

Chapter Two: Local Educational Agency and Local Liaison Responsibilities



Section 2.1 Local Educational Agency 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 determines it is not in the best interest of the child to attend the school 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, 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 offered to 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. 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. The LEA will need to shape the position based on its current needs in serving homeless children and youths. Section 15 Resources and Tools 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 “Homeless 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

Question	Source
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
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 there are many people, programs, and agencies 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.

Person or Agency to Contact	Information or Services Provided
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; and • 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
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*, 2018;
- *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 organization contacts for homeless families.

2.3.5 Learn about Key Issues and Best Practices

The field of homeless education is changing rapidly. 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 help them keep 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 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, providing a comprehensive website, webinars, onsite trainings, and publications. 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 national membership association dedicated to ensuring educational equity and excellence for children and youth experiencing homelessness. NAEHCY hosts an annual conference for State Coordinators, local homeless liaisons, service providers, researchers, and advocates.

SchoolHouse Connection: SchoolHouse Connection is a national non-profit organization working to overcome homelessness through education. They provide strategic advocacy and practical assistance in partnership with early childhood programs, schools, institutions of higher education, service providers, families, and youth.

Section 2.4 Useful Links

McKinney-Vento Homeless Assistance Act

42 U.S.C. §§ 11431-11434a

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter119/subchapter6/partB&edition=prelim>

U.S. Department of Education

Education for Homeless Children and Youth Program Non-Regulatory Guidance

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

NCHE Issue Brief: *Local Homeless Education Liaisons: Understanding Their Role*

<https://nche.ed.gov/wp-content/uploads/2018/10/liaisons.pdf>

NCHE Issue Brief: *Local Homeless Liaisons: Important Information for New Liaisons*

<https://nche.ed.gov/wp-content/uploads/2018/10/new-liaisons.pdf>

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

<https://nche.ed.gov/wp-content/uploads/2018/10/liaison-selection.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 LEA's Homeless Education Program