the child or youth must be immediately enrolled in the school in which enrollment is sought [42 U.S.C. §11432(g)(3)(E)(i)], and provided all services, including transportation as specified in the law.

Section 7.11 Community Collaborations

Local liaisons should establish cooperative relationships with community agencies that serve homeless families, youth, and children. A community-wide commitment to assist homeless families with children and unaccompanied homeless youth can result in resource sharing, including transportation resources. Many LEAs have been able to arrange transportation using shelter or other social service agency vans. Some public transportation systems donate bus passes or other transportation services to school districts for use by homeless students.

Community foundations are often willing to contribute to meeting the transportation needs of homeless students as well. Collaboration with housing providers can also reduce transportation costs by encouraging housing partners to consider school proximity when making shelter or other housing placements.

Section 7.12 Working with Parents

Parents who are experiencing homelessness generally appreciate being included in decisions involving the education of their children and should be part of the conversation on developing any plans for transporting their children to and from the school of origin. Moreover, parents should be provided with clear expectations for their role in carrying out the plan, such as committing to getting their children to a bus stop on time, notifying the transportation department when a child will not be attending school to avoid unnecessary trips, or following procedures for utilizing gas vouchers. In some instances, a written agreement that spells out the LEA's responsibilities and the parent's responsibilities is useful in holding all parties accountable. Appendix 7.A provides a sample transportation memorandum of understanding between an LEA and homeless parents that can be adjusted to meet the needs of an LEA.

Section 7.13 Links to Resources

Issue Brief: *Transporting Children and Youth Experiencing Homelessness*

<https://nche.ed.gov/downloads/briefs/transportation.pdf>

Monograph: *Increasing School Stability for Students Experiencing Homelessness: Overcoming Challenges to Providing Transportation to the School of Origin*

https://nche.ed.gov/pr/incr_sch_stab.php

Issue Brief: *Serving Students Experiencing Homelessness Under Title I, Part A*

<https://nche.ed.gov/downloads/briefs/titlei.pdf>

Dear Colleague Letter: Office of Special Education Services

August 2013

<https://nche.ed.gov/downloads/osers-colleague-ltr-aug-2013.pdf>

Tip Sheet: *Transportation for Homeless Children and Youth: Strategies for Rural School Districts*

https://nche.ed.gov/downloads/rur_trans.pdf

**National Center for Homeless Education Website Resources by Topic:
Transportation (includes sample forms and materials including interdistrict
and parent agreements)**

https://nche.ed.gov/ibt/sc_transport.php

***Education for Homeless Children and Youth Program Non-Regulatory
Guidance***

U.S. Department of Education

<http://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716.pdf>

***Uniform Administrative Requirements, Cost Principles and Audit Requirements*
Office of Management and Budget**

<https://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf>

Section 7.14 Resources and Tools for Chapter Seven

Appendix 7. A Transportation Memorandum of Understanding

Chapter Eight: Dispute Resolution



8.1 Purpose of Dispute Resolution Policy

Parents, guardians, or unaccompanied youths experiencing homelessness and schools or school districts may disagree on issues related to eligibility for McKinney-Vento services, school enrollment, and school selection. In most cases, parties can resolve these issues before entering into a formal dispute; however, there are times when an informal resolution is not possible and the intervention of an objective third party must be pursued.

Formal dispute resolution

- ensures that each party's views are represented,
- enables the facts of the case to be considered objectively, and
- allows students to attend school while bringing the disagreement to closure.

While no one enjoys conflict, a dispute resolution process is an important tool to protect the rights and best interests of homeless children and youths, as well as those of the local educational agency (LEA). Therefore, the McKinney-Vento Act requires each State educational agency (SEA) to include a written procedure for the prompt resolution of disputes in its state plan for homeless education [42 U.S.C. § 11432(g)(1)(C)].

In addition, SEAs are required to have a McKinney-Vento dispute resolution process in place [42 U.S.C. §11432(g)(1)(C)]. While each district is allowed to design its own process as long as basic requirements are included, it is important for LEA dispute policies to align with the state dispute resolution policy. This allows parents, guardians, unaccompanied homeless youths and district personnel to clearly understand the terms, expectations, and process whether the dispute is settled at the local or state level. Moreover, it is good practice to have a written dispute resolution policy for homeless education at the LEA level that reinforces the state dispute resolution policy to facilitate efficient and expedient resolutions to disputes.

8.2 What the McKinney-Vento Act Requires

When a dispute arises over eligibility, or school selection, or enrollment in a school, the law requires the following minimum procedures:

1. The child or youth “shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals” [42 U.S.C. § 11432(g)(3)(E)(i)]. In the case of an unaccompanied youth, the local liaison must ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending the resolution of the dispute, as well [42 U.S.C. § 11432(g)(3)(E)(iv)]. While disputes are pending, students have the right to participate fully in school and receive all services that they would normally receive, as the definition of enrollment includes “attending classes and participating fully in school activities [42 U.S.C. § 11434a(1)].
2. The parent, guardian, or unaccompanied youth must be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the LEA, or the SEA involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions [42 U.S.C. § 11432(g)(3)(E)(ii)]. The LEA must provide a written explanation of the reasons for its determination, in a manner and form understandable to the parent, guardian, or unaccompanied youth, including information regarding the right to appeal [42 U.S.C. § 11432(g)(3)(B)(iii)]. In the case of an unaccompanied homeless youth, the notice explaining the decision and the right to appeal are provided directly to the youth [see 42 U.S.C. § 11432(g)(3)(B)(iv)].
3. The parent, guardian, or unaccompanied youth must be referred to the local liaison, who will carry out the dispute resolution process as expeditiously as possible [42 U.S.C. § 11432(g)(3)(E)(iii)]. The local liaison must be familiar with the state’s McKinney-Vento dispute resolution policy, and follow all procedures outlined therein.

