



McKinney-Vento & Migrant Students

Vanessa Waters

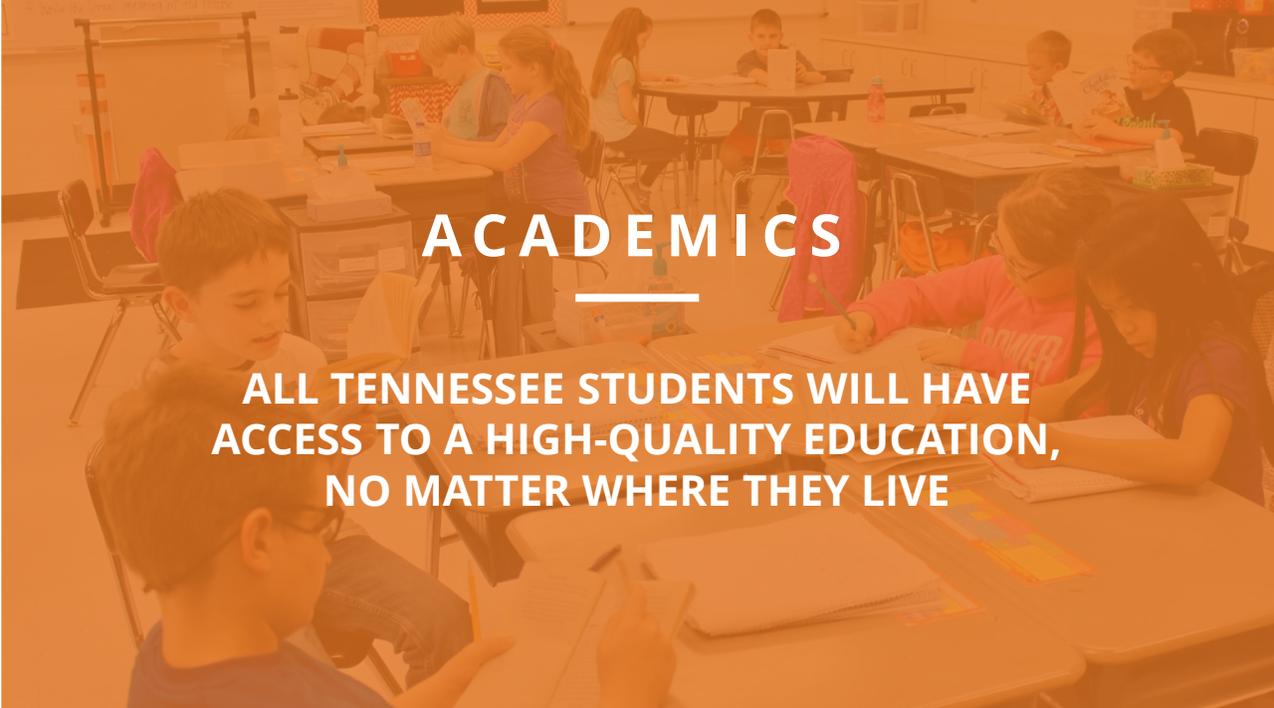
McKinney-Vento & Immigrant Grant Manager | Division of Federal Programs and Oversight





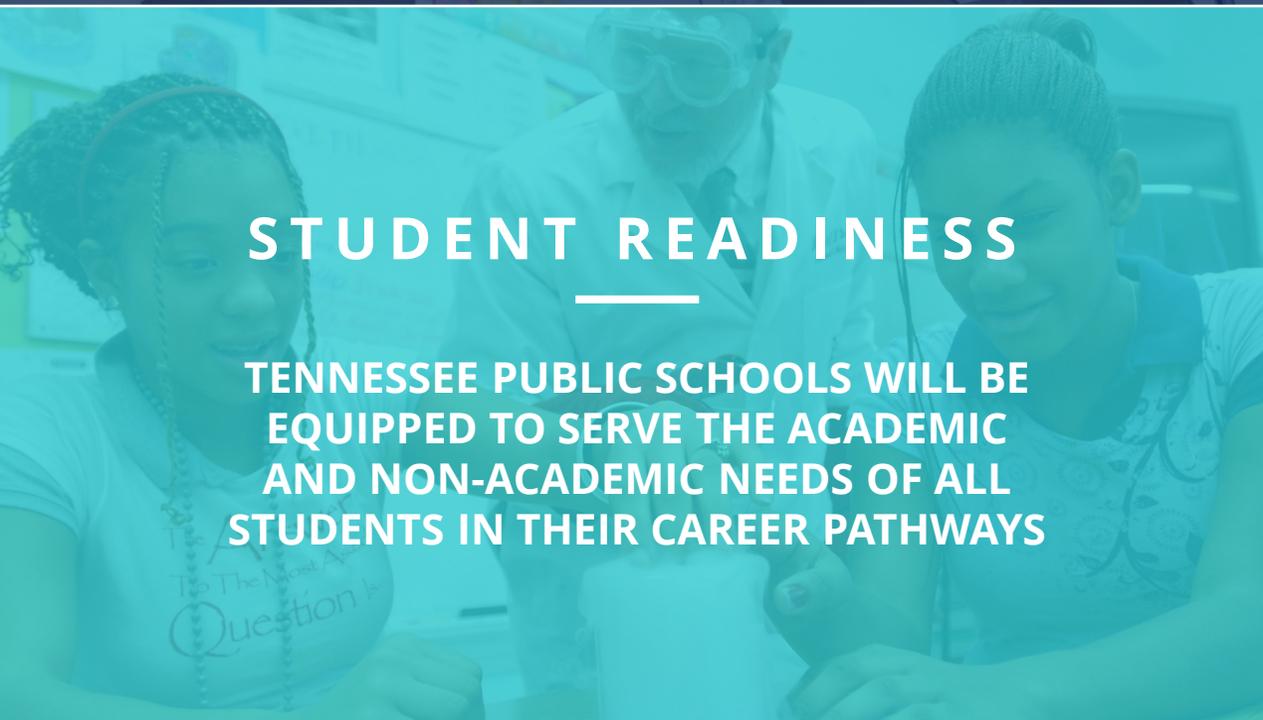
BEST FOR ALL

We will set all students on a path to success.



