



# McKinney-Vento: Students Experiencing Homelessness and Identification

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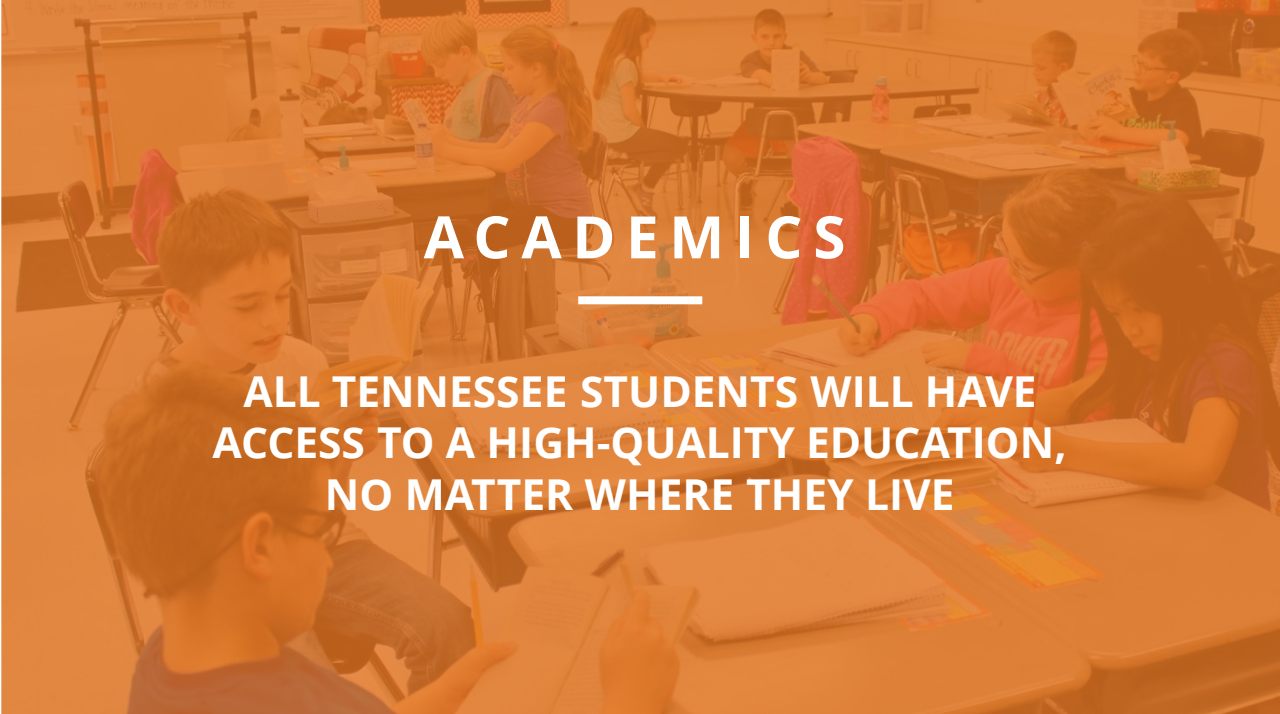
Nov. 8, 2023