8.3 Common Topics for McKinney-Vento Disputes

The McKinney-Vento Act mandates basic protections and procedures to follow when a dispute arises “over eligibility, or school selection or enrollment in a school” [42 U.S.C. § 11432(g)(3)(E)]. Therefore, the protections and procedures must be available to address any dispute about whether a student has the right to enroll in a particular school, whether based on eligibility, best interest, school

selection, or immediate enrollment. The law also defines enrollment as “attending classes and participating fully in school activities” [42 U.S.C. § 11434a(1)]. Therefore, McKinney-Vento dispute procedures apply to any dispute arising under the Act, including disputes over questions such as:

Eligibility

Does the child or youth requesting enrollment meet the definition of homeless such that immediate enrollment is required, regardless of missing school records, proof of residency, immunization and other required health records, lack of a parent or guardian, or other documentation?

School Selection

Is it in the child’s or youth’s best interest to continue attending the school of origin or to enroll in the local attendance area school? Does the parent’s, guardian’s, or unaccompanied youth’s preference conflict with the school’s or LEA’s determination of best interest?

Participation

Is the child or youth attending classes immediately, even if the school has not yet received school records, including special education records, immunization or other required health documents? Is the student provided full participation in school activities? Is enrollment granted immediately in any public school that non-homeless students who reside in the same area as the homeless child or youth are eligible to attend?

Transportation

Is the school district required to provide transportation to a student in a particular situation? Does the transportation provided permit the child to attend classes and participate fully in school activities?

In some instances, a parent, guardian, or unaccompanied youth experiencing homelessness may disagree with the LEA on an issue that does not fall under the McKinney-Vento Act. For example, a parent, guardian, or youth may disagree on an issue more appropriately addressed through the special education program, or the conflict may center on a desire to attend a school other than the local attendance area school or school of origin. In these cases, the local liaison should help the parent, guardian, or unaccompanied youth understand the scope of the McKinney-Vento Act and help make connections to other programs and resources that could better address the expressed needs and wishes.

Nevertheless, if the decision is related to eligibility, school selection, or school enrollment, the LEA must provide written notice; allow the parent, guardian, or unaccompanied youth to dispute the decision; and provide immediate enrollment in the school in which enrollment is sought pending the resolution of the dispute. While some disagreements may appear to be outside of the scope of the law and not appropriate for the McKinney-Vento dispute resolution process, additional information may surface during the dispute process that is applicable to the law and could put the LEA in a position of non-compliance had it refused to allow the dispute process to go forward and the parent, guardian, or unaccompanied youth complained to the SEA.

Table 8.1 Common Disagreements is a listing of conflicts that regularly occur and either are related to the McKinney-Vento Act or may appear to be McKinney-Vento dispute resolution issues at first glance. Note that these examples are for illustrative purposes only. Actual cases will have nuances not captured in the abbreviated descriptions offered in the table.

Table 8.1 Common Disagreements

Type of Conflict	Examples
McKinney-Vento dispute resolution conflicts	<ul style="list-style-type: none"> • Disagreement about remaining in school of origin • Disagreement about immediate enrollment in school of residency • Disagreement about homeless status when student was appropriately identified as homeless previously (e.g., doubled-up in same location for two years)
Conflicts not appropriate for dispute resolution, but which are McKinney-Vento compliance issues	<ul style="list-style-type: none"> • School failed to inform of educational rights under McKinney-Vento • Student is not provided free meals • Systemic non-compliance by an LEA which requires state intervention (e.g., failure to identify homeless students; lack of outreach and coordination within schools and community)
Issues which do not implicate McKinney-Vento compliance, but address services which are allowable or beneficial	<ul style="list-style-type: none"> • Additional activities could enhance homeless identification (e.g., using a residency questionnaire) • Summer school could improve student’s academic performance but is not required to

Type of Conflict	Examples
	pass a course or grade
Conflicts not related to McKinney-Vento status	Parent disagrees with the services being offered in an Individualized Education Program <ul style="list-style-type: none"> • Student never lost housing

8.4 Important Considerations Before, During, and After the Dispute Resolution Process

Attending to details before a dispute occurs, during the dispute process, and after a dispute is resolved will ensure the LEA is prepared to carry out the process in the fairest and most objective manner possible while also reviewing each case for lessons learned to improve the process.

8.4.1 Before a Dispute Occurs

Make sure the LEA dispute process is streamlined and accessible to homeless parents, guardians, and unaccompanied youths. The LEA should have written procedures to ensure that all LEA staff members involved know their responsibilities and ensure barriers to initiating the dispute process are eliminated.