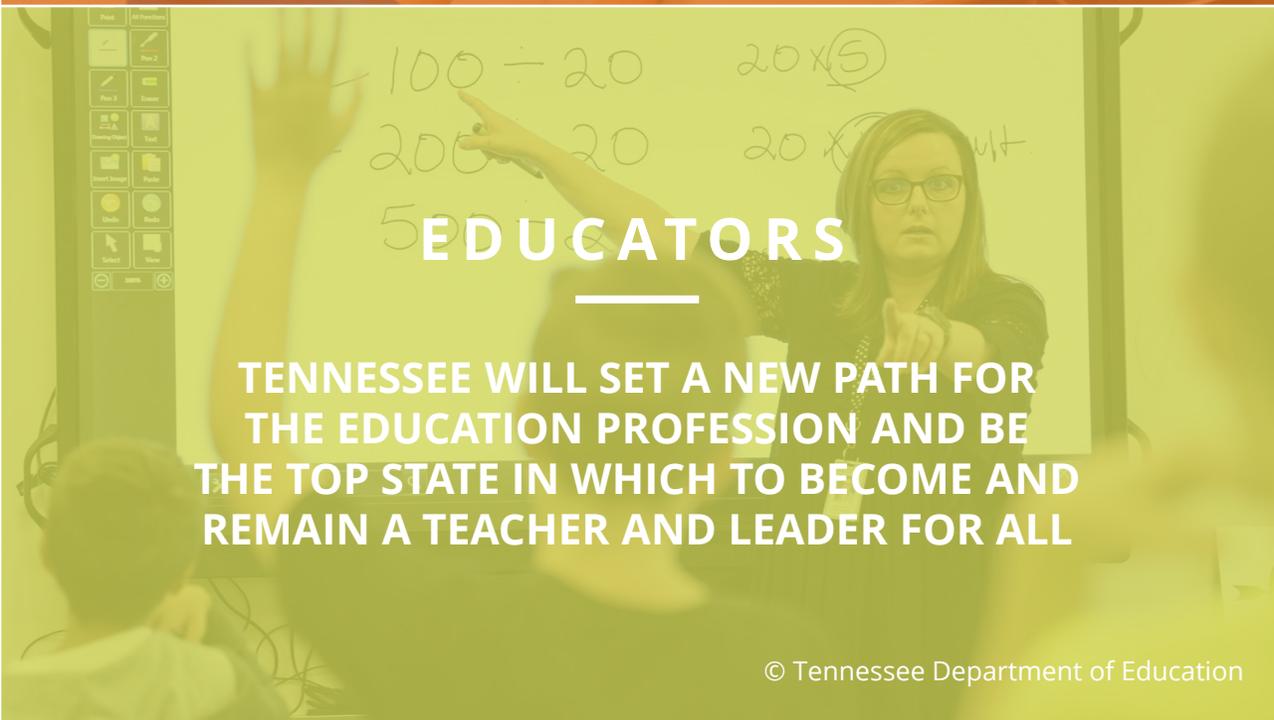
ACADEMICS

ALL TENNESSEE STUDENTS WILL HAVE ACCESS TO A HIGH-QUALITY EDUCATION, NO MATTER WHERE THEY LIVE



STUDENT READINESS

TENNESSEE PUBLIC SCHOOLS WILL BE EQUIPPED TO SERVE THE ACADEMIC AND NON-ACADEMIC NEEDS OF ALL STUDENTS IN THEIR CAREER PATHWAYS



EDUCATORS

TENNESSEE WILL SET A NEW PATH FOR THE EDUCATION PROFESSION AND BE THE TOP STATE IN WHICH TO BECOME AND REMAIN A TEACHER AND LEADER FOR ALL



Agenda

- Program Purpose
- Defining Homelessness & Eligibility Under McKinney-Vento
- Local Homeless Liaison Responsibilities
- McKinney-Vento Identification
- Understanding Unaccompanied Homeless Youth
- Education Rights & Supports
- Transportation & Best Interest
- Reminders, Resources, & Questions



Program Purpose





Purpose of the Education for Homeless Children and Youth Program

- The purpose of the McKinney-Vento Education for Homeless Children and Youths (EH CY) Program is to ensure that each homeless child or youth **has equal access to the same free, appropriate public education**, including a public preschool education, as provided to other children and youths.

Definitions and Eligibility Under McKinney-Vento

Defining Homelessness

- Children or youth who **lack a fixed, regular, and adequate nighttime residence**:
 - sharing the housing of other persons;
 - living in motels, hotels, trailer parks, or camping grounds;
 - living in emergency or transitional shelters, or are abandoned in hospitals;
 - living in a public or private place not designed for regular sleeping accommodation;
 - living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - who are migratory children living in the above circumstances.

Key Definitions

- **Fixed**: stationary, permanent, not subject to change
- **Regular**: used on a nightly basis
- **Adequate**: sufficient for meeting the physical, psychological, and safety needs typically met in a home environment

Youth: Eligibility and Terminology

▪ Age range

- In order to be eligible for Migrant Education Program (MEP) services, a youth may not be older than 21 years of age. In order to be eligible for EHCY Program services, a youth must be eligible to receive K-12 public education services within the state where he/she is attending school.