# BEST FOR ALL

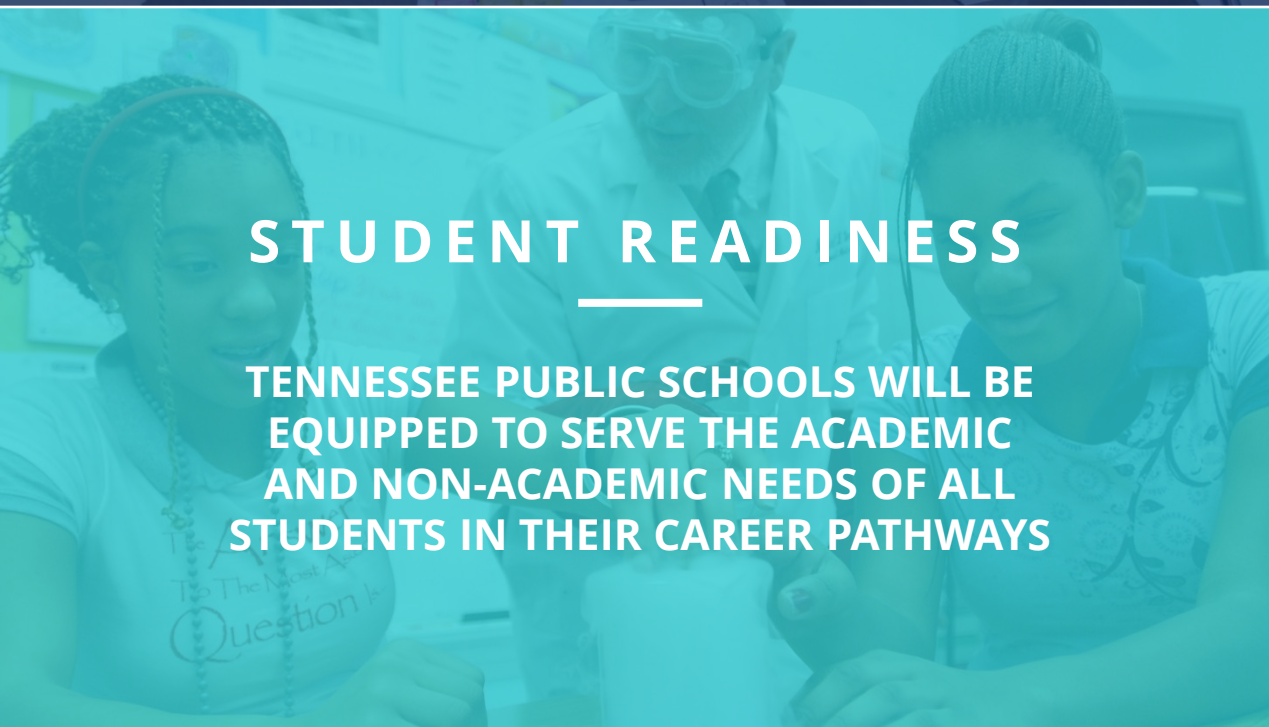
We will set all students on a path to success.



## ACADEMICS

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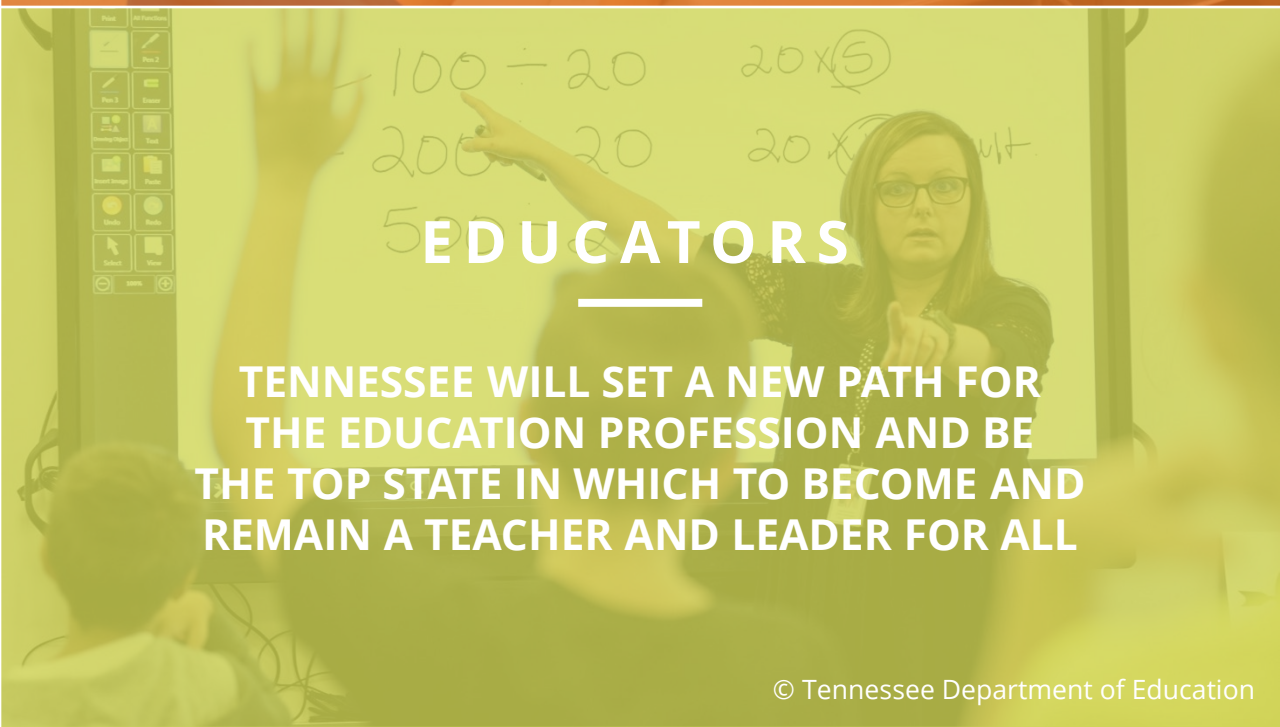
ALL TENNESSEE STUDENTS WILL HAVE ACCESS TO A HIGH-QUALITY EDUCATION, NO MATTER WHERE THEY LIVE