Most parents and unaccompanied youths experiencing homelessness have limited resources, little to no ability to secure attorneys or advocates, and are dealing with the extreme stressors of homelessness. Parents, guardians, and unaccompanied youths must receive clear and simple information about

- their right to dispute decisions,
- how to initiate the dispute,
- how the process will unfold,
- who in the LEA and SEA they can contact with questions, and
- the timeline for the process.

Schools should provide this information in writing, but the local liaison should explain the process orally to ensure that parents, guardians, and unaccompanied youths understand.

Parents, guardians, and unaccompanied youths should be able to initiate the dispute resolution process directly at the school they choose or at the local liaison’s office. It is important to offer both options as most homeless families and youth struggle with transportation. They may not have a way to travel to a

particular office to initiate the dispute process. The need to travel may delay them initiating the dispute, and if timelines are short, the families or unaccompanied youth may be unable to initiate the dispute within the required time frame. To eliminate transportation barriers, parents, guardians, and unaccompanied youth should be provided maximum flexibility to initiate the dispute and submit appeals documents at the most convenient school or district office.

The paperwork necessary to initiate a dispute should be minimal to eliminate barriers to parents, guardians, and unaccompanied youth accessing the process. The written notice, for example, could include a space where the parent, guardian, or unaccompanied youth indicates whether he or she agrees with the decision. Indicating a disagreement should trigger a conversation about the dispute process and an immediate referral to the liaison.

8.4.1.1 Written Notice

Written notice protects both students and schools by outlining the specific reasons for the school's decision. It facilitates the dispute resolution by providing the decision maker with documents to guide their determinations. Written notice should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand.

Specifically, written notices should include the following elements:

- contact information for the local liaison and State Coordinator, with a brief description of their roles;
- a simple, detachable form that parents, guardians, or unaccompanied youths can complete and submit to the school to initiate the dispute process (the school should copy the form and return the copy to the parent, guardian, or unaccompanied youth for his or her records when it is submitted),
- a step-by-step description of how to formally dispute the school's decision,
- notice of the right to be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute and all available appeals, including the right to participate fully in all school activities,
- notice of the right to appeal to the state if the district-level resolution is not satisfactory, and
- timelines for resolving the district-level and state-level appeals (ED, 2016, p30).

For an example of a form providing written notice, see Appendix 8.A Written Enrollment Decision Notice.

8.4.2 During the Dispute

Once a parent, guardian, or unaccompanied youth has initiated a dispute, the LEA is obligated to carry out the dispute process as objectively and quickly as possible. The dispute process allows the LEA and the parent, guardian, or unaccompanied youth (or local liaison on behalf of the youth) to present all case-related facts and documentation to a third party. In some states, the documentation is first reviewed by someone at the LEA level, and then provided at the state level.

It is critical that you are familiar with the process in your state and carry it out as specified. You should have the state dispute resolution policy and the LEA dispute policy on hand to guide you through the process.

8.4.2.1 Getting the Facts: What is Legal and What is Reasonable

When a dispute arises under the McKinney-Vento Act, particularly when regarding eligibility, an LEA may wish to look further into situation of the family or youth to compile evidence in support of its position. *It is absolutely critical that all such efforts be grounded in sensitivity and respect, keeping the academic well-being and best interest of the child or youth in the forefront.* Invasive or threatening techniques to confirm eligibility or explore the situation of a family or youth violate the McKinney-Vento Act, may violate the Family Educational Rights and Privacy Act (FERPA), humiliate families and youth, and may put temporary housing arrangements in jeopardy.

For cautions and good practices in obtaining information on families and youth experiencing homelessness, see the NCHE issue brief, *Confirming Eligibility for McKinney-Vento Rights and Services: Do's and Don'ts for LEAs*. (A link to the brief is included in Section 8.6).

To assist with confirming eligibility for McKinney-Vento services, many LEAs have developed residency forms with informative, yet sensitive, questions to help determine eligibility and gather information. Visit the NCHE webpage (https://nche.ed.gov/ibt/sc_eligibility.php) to see examples of state and LEA forms developed for this purpose.

8.4.2.2 Providing Information Relevant to a Dispute

The local liaison should keep thorough documentation of interactions with a parent, guardian, or unaccompanied youth and be prepared to provide this information to the designated third party in an organized fashion.

The following documentation may be reviewed during the dispute process:

- a clear, concise description of the issue (e.g., what the parents, guardians, or unaccompanied youths are disputing, such as why the parent feels his child fits the definition of homeless or feels his child should attend a certain school, and why the LEA disagrees);
- a timeline of contacts between the school and the parent, guardian, or unaccompanied youth;
- copies of emails between the school or LEA and the parent, guardian, or unaccompanied youth;
- a log of phone contacts and meetings between the school or LEA and the parent, guardian, or unaccompanied youth;
- a description of what the LEA has done to follow the dispute policy; and
- any written documentation or information the parent, guardian, or unaccompanied youth (or local liaison on behalf of the youth) has provided.

8.4.2.3 Helping Parents, Guardians or Unaccompanied Youths with the Dispute Process

Parents, guardians or unaccompanied youths often need help to know what information to provide, how to obtain it, and how to present it. If they receive help in providing appropriate information, the case will proceed more efficiently.

Schools and LEAs may inform parents, guardians or unaccompanied youths that they can seek the assistance of advocates, attorneys and other service providers with whom they are working, such as counselors. You may wish to provide a list of local attorneys and advocates who have a thorough knowledge of the McKinney-Vento Act and are willing to work with parents or guardians.

