

# McKinney-Vento

## Homeless Assistance Act Manual



**Karns City Area School District**

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KCASD McKinney-Vento Homeless Manual

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## Introduction

### Education for Children and Youth Experiencing Homelessness in Pennsylvania (ECYEH)

The Education for Children and Youth Experiencing Homelessness (ECYEH) Program was authorized by Title VII, Subtitle B of the Stewart B. McKinney Homeless Assistance Act of 1987, and more recently under the 2001 No Child Left Behind Act. This was the first comprehensive federal law dealing with the problem of homelessness in America. Per the McKinney-Vento Act (for full text, go to this United States Department of Education website at ([www2.ed.gov/policy/elsec/leg/esea02/pg116.html](http://www2.ed.gov/policy/elsec/leg/esea02/pg116.html)), Pennsylvania's primary goal for its ECYEH Program is to educate local education agencies (LEA) and other entities who work with children, youth and families, on the rights of children and youth experiencing homelessness. They should also work collaboratively to eliminate barriers that may impede enrollment, attendance, or receipt of services that support academic success – including special student populations such as preschool-aged children experiencing homelessness, unaccompanied youth and out-of-school youth. The ECYEH Program provides support for activities or services that enable these children and youth to enroll, attend and succeed in school. The program is authorized to provide funds through the Pennsylvania Department of Education (PDE) to coordinate the enrollment and delivery of services for the educational success of children and youth experiencing homelessness. This booklet is a brief overview of some important issues surrounding child homelessness – such as who they are, how they are affected by homelessness and their available educational choices and federal rights. The booklet should raise awareness regarding students experiencing homelessness.

**The Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program** has evolved from the Education for Homeless Children and Youth Program that was established in 1988 by the Pennsylvania Department of Education (PDE).

One of the main goals of the ECYEH Program is to help each student experiencing homelessness have a school life that is as regular as possible.

The ECYEH Program informs local school districts of their responsibilities to children and youth experiencing homelessness, increases awareness about the needs of children experiencing homelessness, reveals and overcomes possible educational barriers, explains current legislation and policies, and provides practical tips for working with students experiencing homelessness.

Pennsylvania's network of eight regional offices ensures that the educational needs of students experiencing homelessness are met.

The Stewart B. McKinney Homeless Assistance Act, passed in the late 1980s, was the first comprehensive federal law dealing with the problems of homelessness in America. The 2001 No Child Left Behind Act initiated the McKinney-Vento Homeless Education Assistance Improvements Act of 2001. This Act was revised per the Every Student Succeeds Act (ESSA) of 2015.

Visit the [PDE's Homeless Education web page](#) for additional information.

For additional information, see the **ECYEH Pennsylvania's Education for Children and Youth Experiencing Homeless Program** - <https://homeless.center-school.org/>

## Purpose

The purpose of this manual is to provide school personnel information and procedures to ensure the effective implementation of the McKinney-Vento Homeless Assistance Act. The McKinney-Vento Act is a federal law that ensure children and youth who do not have permanent housing are able to go to school. It gives children and youth rights to immediately enroll in school, get transportation to school-based activities, and succeed in school.

### Definition of Homelessness under the McKinney-Vento Homeless Assistance Act:

The McKinney-Vento Homeless Assistance Act defines homeless children and youths as those who lack a fixed, regular, and adequate nighttime residence. The law provides several examples of situations that meet the definition.

This includes children and youths:

- Sharing housing due to a loss of housing, economic hardship, or 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; and/or
- Living in one of the above circumstances and who are migratory.

## Definitions

**Enrollment:** The terms ‘enroll’ and ‘enrollment’ include attending classes and participating fully in school Activities.

**Homelessness:** A family or student is considered homeless under the McKinney-Vento definition if they are in any of these places or situations:

- Public or private shelters
- Public or private places not designated for, or ordinarily used as, regular sleeping accommodations such as vehicles, parks, motels, campgrounds, etc.
- Living with a parent in a domestic violence shelter
- Living with relatives or friends due to lack of housing
- Living in transitional housing programs
- Runaway children (under 18 years of age) and children and youth who have been abandoned or forced out of their home by parents or other caretakers (unaccompanied youth). These children may be in temporary shelters awaiting assistance from social service agencies, or may live alone on the street or move from place to place among family members, friends or acquaintances
- Children of migrant families who lack adequate housing
- Children abandoned in hospitals

\* Youth awaiting foster care placement include those who are placed in: emergency, interim or respite foster care; kinship care; evaluation or diagnostic centers; or placements for the sole purpose of evaluation. On a case- by-case basis, through coordination between the school and all involved

agencies, it can be determined if the youth is “awaiting foster care placement.” **Children in foster care are not considered homeless.**

### Available Services for Eligible Students

- Connections with local resources
- Enrollment and Registration approval
- Internet options
- Removal of barriers to education
- Provision of needs under Title I Eligibility Guidelines

### Website Postings

HOMELESS INFORMATION is the title under the parent resources tab on the district website. The following five items are available to the public:

- Information on the McKinney-Vento Homeless Assistance Act
- Homeless Application Form
- Written Notification Form
- Student Residency Statement
- Procedure for Free Lunch

### School District Homeless Liaison

Per the federal law, every school district must assign a person (a liaison) to ensure that students experiencing homelessness are identified, enrolled and able to succeed in school. The liaison is responsible for identification of McKinney-Vento eligible students and supporting the needs of these students. The liaison:

- Assesses McKinney-Vento eligibility and needs of students and families experiencing homelessness
- Interprets laws relating to student homelessness
- Works as a team member to remove educational barriers
- Provides case management
- Monitors student progress
- Makes referrals to facilitate appropriate services to ensure full attendance and access to an appropriate education

Following are the homeless liaison requirements from Education for Homeless Children and Youths Program Non-Regulatory Guidance, Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act, July 27, 2016.