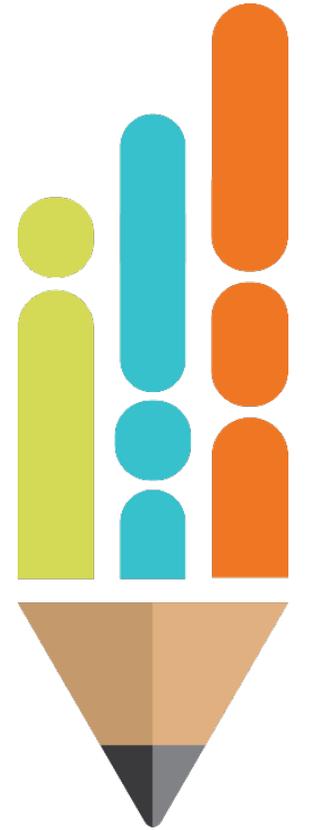
▪ Emancipated youth

- MEPs define an emancipated youth as a child under the age of majority in accordance with state law who is living independently from his/her parent or guardian and who is solely responsible for his/her own welfare. The term emancipated youth is not used regularly by Education for Homeless Children and Youth (EHCY) Programs. When used, the term refers to a minor who has completed the legal process of emancipation according to state law, thereby making him independent of his parents for legal purposes.



Youth: Eligibility and Terminology

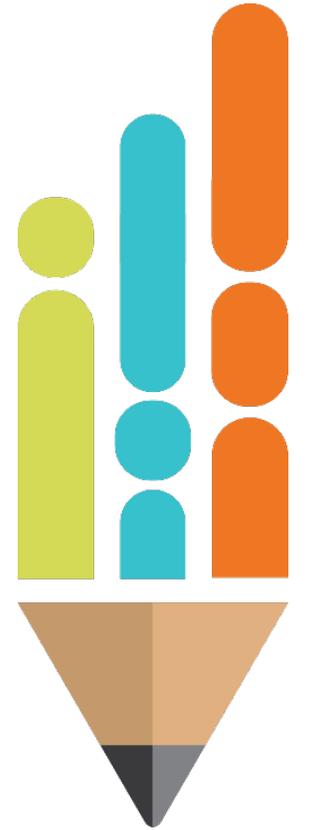
- Unaccompanied youth
 - The term unaccompanied youth is not used regularly by MEP personnel; see emancipated youth above. EHCY Programs define an unaccompanied youth as a youth who is not in the physical custody of a parent or guardian; the youth's living arrangement must meet the McKinney-Vento definition of homeless for the student to be eligible for EHCY services.
- Out-of-School Youth (OSY)
 - MEPs define an OSY as a youth up through age 21 who is entitled to a free public education and who meets the definition of migratory child, but who currently is not enrolled in a K-12 school. This may include youth who have dropped out of school, are working on a GED outside of a K-12 school, or are here to work only.



Youth: Eligibility and Terminology

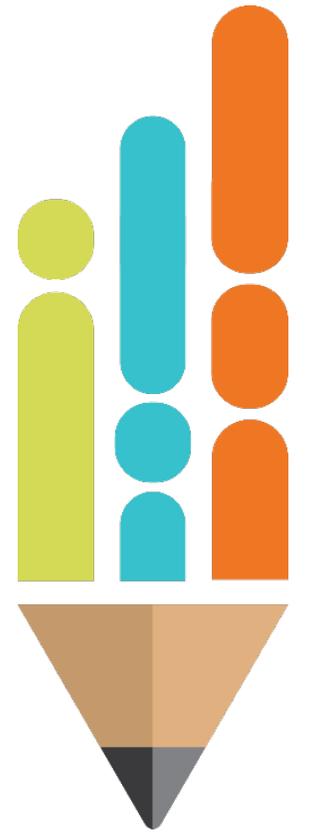
- Out-of-School Youth (OSY)

- Here-to-work youth have immigrated to the United States with the primary purpose of working. Most here-to-work youth are not traveling with parents, but may be traveling with peer relatives or friends. MEPs serve OSY by increasing their access to medical, dental, and other social services; while MEPs seek to re-engage OSY in educational opportunities, MEPs also provide services to OSY not enrolled in school.
- EHCY Programs consider an OSY to be a youth who is entitled to a free public education, is experiencing homelessness, but who currently is separated from the public schools. EHCY Programs provide these youth with all services for which they are eligible under the McKinney-Vento Act, including educationally related support services and referrals to community resources, according to each student's needs.



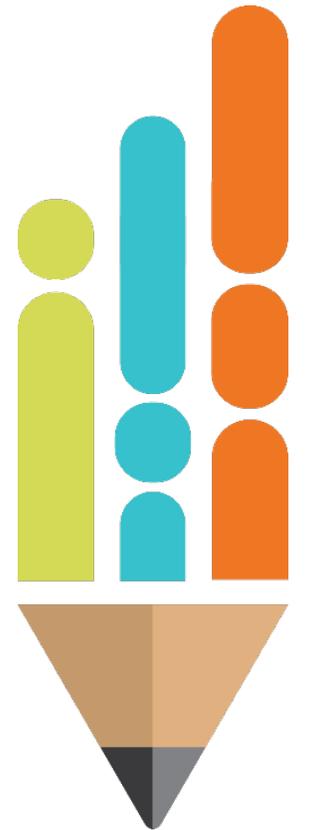
Eligibility Questions to Ask

- Why did the family or youth move in with another family?
- Is this a long-term arrangement?
- Is it a situation of mutual benefit or convenience to both parties or was it precipitated by a crisis?
- Where would the doubled-up family or youth live if unable to stay with the host family or friend?