Parents, guardians or unaccompanied youths may have difficulty meeting deadlines. It is important to inform them of deadlines in the dispute process, and determine with them if there is a need to be flexible with the deadlines. In the event that parents are unable to write statements to explain their case, the LEA

should make arrangements to obtain their statement orally. Reaching out to parents, guardians or unaccompanied youths in this way ensures they are not disadvantaged in the dispute process due to logistical challenges or their inexperience with interacting with an organization in a formal way.

Once a decision is rendered on the dispute, the local liaison should ensure that all parties involved are apprised of the decision and arrangements are made to carry it out in the most efficient way possible. In the event that the decision is not made in favor of the parent, guardian, or unaccompanied youth, it is considered a good practice to discuss the decision with this person and develop strategies to implement the outcome, make it as palatable as possible, and to ensure him or her that the best interest of the student was kept at the forefront.

8.4.3 After the Dispute

Dispute resolution is usually a complex process, and every case is unique. It is beneficial to debrief each case to determine lessons learned that can be used to improve the process and policy for future disputes. The local liaison is encouraged to review aspects of the process that worked efficiently and what could be improved after each dispute is resolved. Liaisons should discuss needed changes with all LEA and school staff involved, as well as with the State Coordinator.

Appendix 8.B Dispute Review Guide is a worksheet to help you review a dispute case and identify what needs to be done differently next time.

8.5 Prevention is the Best Solution

Many disagreements between a parent, guardian, or unaccompanied youth and the LEA can be avoided. Diffusing disagreements through effective communication can eliminate the need for a formal dispute.

Table 8.2 Diffusing Disputes: Issues and Strategies provides a chart of issues that arise, and strategies that, when used to address them appropriately, can diffuse a disagreement.

Table 8.2 Diffusing Disputes: Issues and Strategies

Issue	Strategies
School or LEA is not compliant with	If a school or the LEA is not implementing the

Issue	Strategies
implementing the McKinney-Vento Act.	McKinney-Vento Act and is creating barriers to the education of homeless children and youths, then parents, guardians, and unaccompanied youths have a legitimate grievance that should be brought to the attention of the local liaison or State Coordinator. To avoid this type of dispute, ensure that all LEA and school staff members are familiar with the McKinney-Vento Act and understand their responsibility to implement it.
A parent, guardian, or unaccompanied youth desires an action or service that is not covered in the McKinney-Vento Act, such attending a school other than the school of origin or the school in the local attendance area of where they are temporarily staying.	The local liaison should explain the law to the parent, guardian, or unaccompanied youth, and provide the provisions of the law to clarify the issue. Referrals to other programs should be made, if appropriate.
A parent, guardian, or unaccompanied youth becomes angry and behaves inappropriately when expressing disagreement.	LEA and school staff should be trained to understand the trauma faced by homeless families and ways to de-escalate trauma responses. (See Chapter 10 Working With Parents for more information.)
A parent, guardian, or unaccompanied youth wants a certain service or outcome and attempts to use a designation of homeless to get it.	When parents, guardians, or unaccompanied youths appear to be “manipulating the system,” LEA and school staff should attempt to determine what exactly the parent, guardian, or youth wants and see if there are other programs or ways to provide the service or outcome.
Parents, guardians, or unaccompanied youths feel disrespected by the school or LEA and want the school district to be punished.	Parents, guardians, and unaccompanied youths should be treated with respect at all times. When parents are sent to multiple offices to address an issue, when they are confused about how to get services for their children or what services are available, or when they receive a notice in the mail that their child is going to be disenrolled from school, they are likely to become angry and feel mistreated by the school or LEA. They will want justice and retribution to become part of the dispute. LEA and school staff should have face-to-face conversations with the parent to foster an understanding of the law and process. Oftentimes, direct communication will develop rapport and trust with parents and make them more willing to be a partner in determining what can and cannot be done.

Issue	Strategies
<p>A parent, guardian, or youth brings a lot of grievances to the table, some of which may not be relevant to a McKinney-Vento dispute.</p>	<p>It is important to help the parent, guardian, or youth “keep the main thing the main thing.” Be very clear as the dispute process is initiated what issue the dispute will address (e.g., determining eligibility for homelessness) and what extraneous issues will not be addressed by the process (e.g., a principal who treated a child unfairly). While both are serious grievances, the focus of <i>your</i> work is on the issue relevant to the McKinney-Vento Act.</p>

8.6 Useful Links

Issue Brief: *Confirming Eligibility for McKinney-Vento Services: Do’s and Don’ts for Local Liaisons*
https://nche.ed.gov/downloads/briefs/verif_ll.pdf

Issue Brief: *Confirming Eligibility for McKinney-Veto Services: Do’s and Don’ts for School Districts*
https://nche.ed.gov/downloads/briefs/verif_sch.pdf

National Center for Homeless Education Resources by Topic: Sample Enrollment Forms webpage:
https://nche.ed.gov/ibt/sc_enroll.php

Section J Dispute Resolutions, of the *State Coordinator’s Handbook*:
<https://nche.ed.gov/pr/sc-hb.php>

Education for Homeless Children and Youths Program Non-Regulatory Guidance
U.S. Department of Education
<http://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716.pdf>

8.7 Resources and Tools for Chapter Eight

- Appendix 8.A Sample Form for Written Notice for Disputes
- Appendix 8.B Dispute Review Guide

Chapter Nine: Unaccompanied Homeless Youth



Section 9.1 Overview

Homelessness is a devastating circumstance for any child or youth, but being both homeless and separated from a parent or guardian often puts youth in inadequate and unsafe living situations and makes them at risk for school failure or dropping out—all of which can compound the effects of trauma for unaccompanied homeless youth. Schools and local educational agencies (LEAs) face numerous challenges in meeting the needs of these youth.