- Identification of homeless children and youths
- Preschool-aged homeless children, including clarification that liaisons must ensure that these children and their families have access to and receive services, if eligible, under LEA-administered preschool programs, including Head Start, Part C of the Individuals with Disabilities Education Act (IDEA) (Early Intervention Program for Infants and Toddlers with Disabilities) and other preschool programs administered by the LEA
- Collaboration and coordination with other service providers, including public and private child welfare and social services agencies; law enforcement agencies; juvenile and family courts; agencies providing mental health services; domestic violence agencies; child care providers; runaway and homeless youth centers; providers of services and programs funded under the Runaway and Homeless Youth Act; and providers of emergency, transitional, and permanent housing, including

- public housing agencies, shelter operators, and operators of transitional housing facilities
- Professional development and technical assistance at both the State and local levels
- Removing enrollment barriers, including barriers related to missed application or enrollment deadlines, fines, or fees; records required for enrollment, including immunization or other required health records, proof of residency, or other documentation or academic records, including documentation for credit transfer
- School stability, including the expansion of school of origin to include preschools and receiving schools and the provision of transportation until the end of the school year, even if a student becomes permanently housed
- Privacy of student records, including information about a homeless child or youth's living situation (the Family Educational Rights and Privacy Act/FERPA prohibits an LEA from disclosing personally identifiable information from students' education records without the consent of a parent or eligible student, unless an exception to FERPA's general consent rule applies)
- The dispute resolution process as outlined by the Department of Education
- Complete all form requirements for the state data base at <https://egd.aju3.net/ecyeh/Default.aspx#> and ensure veracity and efficacy of identified information.
- The liaison also acts as a resource to school staff to inform, facilitate and support appropriate services.

## Immediate Enrollment

It is important to remember that the McKinney-Vento Homeless Assistance Act requires the immediate enrollment of children and youth experiencing homelessness, even in the absence of records, normally required for enrollment. School districts' enrollment policies and practices must ensure that no barriers exist for these students/families.

Denying immediate enrollment to a student experiencing homelessness violates federal law and may place the student in danger in certain circumstances.

## School Choice/School of Origin

According to federal law (see <http://center.serve.org/nche/legis/mv.php>), the local education agency serving each child or youth to be assisted under this subtitle shall, according to the child's or youth's best interest: "(i) continue the child's or youth's education in the school of origin for the duration of homelessness— (I) in any case in which a family becomes homeless between academic years or during an academic year; (II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or (ii) enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend." The federal law defines "School of Origin" as the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled. The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parent(s) or has been temporarily placed elsewhere. These families or youth are presently unable to establish "homes" on a permanent basis.

## Transportation

To counteract the educational disruption caused by students' mobility, the McKinney-Vento Act provides these students with the right to continue attending the school of origin, or enroll in any public school that non-homeless students who live in the same attendance area are eligible to attend, according to the student's best interest (BID).

When determining a student's best interest, the following factors should be considered:

- The age of the child or youth
- The distance of a commute and the impact it may have on the student's education
- Personal safety issues
- A student's need for special instruction (e.g., special education and related services)
- The length of anticipated stay in a temporary shelter or other temporary location
- The time remaining in the school year. It is important to also consider the wishes of the parent/guardian and the student. Parents and youth should be informed of their school of origin rights and the available transportation services or other transportation options. The liaison can help set up transportation through coordination within the district and between other school districts.

## Dispute Resolution Process

PDE must ensure that LEAs comply with requirements set forth in the McKinney-Vento Act including ensuring immediate enrollment, providing written notice to families concerning school selection, enrollment decisions and providing enrollment and pendency in the school of choice while a dispute is being resolved. PDE has developed procedures for the resolution of disputes regarding enrollment, school selection, homeless status and complaints of non-compliance with legal requirements pertaining to the education for homeless children and youths. For further information, visit [www.education.pa.gov/homeless](http://www.education.pa.gov/homeless) to see the Education for Homeless Youth Basic Education Circular.

There are two dispute levels:

Level 1 – A dispute raised with an LEA, where a parent, guardian or unaccompanied youth initiates the dispute. The LEA must issue a written disposition of the dispute within 20 business days after the liaison is notified of the dispute. The disposition is provided to the parent, guardian or unaccompanied youth to explain the basis for the decision and advise the parent, guardian or youth of the right to appeal. All LEAs must inform families of the basis of their decision regarding enrollment or school selection, notify families of their right to remain in their school of choice pending resolution of the dispute, and explain the procedures for challenging the decision of the LEA.

Level 2 – A complaint filed with a McKinney-Vento Coordinator when a parent, guardian or unaccompanied youth is dissatisfied with the LEA's disposition of a dispute or raising any issue of McKinney-Vento Act noncompliance files a complaint or appeal with a McKinney-Vento regional or site coordinator or with the state coordinator. For a list of coordinators, visit <http://homeless.center-school.org>. The child or youth remains in the school in which he or she is seeking enrollment until the complaint or appeal is resolved or until a disposition from a McKinney-Vento coordinator is received. Any dispute raised by a homeless family or youth via telephone, letter or any mode of communication is treated as a complaint.

## Supporting Opportunities for School Success

In general, children who are homeless do not perform as well in school, have lower achievement scores, and more academic failure than housed students. These children need the stability of school and rely on academic support provided to them. These students often change schools frequently.

This can impact learning as students must adjust to new environments, new curricula, and new teachers and classmates, while still learning the same information other students are expected to master. The loss of a home can be traumatic, leaving children and youth with tumultuous feelings that can impact their social and intellectual well-being. Limited access to food, medical care and basic school supplies can also impact performance in the classroom.

The following strategies and programs can support students' academic success:

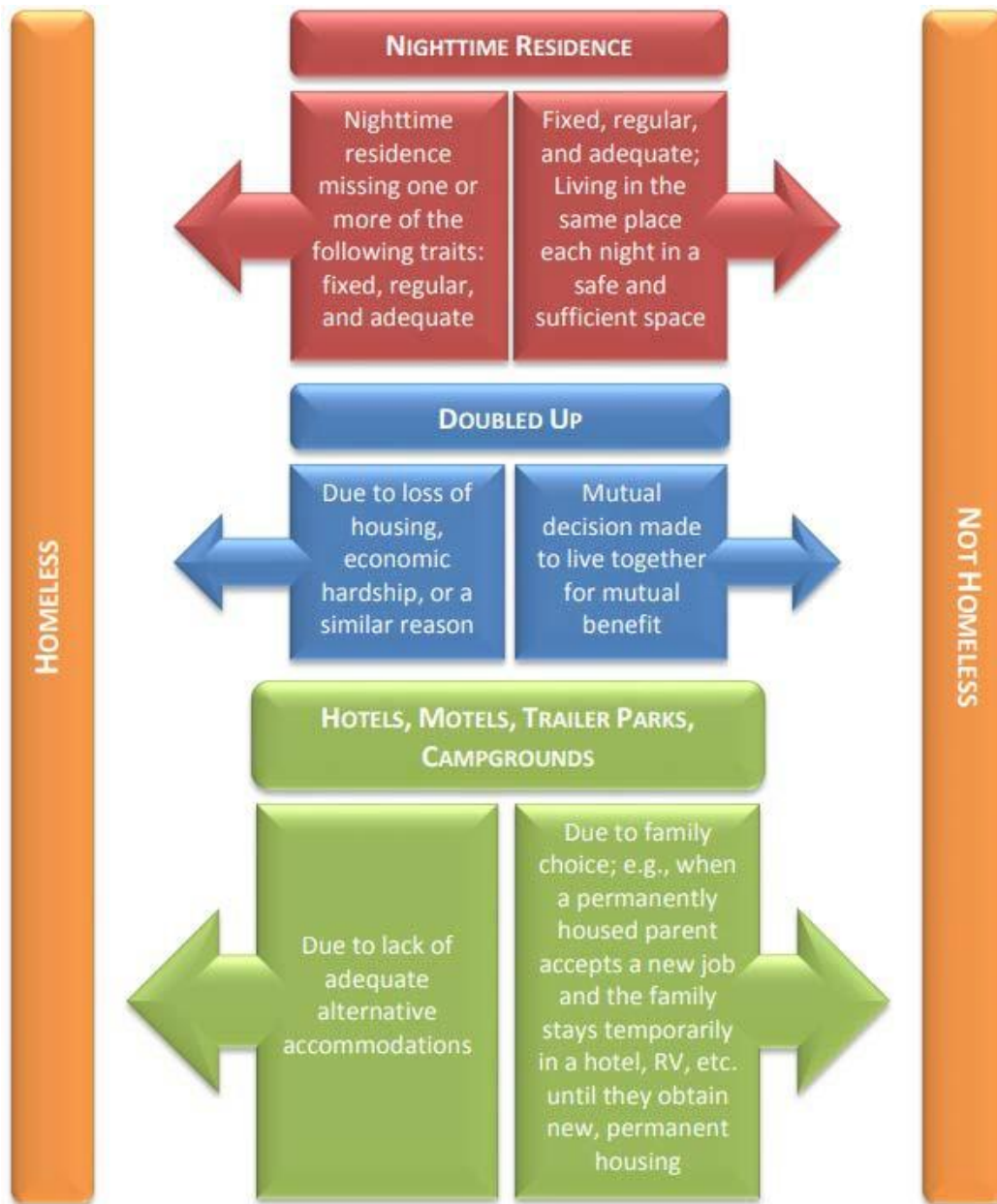
- Access to Head Start and preschool programs administered by the local education agency or within the community
- Academic support such as tutoring, afterschool programs and summer programs
- Referrals to health care services, dental services, mental health services, and other appropriate services.
- According to federal law and PDE policy (see [www.education.pa.gov/homeless](http://www.education.pa.gov/homeless)), for enrollment of students:
  - Educational agencies shall ensure that each homeless child has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth. Homeless students may reside in shelters, hotels, motels, cars, tents or be temporarily doubled-up with a resident family because of lack of housing. Homeless children and youth lack a fixed, regular, and adequate nighttime residence. Included within the definition of homeless children and youth are those who are “awaiting foster care placement” and “unaccompanied homeless youth.”
  - Unaccompanied homeless youth may enroll without documents and without the help of an adult. Unaccompanied homeless youth includes any child who is “not in the physical custody of a parent or guardian.” Falling within this definition are students who have run away from home, been thrown out of their home, or been abandoned or separated from their parent(s) or guardian(s).
  - Homeless youth are entitled to immediate enrollment and their families are not required to prove residency regarding school enrollment. These students should be enrolled without delay, in the district where they are presently residing, or continue their education in the district of prior attendance.

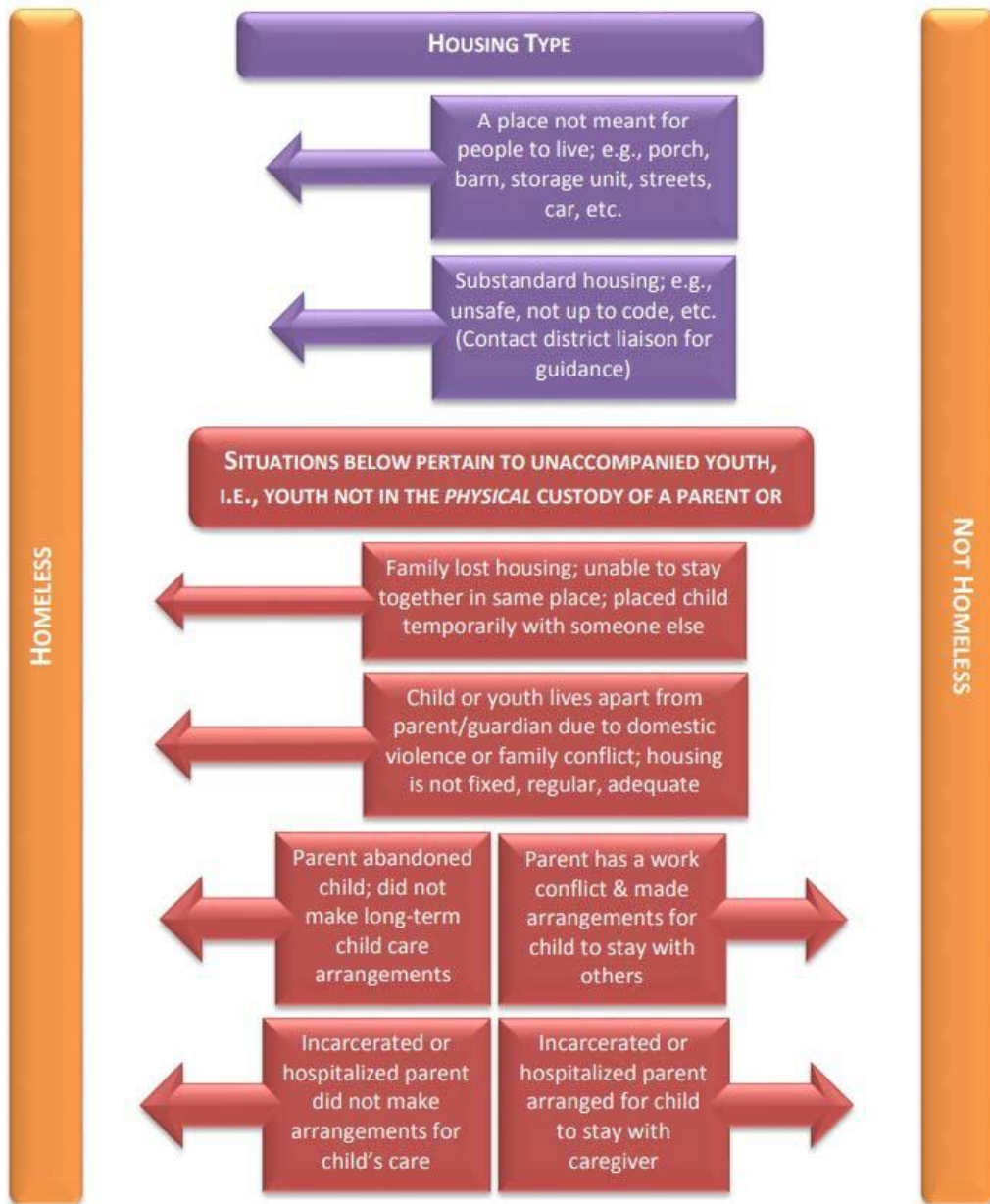
#### Identification of Students Experiencing Homelessness