Process for Determining Eligibility

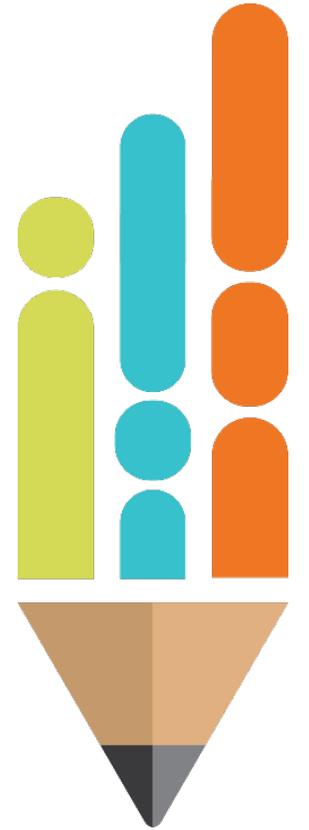
- Gather as much information about the family's or youth's living situation as can be accomplished reasonably and lawfully.
- Analyze the information.
 - Determine if the living situation fits one of the specific living situations in the definition.
 - If not, use “fixed, regular, and adequate” as guiding principles.
- Make a determination.
 - If unsure, discuss the situation with your support team.
 - Speak with the State McKinney-Vento Coordinator, Vanessa Waters.



Local Homeless Liaison Responsibilities

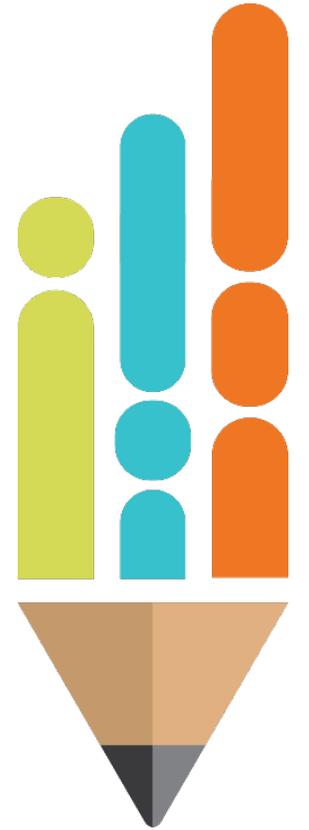
Local Liaisons

- Every LEA must designate an appropriate staff person to serve as the local homeless education liaison [42 U.S.C. § 11432 (g)(1)(J)(ii)].
 - This person may be the coordinator for other federal programs.
- Local liaisons serve as the key homeless education contact for the LEA and play a critical role in the implementation of the McKinney-Vento Act.



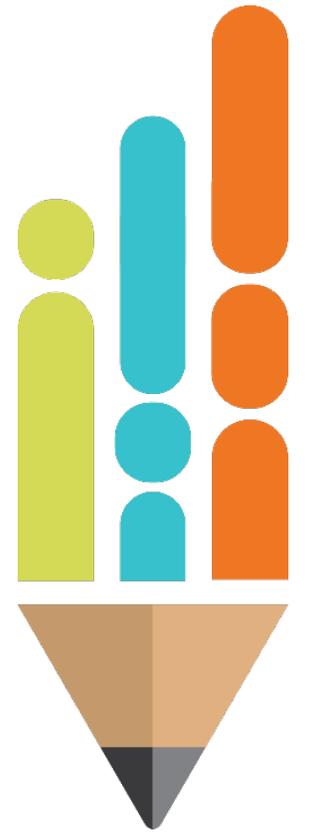
Local Homeless Liaison Contributions

- Homeless Liaisons should work with MEP personnel with the following:
 - Guidance in determining which migrant students are eligible for McKinney-Vento services according to the definition of homeless.
 - Understanding of the provisions of the McKinney-Vento Act and ways it may be used to provide services, including immediate school enrollment and school stability, to eligible migrant children.
 - Assistance with accessing supports available through Title I, Part A, homeless set-aside funds.
 - Knowledge of community referral resources, including providers of health, mental health, housing, and basic needs services.



Local Migrant Education Program Contributions

- MEP personnel can provide EHCY Program personnel with the following:
 - Insights on the work patterns of local migrant communities.
 - Understanding of the educational, health, emotional, or social needs unique to migrant children.
 - Locations of migrant camps and communities.
 - Referrals of migrant students who may be experiencing homelessness.
 - Contact and communication with migrant families (in the native language when necessary) whose children may be eligible for and in need of the educational services provided by the McKinney-Vento Act.
 - Contact and communication with migrant employers; this may result in their cooperation with identifying children who may be covered by the McKinney-Vento Act and in posting information publicly about the Act.



McKinney-Vento Identification

Identifying Students



- Identification is the first step to connecting students in homeless situations with the support necessary to ensure their equal access to the same free, appropriate public education, including a public preschool education, as is provided to other children and youth.
- When identifying eligible students, it is important to remember:
 - circumstances vary from family to family,
 - students experiencing homelessness do not all look the same, and
 - students experiencing homelessness do not all have the same behavior patterns.