Many barriers can hinder the ability of unaccompanied homeless youths to enroll, attend, and succeed in school. These barriers often include:

- lack of stable housing;
- inability to take care of basic needs resulting in fatigue, poor health, poor hygiene, and hunger;
- lack of school supplies and clothing;
- emotional crises or mental health problems due to experiencing trauma;
- lack of support from a caring adult;
- concerns about being reported to child welfare and law enforcement agencies;
- employment that interferes with attendance and school work;
- missing school records and other paperwork;
- lack of transportation;
- difficulty accumulating credits due to school mobility; and
- irregular school attendance.

The local liaison must ensure that these youth are provided services under the McKinney-Vento Act and linked to services within the LEA and the community to meet their needs.

Section 9.2 Definitions: Unaccompanied Youth and Homeless

An unaccompanied youth is defined in the McKinney-Vento Act as “a homeless child or youth not in the physical custody of a parent or

guardian.” (42 U.S.C. § 11434a(6)). This definition can be used to describe youth who are residing with a caregiver who is not a parent or guardian as well as youth who are living without the care of an adult.

An unaccompanied youth must fit the definitions of both homeless and unaccompanied in the McKinney-Vento Act to receive assistance under the provisions in the law. That is, an

unaccompanied youth is a child or youth who is not in the physical custody of a parent or guardian *and* lacks a fixed, regular, and adequate nighttime residence.

Only those youth who are both unaccompanied and homeless qualify for assistance under the McKinney-Vento Act.

There are many youth who do not live in the physical custody of a parent or guardian, however, only those who are homeless are eligible for McKinney-Vento services. The flowchart in Appendix 9.A illustrates when an unaccompanied youth may be considered homeless (and eligible for McKinney-Vento services) and when the youth may not be considered homeless.

There is no lower age limit for unaccompanied homeless youth. The upper age limit, as with all McKinney-Vento eligible students, is the upper age limit for public education. The upper limit varies from State to State, but is often 21 to incorporate mandates for public education under the Individuals with Disabilities Education Act (IDEA), which allows youth up to age 21 to receive special education services.

McKinney-Vento eligibility determinations are based on the youth’s current living situation, not the circumstances that caused the student to leave home. An unaccompanied homeless youth is eligible for services regardless of whether the student was asked to leave the home or chose to leave due to conditions in the home. While it can be easy to consider the reason a youth left home trivial—that the youth has a perfectly good home or that the youth simply needs to abide by the rules set by the student’s parents—there may be other circumstances that warrant the youth being out of the home at this time. Sometimes the “rest of the story” is never known by school staff as the youth may not be willing to disclose uncomfortable or embarrassing details. Ultimately, regardless of your understanding of the full details that led to the student being unaccompanied and homeless, your responsibility under the McKinney-Vento Act is to ensure the student has an equal opportunity to attend and succeed in school.

It is important for the local liaison to reinforce in trainings with school staff that the school's primary responsibility is to enroll and educate homeless children and youths in accordance with the McKinney-Vento Act. Judgments regarding why a youth left home fall outside the purview of the public education system. Schools are required to enroll any unaccompanied youth who fits the definition of homeless.

Section 9.3 McKinney-Vento Act Provisions for Unaccompanied Homeless Youth

Unaccompanied homeless youth are ensured the same educational rights that the McKinney-Vento Act provides for other homeless students, which include the right to:

- enroll immediately, even if they do not have paperwork normally required for enrollment or have missed application or enrollment deadlines [42 U.S.C. § 11432(g)(3)(C)(i)];
- attend either the local attendance area school or the school of origin, with the placement decision based on the student's best interest, giving priority to the youth's request [42 U.S.C. § 11432(g)(3)(B)(ii)];
- attend either the local attendance area school or the school of origin, with the placement decision based on the student's best interest, giving priority to the youth's request [42 U.S.C. § 11432(g)(3)(B)(ii)];
- remain in the school of origin (including the designated receiving school at the next grade level for all feeder schools) for the duration of the homelessness and until the end of the school year in which the student becomes permanently housed [42 U.S.C. § 11432(g)(3)(A)(i), 42 U.S.C. § 11432(g)(3)(I)(ii)].
- receive transportation to and from the school of origin [42 U.S.C. § 11432(g)(1)(J)(iii)];*

- receive educational services, such as free school meals and Title I services and participate in gifted and talented programs, vocational and technical education, alternative education, programs for English learners, and any other services comparable to what housed students receive [42 U.S.C. § 11432(g)(4)]; and
- not be stigmatized or segregated on the basis of their status as homeless [42 U.S.C. § 11432(g)(1)(J)(i)].