It cannot be emphasized enough that determining whether a particular child or youth fits the definition is a case-specific inquiry. General answers based on incomplete information or hypothetical situations will often be legally incorrect.

See Images Below:







## Other Ways to Identify Students Who are Experiencing Homelessness

School employees must be aware of the silent signals students may present. These characteristics could be attributed to students with other issues as well as those students/families experiencing homelessness:

- Attendance at several schools
- More than one family at the same address
- Poor hygiene and grooming
- Hunger and hoarding food
- Vague when asked about proof of residency
- Some common statements used by homeless students/families may include:
  - “We’ve moved a lot.”
  - “We’re staying with relatives/friends while looking for a place.”
  - “We’re going through a bad time right now.”

If homelessness is suspected, possible follow up questions:

1. Are you living in this household because you do not have stable housing?
2. Do you live in any of these situations?
  - sharing housing with relatives or others due to lack of housing
  - in a shelter or transitional living program
  - in a motel, hotel, park or campground due to lack of adequate housing
  - in a car or RV or in a public place (such as a bus station)
  - in sub-standard housing, such as an abandoned building
  - without a parent or guardian, or a teen (up to age 21) living independently
  - awaiting foster care placement
  - parents are migrant workers
  - in other situations that are not fixed, regular or adequate for nighttime residence
3. Would you be willing to talk/meet with our Homeless Liaison to discuss resources available to you?

## The Importance of Coordination and Collaboration

Addressing the unique needs of students experiencing homelessness requires a coordinated and collaborative approach through which the student, the parent, the school, social service agencies and the public are aware and supportive of these families and their children. Local community agencies, service organizations, and public/private agencies on the local, county and regional levels can partner with and support LEAs in meeting the needs of students experiencing homelessness. This can be facilitated and encouraged by contacting the KCASD Homeless Liaison, Shane Spack or contact with the regional/site coordinator, Wendy Kinnear, Midwestern Intermediate Unit IV.

School administrators can help the school board and local community to become more sensitive to the condition of homelessness. Principals can introduce the family and child to teachers, counselors and other staff, and give a tour of the school – this sets the tone for further parent involvement in the school. School secretaries and enrollment staff can assist parents in filling out registration forms, with awareness that some parents may lack literacy skills. Teachers can discretely make accommodations for required homework, arrange tutoring, or provide or arrange for needed school supplies. School nurses can contact the student’s previous school to obtain immunization records and health records, or receive verification by phone.

Counselors and school psychologists can help by knowing the local community resources to make referrals for families in areas like housing, food, clothing and counseling; as well as making standard forms and information available about key school programs at each shelter. This includes materials on the school calendar, lunch and breakfast programs, and admission/withdrawal. Schools' transportation staff can arrange for children to be able to attend the school of origin if in the student's best interest, arrange bus stops to pick up students at the shelter first and drop them off last to ease the embarrassment of living at the shelter. Shelter personnel can be aware of school activities and schedules and help families and students fully participate in school functions.

Everyone involved with the student should observe warning signs for possible homelessness:

- A lack of educational continuity (many school moves)
- School attendance and transportation problems
- Poor health and nutrition
- Poor hygiene
- Lack of privacy and personal space after school
- Social and behavioral concerns
- Reactions or statements by the parent, guardian, child or youth

### Serving Students Experiencing Homelessness with Set-Aside Funds

Title I, Part A requires school districts to reserve sufficient Title I funds to provide services to students experiencing homelessness that are comparable to those provided to students in Title I schools. These services may include providing educationally related support services to children in shelters and other locations where children experiencing homelessness may live.

Homeless set-aside funds may be used to provide comparable services to students experiencing homelessness who do not attend a Title I school, but also may be used to provide services to students experiencing homelessness, including those attending Title I schools, that are not ordinarily provided to other Title I students, including funding the local liaison position, and funding transportation to and from the school of origin.

### Allowable Usages of Set-Aside Funds

Two principles govern the usage of homeless set-aside funds:

1. The services must be reasonable and necessary to assist students experiencing homelessness to take advantage of educational opportunities.
2. The funds must be used only as a last resort when funds or services are not available from other public or private sources.