Methods to Identify Students

Housing Questionnaire

- Include in the LEA's enrollment packet
- Sample questionnaires: <https://nche.ed.gov/translations/> (See *Sample Forms, Materials, and Policies*)

McKinney-Vento Student Rights Poster

- Placed in high-visibility areas where students and families can view
- Must include state and LEA Homeless liaison contact information

McKinney-Vento Eligibility Information

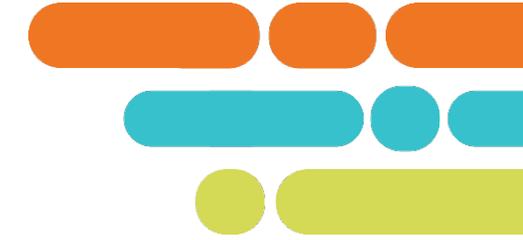
- Include in student handbooks, on the LEA's website, and in brochures

Student Observation

- Look for the [Common Signs of Homelessness](#)

Housing Questionnaire

- **Every** student gets one **every** year.
 - Include in the LEA enrollment packet or online enrollment process.
 - Must be translated to any other languages frequently used in your LEA.
 - Designate someone at each school to process forms.
 - Forward to the district homeless liaison or to the designated point of contact.



Barriers to Identification

Challenges

- Lack of understanding of the McKinney-Vento definition of homeless
- Desire to avoid the stigma often associated with homelessness
- Discomfort discussing the circumstances, which often are very personal and sensitive, that led to them being homeless and on their own
- Fear of being treated differently by school personnel or other students

Strategies

Create a welcoming and supportive school environment.

Develop youth-friendly outreach materials and distribute them where youth are likely to see them.

Use youth-friendly means of communications (e.g., social media, text, websites).

Understanding Unaccompanied Homeless Youth

Understanding Youth Homelessness



- Common causes of youth homelessness:
 - Abuse or neglect
 - Acute conflict (e.g., pregnancy, sexual orientation, gender identity, blended family issues, substance abuse)
 - Economic challenges (e.g., pressure for older children to be financially independent)
 - Shelter policies (e.g., lack of space for whole family, adolescent boys not accepted at family shelters)

Understanding Youth Homelessness

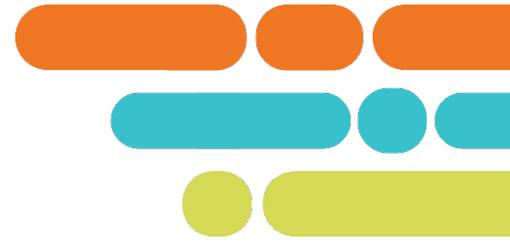
- As a result of the difficult circumstances faced by homeless youth, these youth experience unique educational barriers and challenges and have higher than average rates of:
 - Mental health and substance abuse issues
 - Criminal victimization, including rape, assault, and human trafficking
 - Criminal activity related to survival
 - Pregnancy and sexually transmitted disease

“But the student chose to leave.”

- A student may be an *Unaccompanied Homeless Youth* (UHY) regardless of whether the student was forced from the home or ran away.
- Sometimes what has caused the separation between the student and the student’s parents may not be readily disclosed due to its sensitive or private nature.
- Determinations of McKinney-Vento eligibility for unaccompanied students should be made on a case-by-case basis, focusing on the nature of the student’s current nighttime residence.
- For more information, see NCHE's brief *Supporting the Education of Unaccompanied Students Experiencing Homelessness at* <https://nche.ed.gov/wp-content/uploads/2018/10/youth.pdf>

“But they have a roof over their heads.”

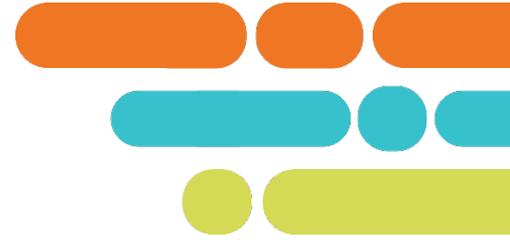
- Shelters are often not an option
 - Not all communities have shelters
 - Shelter demand often exceeds supply
 - Youth may avoid entering shelter due to concerns about the shelter environment
 - Shelter stay limits
- Shared housing arrangements often are unsustainable or are offered by unscrupulous hosts



Unaccompanied Homeless Youth

- For an unaccompanied youth to be eligible for McKinney-Vento services, his/her living arrangement must meet the McKinney-Vento definition of homeless.
- A guardianship issue alone (without homelessness) does not convey McKinney-Vento eligibility.

McKinney-Vento Eligibility: Scenario 1



- The student's living arrangement (1) **meets** the McKinney-Vento definition of *homeless*, and the student (2) **is not** in the physical custody of a parent or guardian.



McKinney-Vento Eligibility: Scenario 2



- The student's living arrangement (1) **does not meet** the McKinney-Vento definition of *homeless*, and the student (2) **is not** in the physical custody of a parent or guardian.



Which of the Following Would You Consider Homeless?



- A. A youth moved in with a friend's family when his parents kicked him out of their home. The friend's parents said that he could only stay for a week.
- B. A youth has lived with her grandmother ever since her mother was incarcerated two years ago. The grandmother intends to allow the youth to remain with her until her mother is released from prison.

Answer

- The youth in example, A would be considered eligible as an unaccompanied homeless youth. He was kicked out of his home, and his current living situation is temporary.
- The youth in example B, while unaccompanied, would most likely not be considered eligible since her living situation appears stable with her grandmother

Migrant Children and Unaccompanied Youth



- Many migrant children and youths are likely to fit the McKinney-Vento definition of homeless and to be eligible for services.
- Migrant recruiters should contact the local homeless education liaison to discuss ways that the rights and services provided through the McKinney-Vento Act
- The McKinney-Vento Act provides rights to access educational services as well as supplemental support services.
- Collaboration between Migrant and Homeless Education Staff is critical.