In addition to the provisions that apply to all homeless students, the McKinney-Vento Act includes the following provisions specifically for unaccompanied homeless youth:

- Unaccompanied homeless youth shall be immediately enrolled without proof of guardianship [42 U.S.C. § 11432(g)(1)(H)(iv)];
- During a dispute over school selection or enrollment, unaccompanied homeless youth shall receive a written statement explaining the school’s decision, the youth’s right to appeal the decision, and a referral to the local liaison, and students must be enrolled in school immediately while disputes are resolved [42 U.S.C. § 11432(g)(3)(E)];
- Local liaisons must ensure that unaccompanied homeless youth
 - are immediately enrolled in school;
 - have opportunities to meet the same state academic standards as other children and youth; and
 - are informed of their status as independent students for the purpose of applying for financial aid for higher education and provided verification of such status for the Free Application for Federal Student Aid (FAFSA) [42 U.S.C. § 11432(g)(6)(A)(x)].

Section 9.4 Identifying Unaccompanied Homeless Youth

Identification of unaccompanied homeless youth can be challenging because they often do not readily identify themselves to school personnel. Many youth feel there is stigma related to their situation and avoid telling others about it. Youth are often afraid they will be treated differently by school personnel or by other students if “found out” or that they will be reported to child welfare or law enforcement. It is essential that school personnel be made aware of the specific needs of runaway and homeless youth in order to treat youth appropriately.

Some helpful strategies to identify unaccompanied homeless youth include:

- Posting outreach materials where youth congregate, including laundromats, parks, campgrounds, skate parks, youth clubs or organizations, and 24-hour stores.
- Developing outreach materials specifically targeted to homeless youth. (See Section 9.12 Useful Links for youth specific materials that can be obtained through the NCHE website.)
- Using means of communication that are comfortable for youth, such as websites, email, the school district Facebook page, or Twitter. Enlisting other students to help spread the word about services offered to homeless youth.
- Making the school a welcoming and supportive place for youth.
- Building trusting relationships with unaccompanied homeless youth.
- Informing youth of their rights under the McKinney-Vento Act. Conducting conversations with youth in an office or other area that allows for confidentiality.
- Listening to their concerns and wishes; withholding judgment.
- Keeping in mind the challenges that unaccompanied homeless students are facing as you work with them, offer support as you are able; sometimes, youth perceive providing a small packet of school supplies or hygiene items as a caring gesture.
- Encouraging unaccompanied homeless youth to stay in school and advocating for their educational success.
- Informing youth in advance about the circumstances under which you may be required to alert child welfare or law enforcement and helping youth understand how this process may affect them.

Section 9.5 Enrolling Without Parents or Guardians

The McKinney-Vento Act requires that schools enroll unaccompanied homeless youth immediately, even without a parent or guardian, and remove any barriers to enrollment. Because the McKinney-Vento Act is a Federal law, the immediate enrollment provision overrides any local policies that may be a barrier to enrolling unaccompanied homeless youth. There are three common methods for enrolling unaccompanied homeless students:

- the student enrolls him or herself,
- a caregiver enrolls the student, or
- the local liaison enrolls the student.

To meet the requirement of removing barriers for enrollment and attendance, schools should develop policies for enrolling a youth without a parent or guardian.

Despite the absence of parents or guardians for unaccompanied youth,

schools will still be able to acquire student records, as parent or guardian consent is not required in order to transfer student records to an enrolling school, according to the Family Education Rights and Privacy Act (FERPA). (See 9.12 Useful Links for more information on FERPA.)

A school district cannot require a caregiver to obtain legal guardianship at any point prior to or following an unaccompanied homeless student's enrollment. A school district also cannot discontinue a student's enrollment due to an inability to identify a caregiver, guardian, or parent following enrollment or an inability to produce guardianship or other paperwork.

The following strategies may assist liaisons helping unaccompanied homeless youth obtain missing health and related records:

- Birth certificates can be ordered online through State departments of health. Requests for birth records should be submitted to the State in which the student was born. For information on where to obtain vital records in a particular State, visit www.cdc.gov/nchs/w2w.htm.
- An application for original or replacement social security cards can be obtained by visiting www.ssa.gov/ssnumber/. The website also provides information about documents that must be provided with the application as proof of identity.
- Many States now have an online immunization registry that can be accessed by doctors' offices and other approved medical providers. This can make it easier to obtain immunization records for highly mobile students who may have limited ability to obtain medical records from another county or State. The following link provides helpful information about where to find missing immunization records: www.cdc.gov/vaccines/recs/immuniz-records.htm#where.
- Unaccompanied homeless youth who need to request a copy of their birth certificate, social security card, or other government-issued record may not have a stable address to which the records can be sent. Allowing the student to use the school address can expedite the process of obtaining original or certified copies for the student.

In addition to policies and procedures regarding unaccompanied homeless youth at the time of enrollment, LEAs should address other potential barriers to full participation in school, including determining who can sign for excused absences and field trip participation and how to consent to medical services. Liaisons should be familiar with State and local laws and policies related to minor medical consent. Your State Coordinator should be able to provide you with sources for this critical information.

Section 9.6 Understanding State and Local Laws and Policies for

Reporting Unaccompanied Homeless Youth

States and localities across the nation have a variety of laws and policies related to youth on their own. These laws and policies specify under what circumstances youth must be reported to child welfare or law enforcement.

While all States require school staff and social workers to report abuse, most do not require that runaway youth be reported.