With these principles in mind, allowable usages of set aside funds may include, but are not limited to:

- items of clothing, particularly if necessary, to meet a school's dress or uniform requirement;
- clothing and shoes necessary to participate in physical education classes;
- student fees that are necessary to participate in the general education program;
- personal school supplies;
- birth certificates necessary to enroll in school;
- immunizations;
- food;
- medical and dental services;
- eyeglasses and hearing aids;

- counseling services to address anxiety related to homelessness that is impeding learning;
- outreach services to students living in shelters, motels, and other temporary residences;
- extended learning time (before and after school, summer school) to compensate for lack of quiet time for homework in shelters or other overcrowded living conditions;
- tutoring services, especially in shelters or other locations where homeless students live;
- parental involvement specifically oriented to reaching out to parents of homeless students;
- fees for Advanced Placement (AP) and International Baccalaureate (IB) testing;
- fees for college entrance exams such as the SAT or ACT; and
- GED testing for school-age students

### Scope, Intensity, and Type of Services

Due to the many and varied needs of students experiencing homelessness, the Title I, Part A services provided to these students may need to be greater in scope and intensity, and/or different in nature than those normally provided to non-homeless students. For example, a student experiencing homelessness who is participating in tutoring as part of a targeted assistance program also may need counseling services due to exposure to domestic violence or other trauma that may be affecting learning. Alternatively, a district may provide an article of clothing to a student experiencing homelessness in order to allow the student to meet the school dress code. These additional services that may go beyond what is provided to all Title I, Part A students are allowable, given that they are supplemental to the regular school program, but also ensure that the student can effectively take advantage of educational opportunities.

### Determining Title I, Part A Set-Aside Amounts

Determining an appropriate homeless set-aside amount requires coordination between the school district's Title I, Part A and McKinney-Vento programs. The set-aside may be determined based on an assessment of the needs of students experiencing homelessness within the district, considering both the number and needs of these students; this assessment may be the same as the needs assessment conducted as part of the district's McKinney-Vento subgrant application process. Further, the set-aside must be determined based on the total Title I, Part A allocation received by the district, and reserved prior to any allowable expenditures or transfers by the district.

Districts should establish their own methods for determining their homeless set-aside while working with the State offices for Title I and McKinney-Vento, as appropriate. When determining the set-aside amount, the Title I director and local liaison should partner to gather and review relevant data in order to ensure that sufficient Title I, Part A funds are reserved to meet the needs of students experiencing homelessness. As a reminder, in determining the set-aside amount, districts should allow for the provision of services to meet the unique needs of homeless students who attend Title I, Part A schools that are above and beyond services provided through the regular Title I, Part A programs at those schools, in addition to the provision of services to Serving Students Experiencing Homelessness under Title I, Part A5.

NCHE INFORMAL NEEDS ASSESSMENT TOOL NCHE's Local Educational Agency Informal Needs Assessment resource provide school districts with a series of questions, organized by topic, that may be used to determine the status of their district's services for children and youth experiencing homelessness, and to identify where to focus efforts to meet the most critical needs of these students. This resource may be helpful for determining the amount of your district's Title I, Part A homeless set-aside, and how these set-aside funds will be used. Visit <https://nche.ed.gov/pr/needs-assess.php> for more information. Homeless students who do not attend Title I, Part A schools.

Once a district has identified the needs of students experiencing homelessness to be addressed, the amount of funds necessary to provide services should be determined. In addition to planning interventions based on

student needs, planned services should be of sufficient time and intensity to impact students' academic outcomes.

Possible methods for calculating the set-aside amount include

- determining a percentage of the district's Title I, Part A funds to reserve for the homeless set-aside;
- multiplying the number of students experiencing homelessness identified by the district by the Title I, Part A per-pupil allocation;
- matching the amount of McKinney-Vento subgrant dollars received by the district, if applicable; or
- adjusting previous set-aside amounts based on past set-aside expenditures and trend data, such as the number of students experiencing homelessness identified, these students' academic outcomes and educational needs, and changes to the community's poverty levels and/or economy.

## School/Health Records

The educating district should immediately enroll and begin to provide instruction. The receiving school district may contact the district of origin for oral confirmation that the child has been immunized. Oral confirmation between professionals is a sufficient basis to verify immunization with written confirmation to follow within 30 days. The instructional program should begin as soon as possible after the enrollment process is initiated and should not be delayed until the procedure is completed. The law specifies that information about a homeless child's or youth's living situation shall be treated as a student education record, and shall not be deemed to be directory information.

According to federal law, "If the child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the local educational agency liaison designated under paragraph(1)(J)(ii), shall assist in obtaining necessary immunizations, or immunization or medical records, in accordance with subparagraph (D) 42 U.S.C.11432(g)(c)(ii)."

## 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 housing due to loss of housing, economic hardship, or similar reason". 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.

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 defined 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.

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.

### 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”. It is important to note that the definition of unaccompanied youth does not automatically indicate that the youth is homeless, but that the student is separated from the physical custody of a parent or guardian. In other words, not all unaccompanied youth are homeless. Any unaccompanied youth, however, who is residing in a situation that is not fixed, regular, or adequate, is considered a homeless unaccompanied youth. 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.

### Pennsylvania’s definition of UHY:

"Unaccompanied homeless youth" including any child who is "not in the physical custody of a parent or guardian." This includes youth who have run away from home, been thrown out of their home, been abandoned by parents or guardians, or separated from their parents for any other reason.

Communication and collaboration among education and child welfare professionals is critical to support school stability and continuity for children in out-of-home care. The law requires child welfare and local education agencies to work together to promote school stability and continuity including trying to ensure children remain in the school in which they were enrolled at the time of placement when it is in their best interest. Best practice would suggest that decisions be made collaboratively between school personnel, child welfare agencies and any other individual involved in the child’s case including the child, resource parent, child advocate and attorney. It is imperative that caseworkers and school district administration and staff work together to help ensure the educational progress of all students.

### 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

### 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. Going to school helps these students find the structure, normalcy, and routine that is essential to their health and wellbeing. 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.