## STUDENT READINESS

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



## EDUCATORS

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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

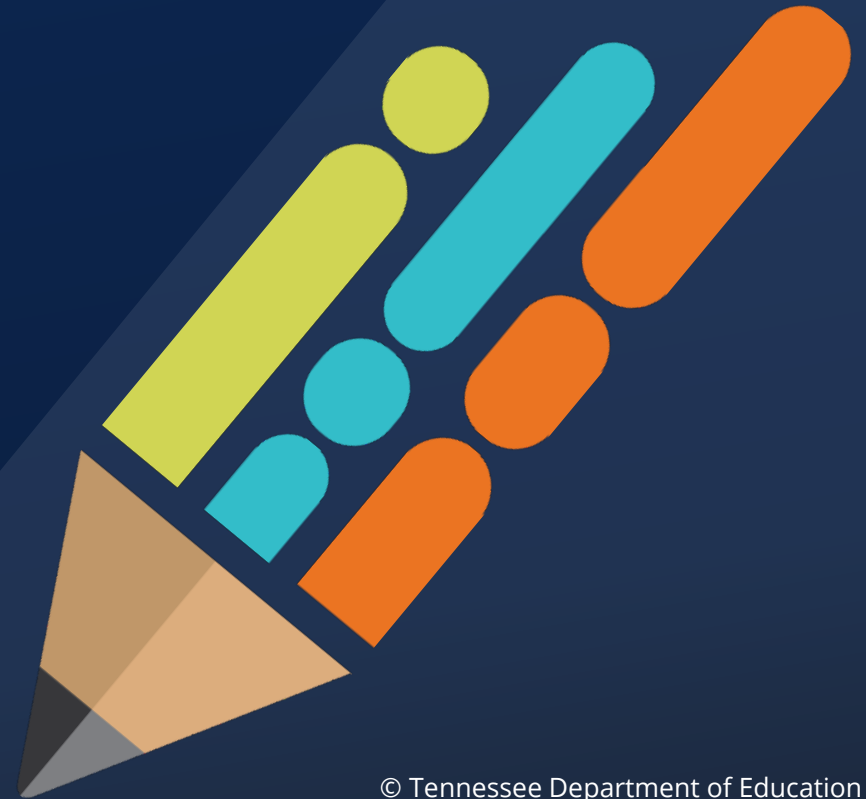


# Agenda

- Program Purpose
- Definitions & Eligibility Under McKinney-Vento
- McKinney-Vento Identification
- Education Rights & Supports
- Transportation & Best Interest
- Questions from the Field
- Important Reminders & Resources