Contact your State Coordinator about your State's requirements and to discuss recommendations for how to implement these laws and policies in ways that will be least likely to cause the youth to avoid self-disclosure when they are on their own or to drop out of school. The ultimate goal is to keep youth in school where adults can be available to guide them and link them with services.

Unaccompanied homeless youth often do not have anywhere to go when not at school, which leaves them on the street and at risk for life threatening situations such as human trafficking.

In States where reporting runaway youth is mandatory, some LEAs work with local law enforcement and child welfare agencies to agree upon a window of time before the LEA must report runaway youth and the procedures to do so. This allows more information to be gathered about a youth's circumstances and determine what may be in the student's best interest.

Section 9.7 In-school Support for Unaccompanied Homeless Youth

Unaccompanied homeless youth often have unique barriers to their education that derive from not having stable housing, basic needs, or adult guidance. Accumulating enough credits to graduate can be very difficult for mobile students due to the variety of class offerings/requirements, methods of calculating credits, and graduation requirements across school districts. When students transfer, LEAs must ensure that homeless students receive credit for full and partial coursework completed in the prior school [42 U.S.C. § 11432(g)(1)(F)(ii)].

Consider the following strategies to stabilize students and help them succeed in school:

- Identify the basic needs that are not met for food, clothing, and housing and provide referrals for assistance.
- Provide access to the school athletic department for shower and laundry facilities, and storage space for belongings.
- Allow flexible assignment deadlines when necessary to prevent unaccompanied homeless youth from being penalized for their inability to

- meet deadlines due to unstable living circumstances.
- Implement policies to assist with accumulating credits toward graduation, such as chunking credits, implementing mastery-based learning, and offering credit recovery programs.
 - Consider alternative education programs that allow flexible school hours or have paid work components for youth who need to work for subsistence.
 - Link them with an adult who cares about their well-being and will check in with the youth on a regular basis. These adults can serve many roles in the school, from administrators to custodians. They must be someone who can relate to the youth and whom the youth trusts.
 - Ensure coordination between the McKinney-Vento and special education programs so unaccompanied homeless youth are provided a surrogate parent if needed.

Section 9.8 Handling Disciplinary Situations for Unaccompanied Homeless Youth

The McKinney-Vento Act does not provide immunity from normal school disciplinary guidelines. Homeless students are subject to the same rules as their housed peers. However, when behaviors are directly related to a student's homelessness (such as, in some instances, being tardy or absent), the youth should not be penalized, as the law states that homeless students cannot be stigmatized on the basis of their homelessness.

Local liaisons should be familiar with the educational challenges that unaccompanied homeless youth face and assist them to overcome their challenges. Sometimes, basic assistance is all that is needed, such as providing an alarm clock to prevent tardiness or resources and supplies to complete assignments; other times, the youth should be connected with community resources for services such as counseling for behaviors that impact the classroom.

Liaisons should become aware of how trauma can impact the behavior of unaccompanied homeless youth and provide trauma-informed interventions. Section 9.12 Useful Links provides a link to a resource from the National Center on Family Homelessness called the *Trauma Informed Organizational Toolkit for Homeless Services*, which may be valuable to liaisons.

Section 9.9 Extracurricular Activities

For many unaccompanied homeless youth, participation in extracurricular

activities is a critical way to engage in school and connect with other students. Extracurricular activities help build self-esteem and give students a sense of purpose and accomplishment.

The McKinney-Vento Act defines enrollment as “attending classes and participating fully in school activities” [42 U.S.C. § 11434a(1)]; this includes extracurricular activities offered through the school. The Act charges State educational agencies (SEAs) and LEAs to develop, review, and revise policies to remove barriers to the enrollment and retention of homeless children and youth in schools. As a part of this requirement, schools could waive activity fees and deadlines for participation for homeless children and youth. Local business sponsors and school alumni may help defray activity costs. School-based organizations, such as parent organizations and booster clubs, also often assist with athletic, band, and other expenses.

For more information, review the NCHE brief, *Ensuring Full Participation in Extra-Curricular Activities for Students Experiencing Homelessness*. (See Section 9.12 Useful Links.)

Section 9.10 Linking with Community Resources

Liaisons should become familiar with community resources for unaccompanied homeless youth, including runaway and homeless youth shelters and general resources for housing and shelter, food assistance, transportation, and physical and mental health services. Developing

partnerships and coordinating with agencies serving youth to determine eligibility for services and referral processes will streamline the youth’s access to services. For example, liaisons may affirm that a homeless child, youth, or family served by the LEA meets the eligibility requirements for a Department of Housing and Urban Development (HUD) program [42 U.S.C. § 11432(g)(6)(D)]. Chapter 11 Collaborations has more information about forging partnerships to benefit homeless students.

Section 9.11 Helping Unaccompanied Homeless Youth Prepare for College

Local liaisons play a key role in ensuring that unaccompanied homeless youth are aware of opportunities beyond public school and that they are prepared to take the next steps to apply for and enroll in postsecondary education. Liaisons should work with school guidance counselors to make certain that students are made aware of their options after high school, are

college-ready, and have the opportunity to participate in college visit days with their peers.