### Current Registration Procedures-New Students

Families who check the box: “Sharing housing of others due to loss of housing, economic hardship or similar reason” or the box marked “Other” will be processed for determination of their homeless status:

- Using the recommended questions, the Homeless Liaison will contact the family to determine if the family is McKinney-Vento eligible.
- Using the information from the form and gathered during communications with the family, the homeless liaison will provide resources for addressing barriers to education, basic need requirements, and other needs covered under Title 1 and the McKinney-Vento set-aside budget.
- If the Homeless Liaison finds that the family is eligible, he/she will approve the registration immediately



## **THE RIGHTS OF STUDENTS EXPERIENCING HOMELESSNESS**

Children and youth who experience homelessness — including those living in shelters, doubled-up due to economic circumstances, in temporary housing, or “couch-surfing” — have important rights under a federal law called the “McKinney-Vento Act.”

Under the McKinney-Vento Act, students experiencing homelessness have the right to stay in their current school even if they no longer live in the same neighborhood or immediately enroll in a new school. The law also provides additional services to support students to be successful. This section explains those rights and protections and what to do if a student needs help in identification, enrollment, retention, transportation, supports, family engagement, and community partnerships.

### **WHO QUALIFIES AS “HOMELESS” UNDER THE LAW?**

All students attending public schools from preschool until age 21 or high school graduation — including those in charter schools or school programs operated by Intermediate Units (IUs) — qualify for additional rights under the McKinney-Vento Act if they are experiencing homelessness. The protections apply for as long as the student experiences homelessness, and certain protections like school stability and transportation apply for the remainder of the year that the child secures permanent and adequate housing. Courts have recognized that there is no duration to experiencing homelessness, even if it lasts several years or recurs. Students are considered to be “homeless” under the Act if they lack a consistent, adequate, fixed nighttime residence. This includes but is not limited to: “living doubled-up” with friends or family due to economic hardship or loss of housing; “couch-surfing;” living in temporary or emergency shelter; living in a car, hotel, campground, or trailer park; living in a place that is not ordinarily used for sleeping; living unsheltered; or living in housing that is legally recognized as substandard.

### **CAN YOUTH WHO ARE LIVING ON THEIR OWN QUALIFY AS HOMELESS?**

Yes. Students who are experiencing homelessness and living on their own qualify as homeless and are under the law are referred to as “unaccompanied homeless youth.” Unaccompanied youth living on their own are allowed to enroll themselves in school and are entitled to additional protections under the McKinney-Vento Act. For example, schools must help these youth enroll in school, access extra curriculars, and apply to college. In addition, if an unaccompanied homeless youth is also a student with a disability, the school district will appoint an educational “surrogate parent” to act as that student’s special education decision maker through the IEP process.

### **ARE SCHOOLS RESPONSIBLE FOR IDENTIFYING STUDENTS WHO ARE EXPERIENCING HOMELESSNESS?**

Yes. School personnel are solely responsible for making sure that all students who are experiencing homelessness are promptly and proactively identified. Students experiencing homelessness on their own and with their families do not need to know that they are McKinney-Vento eligible, use the words “McKinney-Vento” or “homeless,” or assert their rights in order to be eligible. That is the school’s job. As a best practice measure we screen all children and youth every year upon enrollment to make sure all students who are experiencing homelessness are identified and given McKinney-Vento rights and protections.

### **DO MCKINNEY-VENTO ELIGIBLE STUDENTS HAVE THE SAME RIGHTS IN SCHOOL AS OTHER STUDENTS?**

Yes. Students who qualify as homeless under the Act have the same rights to access all educational programs and opportunities as students who are housed who can show proof of residency. Schools are prohibited from segregating students, discriminating against them, or stigmatizing these students because they are experiencing homelessness. Schools cannot adopt policies that deny students equal access to “attend school and fully participate” in school.

## WHERE CAN ELIGIBLE STUDENTS ATTEND SCHOOL?

McKinney-Vento eligible students have a legal right to stay in their current school or a prior school they attended before becoming homeless. If remaining in such a school is not in the child's best interest, the child can immediately enroll in a new school where they are staying — even without providing any of the documents normally required for enrollment.

**School Stability:** McKinney-Vento eligible students have a right to “school stability,” which means that they can continue to attend their current school or the school they attended prior to becoming homeless. Students can continue to stay in the same school even if they move again, until they secure permanent and adequate housing. The current school or the school the student attended prior to experiencing homelessness is called the “school of origin” under the McKinney-Vento Act.

**Immediate Enrollment:** Alternatively, a student can enroll in a new school where they now are living or where they have “any substantial connection.” This is particularly important for children and youth who stay in different locations over the course of weeks. Children must be enrolled immediately — on the same day they seek enrollment — even without any documents normally required for enrollment and even if the school does not have the student's education records, including a child's IEP.

## WHO MAKES THE BEST INTEREST DETERMINATION?

The determination regarding where a child will attend school is based on the “best interest” of the child as determined by their parent, legal guardian, or youth who is enrolling on his/her own in conjunction with school district staff. It is “presumed” that it is in the best interest of the student to attend her school of origin unless the parent disagrees. Remaining in the same school is preferable because research shows that students lose 6-8 months of academic progress with every school move. This “best interest determination” is completed by a student's local school district, called a Local Education Agency (LEA) by the McKinney-Vento Act. Each determination is “student-centered” and must be focused on the individual needs of the student who is experiencing homelessness. The determination must take into consideration the preferences of unaccompanied students, or the parent's wishes if the student is experiencing homelessness with their parent or guardian. The school district must consider the “impact of mobility on achievement, education, health, and safety” of each student.

## CAN A STUDENT EXPERIENCING HOMELESSNESS BE ENROLLED WITHOUT IMMUNIZATION RECORDS?

Yes. Under the law, all McKinney-Vento eligible students must be enrolled immediately, even without documentation ordinarily required for enrollment. However, the new school will immediately request the student's records and help an unaccompanied youth obtain these enrollment documents: proof of age, immunization records, and an Act 26 statement, also known as a parent registration form relating to school discipline. McKinney-Vento eligible students must provide an address where they are living if possible.. If a student needs help obtaining immunization records, the “McKinney-Vento Liaison” at the student's school will help the student obtain these records.

## WHO IS RESPONSIBLE FOR TRANSPORTING MCKINNEY-VENTO ELIGIBLE STUDENTS TO AND FROM SCHOOL?

Local educational agencies (LEAs) must provide free transportation to and from a student's “school of origin.” Even if a student becomes permanently housed in the middle of the year, the school must continue to provide free transportation until the end of the school year. If a student needs to be transported across district lines, and it is in the student's best interest to continue attending their “school of origin,” the LEAs from both jurisdictions must work together to transport the student. The schools must also consider the student's needs when arranging for transportation and must treat students who are McKinney-Vento eligible the same way they would treat students who are not experiencing homelessness. The McKinney-Vento Liaison will work with the transportation department at the student's school district to set up the transportation.