Education Rights & Supports

Right to Privacy

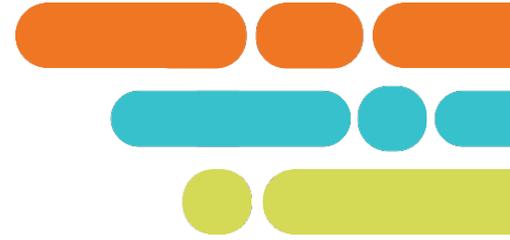
- Schools must treat information about a homeless child's or youth's living situation as a student education record, which is protected by the Family Educational Rights and Privacy Act (FERPA).
- LEAs must obtain prior written consent from the parent or eligible student in order to disclose any information from a student's educational record.



Enrollment

- LEAs must develop, review, and revise policies to remove barriers to the enrollment and retention of homeless students, including barriers related to outstanding fees, fines, or absences.
- Enrollment is defined as “attending classes and participating fully in school activities.”
- Homeless children and youth have the right to enroll in school **immediately, even if lacking documentation normally required for enrollment.**

Enrollment



- Local homeless liaisons must assist in obtaining needed immunizations, required health records, and screenings.
- The student must be allowed to enroll while the needed documentation is gathered.
- The McKinney-Vento Act supersedes state or local law or policy when there is a conflict (U.S. Constitution, Article VI).

Barriers to Enrollment and Retention

Challenges

- Chronic absenteeism
- Mobility
- Trauma and related mental health struggles
- Lack of adult support
- Gaps in learning

Strategies

Ensure access to tutoring, after-school, and summer enrichment programs by prioritizing McKinney-Vento students and providing transportation.

Provide one-on-one academic support and regular “check-ins.”

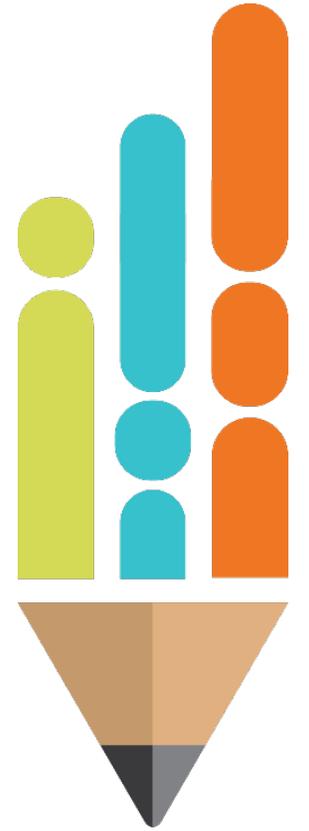
Monitor attendance and provide interventions quickly.

Award and accept partial credits and provide credit recovery options.

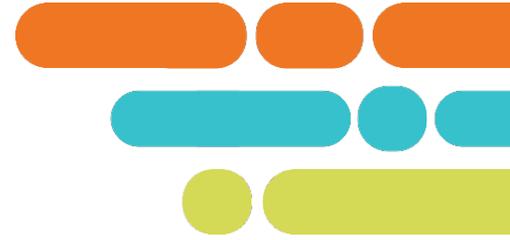
Support trauma-informed, restorative discipline policies and practices.

Removing Barriers to Extracurricular Activities, Before and After-school Programs

- Provide transportation
- Pay for needed uniforms and supplies
- Pay or waive fees



School Selection Criteria



Students experiencing homelessness may attend either:

- **The school of origin:**

- The school the child or youth attended when permanently housed or
- The school in which the child or youth was last attended.

- **The local attendance area school:**

- Any public school that students living in the same attendance area are eligible to attend.

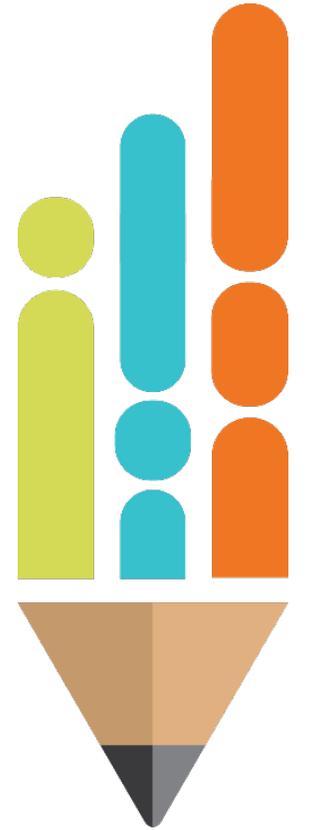
Receiving Schools

- 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)].



Receiving Schools

- What is the school of origin?
 - For example, a student was last enrolled in School A in grade 5, which is the final grade level served by School A. Students at School A are designated to attend School B beginning in the next grade level, grade 6. The school of origin for this student would, therefore, include School A and the designated receiving school at the next grade level, School B.
 - Source: [EHCY Non-Regulatory Guidance, Questions I-1](#)



School Section Criteria

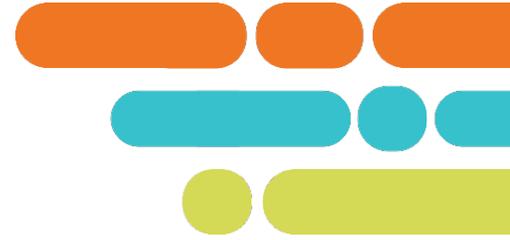
- There is no time or distance limit placed on school of origin transportation.
- Students may continue attending the school of origin the entire time they are homeless and if they move into permanent housing until the end of the school year.
- Students who become homeless in between school years may continue attending the school of origin for the following school year.