# Program Purpose

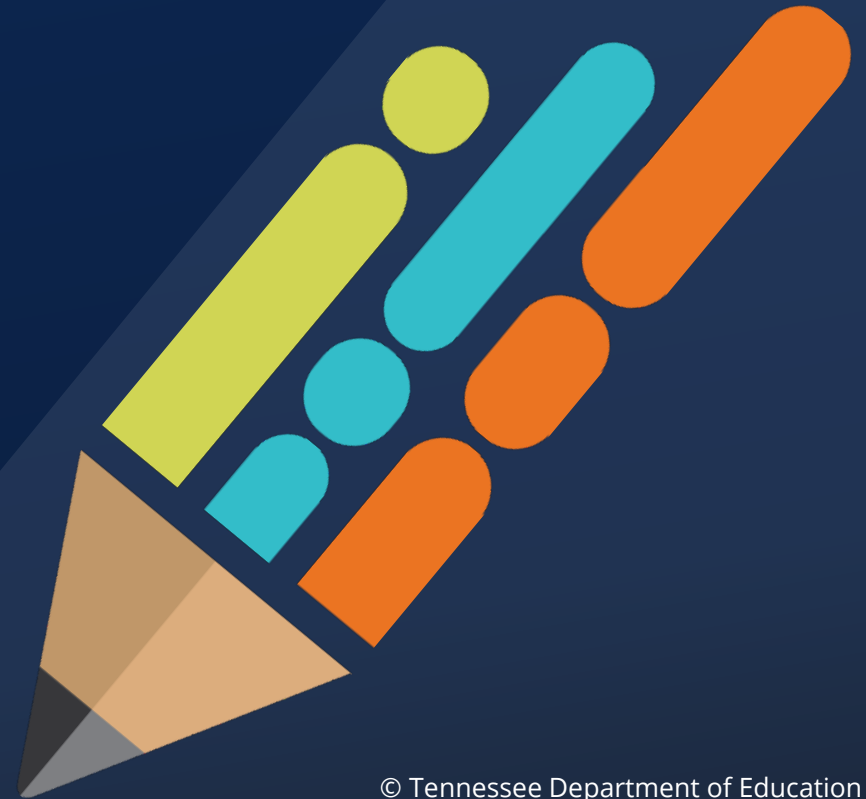




# Purpose of the Education for Homeless Children and Youth Program

- 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 & 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



# 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

- Establish an LEA protocol incorporating the principles of determining a student's living arrangement.
- 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.



# McKinney-Vento Identification



# 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)].
  - **Note:** *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.

# 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).**

# 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](#)

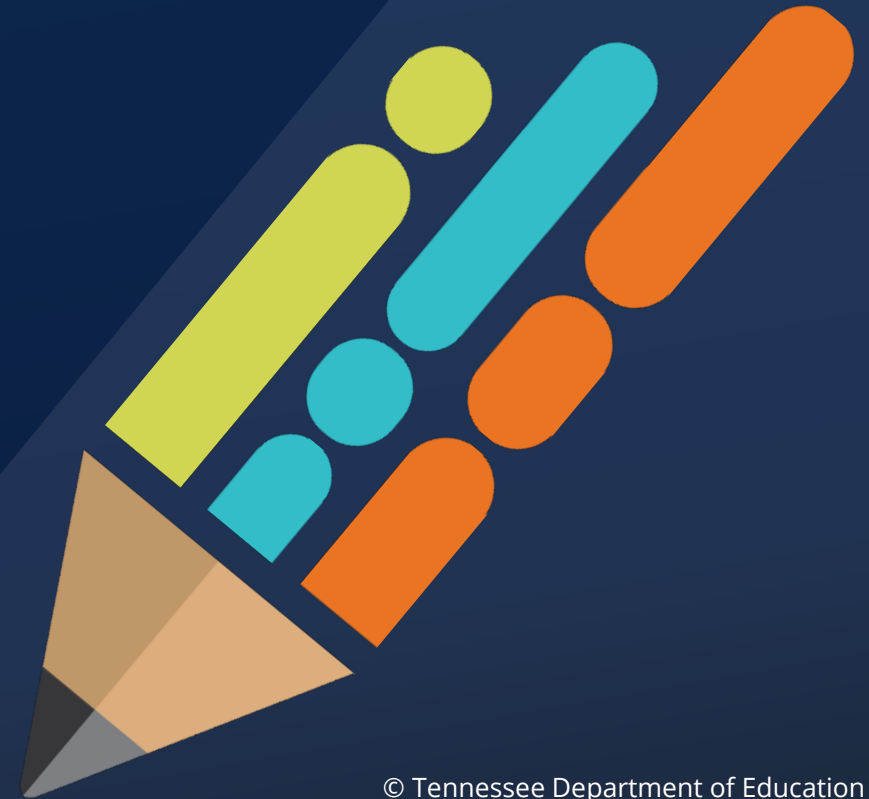




# School Section Criteria

- 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.