#### WHAT OTHER SUPPORTS OR SERVICES ARE AVAILABLE TO HELP STUDENTS TO BE SUCCESSFUL IN SCHOOL? WHAT HAPPENS IF A STUDENT NEEDS SCHOOL SUPPLIES, TUTORING HELP, OR MEALS AT SCHOOL?

All McKinney-Vento eligible students are automatically entitled to free breakfast and free lunch. Under the McKinney-Vento Act, eligible students are also entitled to receive school supplies. In addition, “Title IA” funds, when available, may be used to provide a variety of support services to help eligible students meet academic achievement standards. These supports include tutoring help, counseling, eyeglasses, SAT prep and testing fees, food, etc.

#### ARE THERE PHYSICAL & MENTAL HEALTH SUPPORTS AVAILABLE?

As we work with a student, we will assist to remove barriers when possible to lessen the many burdens on these families/children by providing as stable a school environment and experience as possible. This area can be incorporated into the intervention plan so it’s regularly monitored through the Student Assistance Program (SAP). The student’s SAP case manager will work closely with the school counselor and school nurse when behavioral and medical needs are observed, as homelessness can negatively impact the emotional/mental and physical health of the child/ren. Review the child’s need for counseling or other supportive services offered by school counselors or through referral. We will continue to include SAP, MTSS, SWPBIS and PBIS team members in communications and issues, as appropriate, related to any serious conditions of the student, to ensure teamwork and information sharing. We will utilize our district’s homeless liaison as a resource in order to provide comprehensive services.

#### WHAT DOES FAMILY ENGAGEMENT AND COMMUNITY RELATIONSHIPS LOOK LIKE FOR HOMELESS STUDENTS?

All McKinney-Vento eligible students are automatically entitled to participate in all family engagement activities held at KCASD. Under the McKinney-Vento Act, eligible students are also entitled to attend and participate in any of the school-community sponsored events. Community partnerships include the Parent Teacher Organization (PTO), the Communities That Care (CTC), and local faith based organizations.

#### WHAT CAN UNACCOMPANIED STUDENTS OR PARENTS/GUARDIANS OF STUDENTS EXPERIENCING HOMELESSNESS DO IF THEY DISAGREE WITH A SCHOOL’S DECISION?

If a parent or unaccompanied youth disagrees with an LEA about where the student should attend school based on the student’s best interest, or whether the student qualifies as McKinney-Vento eligible, the parent, guardian, or youth may use a dispute resolution procedure to resolve the disagreement. During the pendency of any dispute, the McKinney-Vento Act requires the school district to permit the student to remain in her current “school of origin” or to immediately enroll in a new school as the school of choice. The right to remain in this school placement and receive other McKinney-Veto protections and rights continues until the dispute resolution process is over.

*Last Revised May 2023*

# Appendix

## Pennsylvania Resources

[Education for Homeless Children and Youths Program Non-Regulatory Guidance](#) [Education for Homeless Youth Basic Education Circular](#)  
[Pennsylvania Department of Education Homeless Education](#)  
[Pennsylvania's Education for Children and Youth Experiencing Homelessness Program](#) [Corporation for Supportive Housing](#)  
[Association Homes for the Homeless](#)  
[Housing Alliance of Pennsylvania](#) [National Alliance to End Homelessness](#)  
[National Association for the Education of Homeless Children and Youth](#) [National Center for Homeless Education](#)  
[National Coalition for the Homeless](#)  
[National Law Center on Homelessness and Poverty](#) [National Low Income Housing Coalition](#)  
[National Network 4 Youth](#)

**Shelter Directory** <https://directory.center-school.org/homeless/shelter/search>

### Regional Contacts

Wendy Kinnear, Midwestern Intermediate Unit IV, with the state coordinator located in Harrisburg.  
Regional Coordinator, Region 5  
Education for Children & Youth Experiencing Homelessness &  
Educational Stability for Youth in Foster Care Programs  
Midwestern Intermediate Unit IV  
Cell: 724/730-4859  
Email: [wendy.kinnear@miu4.org](mailto:wendy.kinnear@miu4.org)

Useful Links & Sample Documents
<b>NAEHCY Publication: The Most Frequently Asked Questions on Education Right of Children and Youth in Homeless Situations</b> <a href="http://www.naehcy.org/educational-resources/naehcy-publications">http://www.naehcy.org/educational-resources/naehcy-publications</a>
<b>NAEHCY: FERPA and Homelessness</b> <a href="http://www.naehcy.org/educational-resources/ferpa">http://www.naehcy.org/educational-resources/ferpa</a>
<b>ESSA: Children in Foster Care</b> <a href="http://www.naehcy.org/essa-and-children-foster-care">http://www.naehcy.org/essa-and-children-foster-care</a>
<b>Issue Brief: <i>Identifying Students in Homeless Situations</i></b> <a href="http://center.serve.org/nche/downloads/briefs/identification.pdf">http://center.serve.org/nche/downloads/briefs/identification.pdf</a>
<b>Issue Brief: <i>Who is Homeless?</i></b> <a href="http://center.serve.org/nche/downloads/briefs/who_is_homeless.pdf">http://center.serve.org/nche/downloads/briefs/who_is_homeless.pdf</a>

**Issue Brief: *Confirming Eligibility for McKinney-Vento Services: Do's and Don'ts for Local Liaisons***  
[http://center.serve.org/nche/downloads/briefs/verif\\_ll.pdf](http://center.serve.org/nche/downloads/briefs/verif_ll.pdf)

**Issue Brief: *Confirming Eligibility for McKinney-Veto Services: Do's and Don'ts for School Districts***  
[http://center.serve.org/nche/downloads/briefs/verif\\_sch.pdf](http://center.serve.org/nche/downloads/briefs/verif_sch.pdf)

The NCHE Forum has a section dedicated to sample dispute resolution policies and forms. They can be accessed at:

[http://center.serve.org/nche/ibt/sc\\_dispute.php](http://center.serve.org/nche/ibt/sc_dispute.php)

**Questions to help 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 electrical 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?**

## **Information on the McKinney-Vento Homeless Assistance Act**

If your family lacks a fixed, regular and adequate nighttime residence and is forced to live in any of the following situations:

- Sharing the housing of other persons due to loss of housing, economic hardships, or a similar reason (example: evicted from home, etc.).
- In a motel, hotel, campground or similar setting due to lack of alternative adequate accommodations.
- In an emergency or transitional shelter.
- Have a primary nighttime residence that is not designed for or ordinarily used as a regular sleeping accommodation for humans.
- In a car, park, public space, abandoned building, substandard housing, bus or train station, or a similar setting.