The College Cost Reduction and Access Act (CCRAA) of 2007 stipulates that unaccompanied youth determined to be homeless by a local liaison, Runaway and Homeless Youth Act funded shelter, HUD program, or college financial aid administrator may apply for federal financial aid as independent students. Liaisons should make sure that these homeless students have the help they need to complete the FAFSA, including informing them of their status as independent students and providing verification of that status. Unaccompanied homeless youth can complete the FAFSA without a parent or guardian's signature, and the parent or guardian's income is not considered when determining an independent student's need for financial aid. See Section 9.12 Useful Links for an NCHE brief related to this topic. More resources to assist with higher education access and financial aid for unaccompanied homeless youth are also available through the National Association for the Education of Homeless Children and Youth.

Section 9.12 Useful Links

Issue Brief: *Ensuring Full Participation in Extra-Curricular Activities for Students Experiencing Homelessness*

https://nche.ed.gov/downloads/briefs/extra_curr.pdf

Issue Brief: *Increasing Access to Higher Education for Unaccompanied Homeless Youth: Information for Colleges and Universities*

https://nche.ed.gov/downloads/briefs/higher_ed.pdf

Issue Brief: *Maximizing Credit Accrual and Recovery for Homeless Students*

<https://nche.ed.gov/downloads/briefs/credit.pdf>

Issue Brief: *Supporting the Education of Unaccompanied Homeless Youths*

<https://nche.ed.gov/downloads/briefs/youth.pdf>

**Higher Education Initiative
National Association for the Education of Homeless Children and Youth**

<http://www.naehcy.org/educational-resources/higher-ed>

or (855) 446-2673

Family Education Rights and Privacy Act
<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

Trauma Informed Organizational Toolkit for Homeless Services
National Center on Family Homelessness
<http://www.air.org/center/national-center-family-homelessness>

Youth Rights Poster
https://nche.ed.gov/downloads/youthposter_eng_color.pdf

Informational Booklet: *Surviving on Your Own: Information for Youth on How Schools Can Help*
https://nche.ed.gov/pr/youth_booklet.php

Higher Education Poster
https://nche.ed.gov/pr/he_poster.php

College Cost Reduction and Access Act
<https://www.congress.gov/110/plaws/publ84/PLAW-110publ84.pdf>

Chapter Ten: Working with Parents



Section 10.1 McKinney-Vento and Parental Rights

The McKinney-Vento Act accords parents and guardians experiencing homelessness the right to have their voices heard on what they believe is in the best interest of their children. The law requires local liaisons to provide parents and guardians information on the McKinney-Vento Act and on the process for disputing decisions of the local educational agency (LEA) when they disagree on enrollment and best interest determinations for their children.

Section 10.2 Challenges in Working with Homeless Parents

Homelessness puts parents under inordinate stress. While most parents experiencing homelessness are cooperative and trust that school administrators, teachers, and staff have the best interest of their children in mind, some may be uncooperative and even confrontational. As the local homeless liaison, it is important to keep this in mind and work with parents in ways that build trust and empower them to work with you to enable their children to succeed in school.

Section 10.3 Working with Parents Who Have Experienced Trauma

Many homeless parents have experienced trauma, which predisposes them to losing control of their behavior when they experience things that trigger emotions or situations related to the trauma. Common trauma triggers for homeless parents include

- a sense of being ignored or not being heard,
- a sense of being disrespected,
- a sense of being viewed as wrong or incompetent,
- a feeling of being threatened or pushed against a wall (literally or figuratively),
- the perception of being denied what they deserve or having things taken away,
- one too many requests or requirements, and
- being touched.

A seemingly innocent comment or subtle body language can trigger a counterproductive response on the part of a traumatized homeless parent.

Typical trauma responses include

- flight (parents will minimize the seriousness of their challenges or those of their children and avoid taking responsibility);
- fight (parents will become aggressive and confrontational, and may even become verbally or physically abusive); and
- freeze (parents will become passive and nonresponsive).

See Section 10.6 Useful Links for a list of resources on trauma.

Section 10.4 Developing Rapport Through Communication

Communication is critical for developing trust with parents. Good rapport enables local liaisons to establish a working relationship with parents that results in good educational decisions for children. The following tips will help you develop positive, productive relationships with parents.

- Keep impersonal communication, such as letters and emails, to a minimum; conduct face-to-face conversations whenever possible.
- Provide a welcoming environment.
- Conduct sensitive conversations in a private and comfortable place.
- Avoid using the word “homeless;” avoid charged and judgmental language.
- Talk to them about their living situation; be sensitive and discrete.
- Ask them about their needs. A good question to ask is, “How may we be of assistance to you and your family? What would be helpful for you now?”
- Assure them that their children are welcome in your school and that you have their best interest in mind.
- Empower and encourage parents; discuss solutions to challenges with them.
- Discuss things about which they feel positive.
- Listen! Listen! Listen!
- Be aware of your own triggers. Notice when you are having a reaction to what the parent, guardian or youth is saying and continue being present for them. Make sure you are always putting the needs of the family and youth first.

Section 10.5 Strategies for Working Together

Table 10.1 Challenges and Strategies for Working with Homeless Parents identifies some of the more common challenges in working with parents and

provides some strategies for addressing the challenges. In addition, districts that receive a McKinney-Vento subgrant may use those funds to increase the meaningful involvement of parents and guardians or youths in the education of such children or youths [42 U.S.C. § 11433(d)(10)].