School Section Criteria

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- Students may continue attending the school of origin the entire time they are homeless and if they move into permanent housing until the end of the school year.
- Students who become homeless in between school years may continue attending the school of origin for the following school year.

Transportation & Best Interest

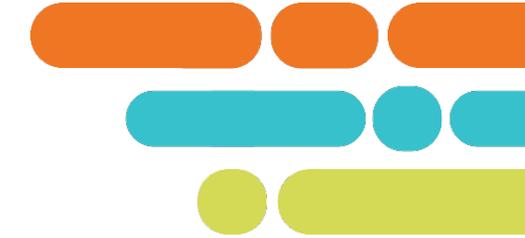
School of Origin Transportation



- LEAs must provide transportation for McKinney-Vento students:
 - transportation to and from the school of origin or
 - comparable transportation.
- If the child or youth lives and attends school within the same LEA, that LEA must provide or arrange transportation.
- LEAs must agree on how to split the responsibility and cost of transportation or share them equally when a student's school of origin is different from the local attendance area school.

Best Interest Determination

- When making best interest determination in accordance with the statute:
 - presume that remaining in the school of origin is in the student’s best interest;
 - consider the impact of mobility on achievement, education, health, and safety; and
 - give priority to the request of the parent, guardian or unaccompanied homeless youth.
- If the school and parent/guardian/unaccompanied youth disagrees after the best interest determination, initiate your LEA’s dispute resolution process.



Reminders, Resources, & Questions

Important Reminders

- Ensure every school has an updated homeless poster posted in a common area of the school.
- Connect information should include both the local homeless liaison as well as the state coordinator:
 - **Vanessa Waters**
 - **(615) 917-3750**
- Posters and other vital resources can be ordered for free from the [National Center for Homeless Education](http://www.nche.org).

INFORMATION FOR PARENTS

IF YOUR FAMILY LIVES IN ANY OF THE FOLLOWING SITUATIONS:

- In a shelter
- In a motel or campground due to the lack of an alternative adequate accommodation
- In a car, park, abandoned building, or bus or train station
- Doubled up with other people due to loss of housing or economic hardship

Your school-age children may qualify for certain rights and protections under the federal McKinney-Vento Act.

Your eligible children have the right to:

- Receive a free, appropriate public education.
- Enroll in school immediately, even if lacking documents normally required for enrollment.
- Enroll in school and attend classes while the school gathers needed documents.
- Enroll in the local school; or continue attending their school of origin (the school they attended when permanently housed or the school in which they were last enrolled), if that is your preference and is feasible.

** If the school district believes that the school you select is not in the best interest of your children, then the district must provide you with a written explanation of its position and inform you of your right to appeal its decision.*

- Receive transportation to and from the school of origin, if you request this.
- Receive educational services comparable to those provided to other students, according to your children's needs.

If you believe your children may be eligible, contact the local liaison to find out what services and supports may be available. There also may be supports available for your preschool-age children.

Local Liaison	State Coordinator
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If you need further assistance with your children's educational needs, contact the National Center for Homeless Education:
1-800-308-2145 • homeless@serve.org • www.serve.org/nche