In addition, a student who is not in the physical custody of a parent/guardian **and** is living in one of these situations listed above may be considered an unaccompanied youth.

Then the student may have the right to:

- Enroll in school without proof of residency, immunization, school records, or other documents.
- Choose between the local school where you are living or the school last attended before becoming homeless, when feasible.
- Receive transportation to school.
- Attend school and participate in school programs with children who are not homeless. Children cannot be separated from the regular school program because they are homeless.
- Receive all the school services available to other students.

Eligibility for McKinney-Vento rights is determined by the District's Homeless Education Program office staff and must be renewed each school year. Referrals can be made by contacting the HEP office.

For Further Information:

Refer to Homeless Students in the Board Policy Manual on the District's website at [www.kcasdk12.org](http://www.kcasdk12.org)

Karns City Area School District  
Homeless Education Program  
Shane M. Spack, Homeless Liaison  
724-445-3680

## STUDENT RESIDENCY STATEMENT (SRS)

School: \_\_\_\_\_ Date: \_\_\_\_\_

Student Name (PLEASE PRINT): \_\_\_\_\_ Birth date: \_\_\_\_\_ Grade: \_\_\_\_\_

Please list all of YOUR other preschool and school-aged children currently living with you (PLEASE PRINT):

Name: \_\_\_\_\_ Birth date: \_\_\_\_\_ School: \_\_\_\_\_

Name: \_\_\_\_\_ Birth date: \_\_\_\_\_ School: \_\_\_\_\_

Name: \_\_\_\_\_ Birth date: \_\_\_\_\_ School: \_\_\_\_\_

### Information provided on this form is confidential.

1. Do you live in any of the following situations?

Sharing the housing of each person due to: (check one)

Loss of housing, economic hardship or a similar reason (example: evicted from home, etc.)

Explain: \_\_\_\_\_

Long-term, cooperative living arrangement to save money or a similar reason

Other (please specify): \_\_\_\_\_

In a motel, hotel, campground or similar setting due to: (check one)

Lack of alternative adequate accommodations, explain: \_\_\_\_\_

A convenient living arrangement or waiting for apartment or house to be ready

Other (please specify): \_\_\_\_\_

In emergency or transitional shelters such as domestic violence or homeless shelters or transitional housing through the Center for Community Resources or other shelter or agency.

Have a primary nighttime residence that is a place not designed for or ordinarily used as a regular sleeping accommodation for humans.

In cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

None of the above

2. How long do you anticipate living at this location? \_\_\_\_\_

Current Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

3.  Check to indicate receipt of the Information on the McKinney-Vento Homeless Assistance Act on this date via attachment to this form, which is also located at the local school or on the District's website at [www.kcasdk12.org](http://www.kcasdk12.org)

*Students living in some transitional situations may qualify as homeless. Eligibility is determined by the District's Homeless Education Program (HEP) office staff and must be renewed each school year.*

\_\_\_\_\_  
Parent/Guardian/Unaccompanied Youth Signature

\_\_\_\_\_  
Date

For more information, contact the HEP office at 724-445-3680

Completed forms should be returned or faxed to the HEP office at 724-445-2776 (fax)

## Sample McKinney-Vento Referral Questionnaire

Student's first & last name: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_

Start with some basics:

Where are you currently living (i.e. what kind of place is it – a home, a shelter, a trailer)?

How long have you been living there?

Depending on what they answered above, ask some of the following:

- **FIXED:** “A fixed residence is one that is stationary, permanent, and not subject to change.”  
With whom are you currently staying and why? Are you looking for another place to live? Do you plan to move out soon? Why are you staying in your current place? Where were you living right before this place? Why did you leave? Where would you go if you couldn't stay where you are? Did you and your friends/relatives decide to move in together and share a home and expenses? Could your friends/relatives that you are staying with ask you to leave if they wanted to? Are you all sharing the home equally, or are you more like guests in the home?
- **REGULAR:** “A regular residence is one that is used on a regular [i.e. nightly] basis.”  
Do you stay in the same place every night? Do you have a key to the place where you are living? Do you move around a lot? How long have you been at that place? How long do you plan to stay? How long did you live in your last place?
- **ADEQUATE:** “An adequate residence is one that is sufficient for meeting both the physical and psychological needs typically met in home environments.  
How many people are living in the home? How many bedrooms/bathrooms does it have? Are you and your children sharing a room? How many people are staying in one room? Are you and your children sleeping in a bedroom, or in a public area, like a dining room? Does the home have heat/electricity/running water? Does it keep out rain and wind? Is it safe? Is it warm and dry? Can you come and go as you please?

Additional Notes:



## **PROCEDURE FOR FREE LUNCH**

Homeless children are immediately eligible for the free lunch when authorized by the Homeless Liaison. Free lunch for homeless students will extend to the end of the school year.

To obtain free lunch for a homeless student complete the following steps:

1. Parent/guardian must complete and sign a Form (Student Residency Statement [SRS]).
2. Completed SRS forms indicating a homeless situation should be faxed to the HEP office at 724-445-2776. If “none of the above” is marked on the SRS form, the student does not qualify as homeless under the federal definition. The Homeless Liaison will determine eligibility of homelessness under the McKinney-Vento Homeless Assistance Act.
3. Upon receipt of the SRS form indicating a homeless situation, the Homeless Liaison will contact the school Cafeteria Manager and Food and Nutrition Services about the student’s immediate qualification for free lunch.

Contact the HEP office at 724-445-3680 with any questions.