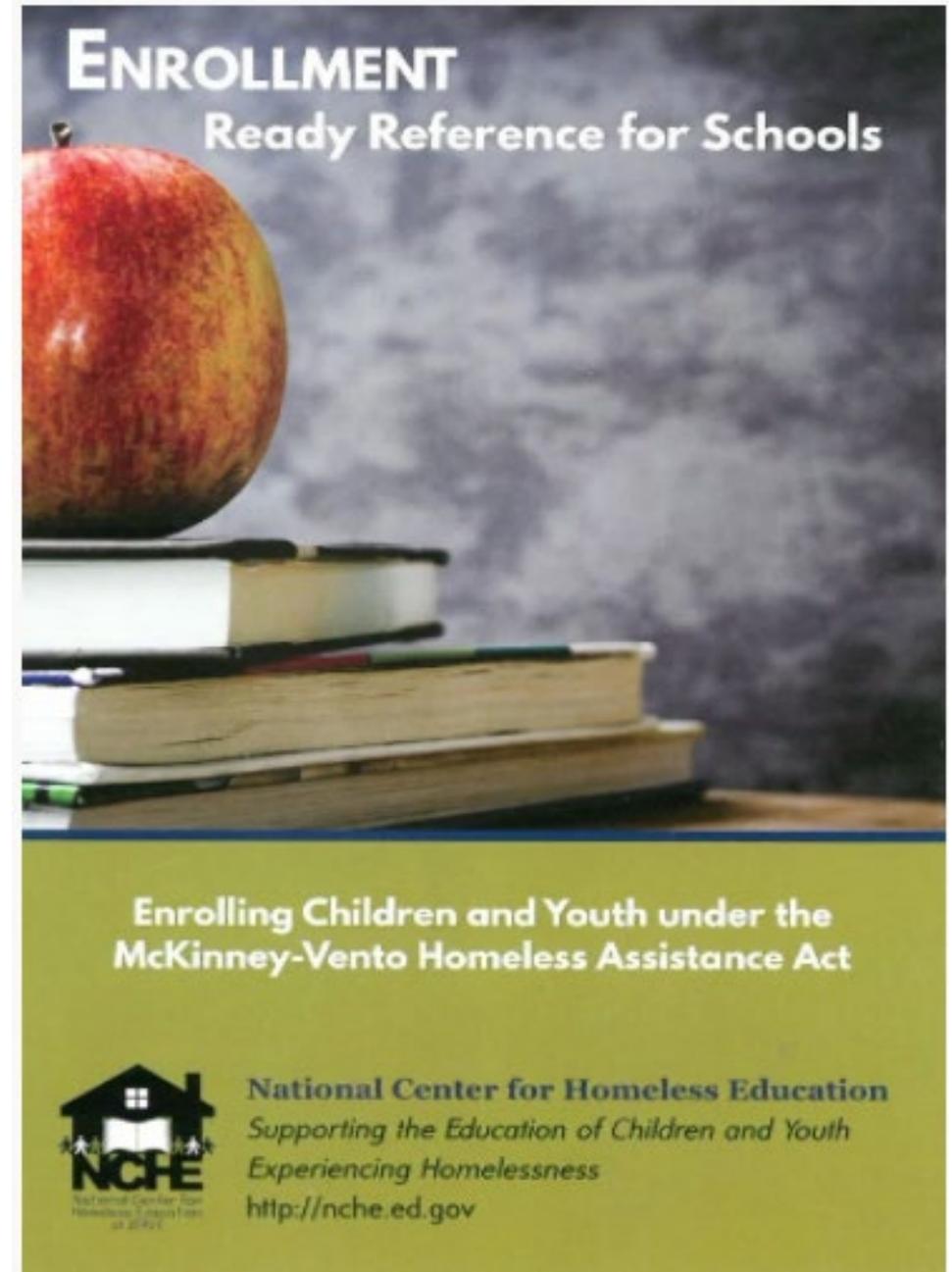
Posters

- Posters explaining the rights of homeless children and youth should be displayed
 - In all schools and locations where parents enroll students.
 - In hotels, motels, camping grounds and shelters.
 - In or around public libraries, laundromats, shelters, convenience stores, bus stations.
 - In all locations around the community where persons experiencing homelessness access services.



Brochures

- Brochures explaining the rights of students under McKinney-Vento are also available from [NCHE](#) in English and Spanish.
- These should be given to parents when their child is determined to be eligible for services, or to homeless unaccompanied youth.



LEA/School Handbook and Website



- Include information about the McKinney-Vento Act in your district handbook that is given to every student.
- Clearly display information about McKinney-Vento on your LEA/school website in a place where parents and students can find it easily, including:
 - Name and contact information for the local liaison
 - Definition of homeless under McKinney-Vento
 - Rights and services available to students experiencing homelessness

Resources



- [U.S. Department of Education \(ED\): McKinney-Vento Law and Guidance](#)
- [Education for Homeless Children and Youths Program Non-Regulatory Guidance](#)
- [ePlan > TDOE Resources > ESSA Information, Guidance, PPTs, & Webinars > Title IX, Part A Education for Homeless Children & Youth > McKinney-Vento Toolkit and Resources 2021](#)
- [National Association for the Education of Homeless Children and Youth \(NAEHCY\)](#)
- [National Center for Homeless Education \(NCHE\):](#)
 - [NCHE Homeless Liaison Toolkit](#)
 - Homeless Education Helpline: 800-308-2145 or homeless@serve.org

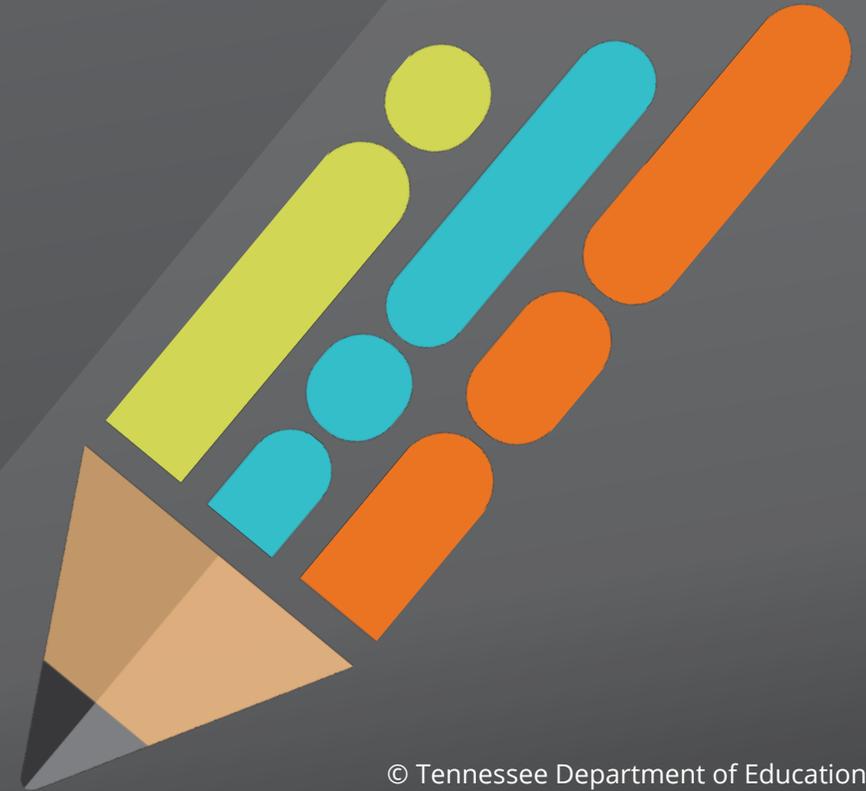


Questions?

Please Share your Feedback:

You may access the PD by navigating here:

https://stateoftennessee.formstack.com/forms/fpo_professional_development_survey





Thank You!

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NOTICE: This agency is a recipient of taxpayer funding. If you observe an agency director or employee engaging in any activity which you consider to be illegal, improper or wasteful, please call the state Comptroller's toll-free Hotline:

1-800-232-5454

Notifications can also be submitted electronically at:

<http://www.comptroller.tn.gov/hotline>