# 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.

# Transportation Continued



- The McKinney-Vento Act requires schools to immediately enroll homeless students [42 U.S.C. § 11432(g)(3)(C)].
- “Enrollment” is defined as “attending classes and participating fully in school activities” [42 U.S.C. § 11434a(1)]. Therefore, LEAs must arrange transportation without delay.
- LEAs must eliminate barriers to the enrollment of students experiencing homelessness (including transportation barriers).
  - Full participation includes participation in extracurricular activities, and McKinney-Vento emphasizes that students must not face barriers to accessing extracurricular activities.
  - **If transportation is a barrier for a child or youth to participate in extracurricular activities, transportation must be provided.**

# Transportation Continued

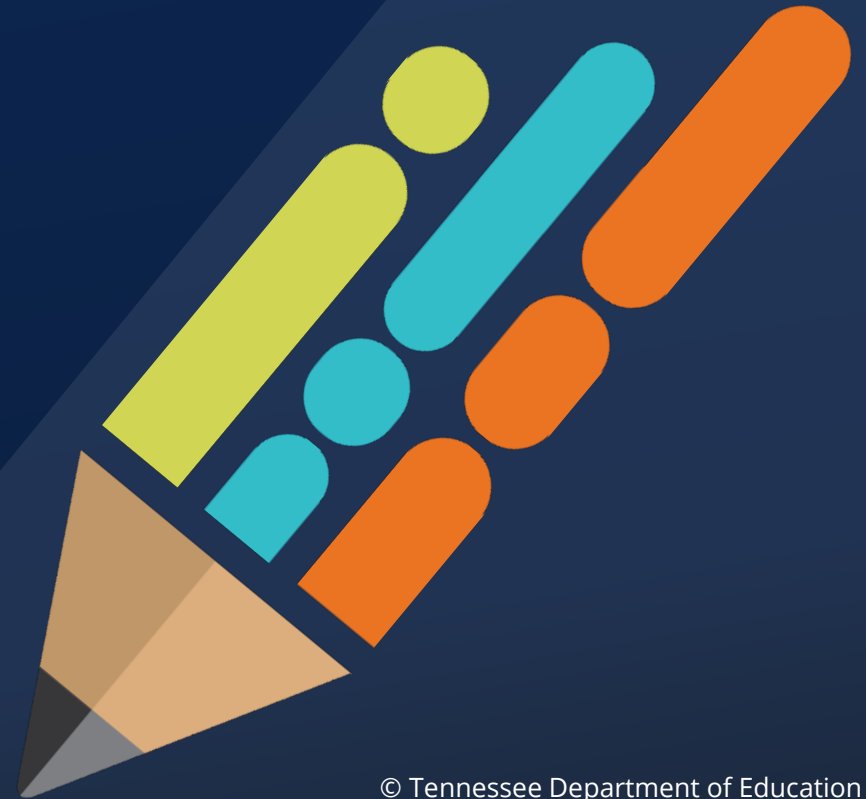
- Local liaisons must ensure that the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to and from the school of origin, and is assisted in accessing transportation to the school selected in accordance with the best interest determination [42 U.S.C. § 11432(g)(6)(A)(viii)].
- Per the U.S. Department of Education's (ED) guidance, based on the student's best interest and in consultation with the parent, the LEA ultimately determines the mode of transportation.

# 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.



# Questions from the Field



# Recommended Practices for Confirming Eligibility



**Question: What items are needed for a family claiming to be homeless to register? What keeps anyone from coming in and claiming they are homeless?**

- As required by the McKinney-Vento Act, students seeking McKinney-Vento eligibility must be enrolled immediately.
- Use a housing questionnaire.
- Efforts to confirm eligibility should take place once full enrollment has occurred.
- After investigating, if the LEA concludes that the student is not McKinney-Vento eligible, the LEA will begin the McKinney -Vento dispute resolution process [42 U.S.C. § 11432(g)(3)(E)].
- Reference slides in the “Definitions & Rights under McKinney-Vento” section



# Determining Eligibility



**Question: If a family comes to register and states they are living with a person in an apartment within the LEA, but they are not on the lease and the apartment complex has not given permission for them to stay – are they homeless or out of district?**

- The LEA will need more information.
  - Why is the family living doubled up?
    - Due to loss of housing, economic hardship, or a similar reason.
  
- Reference slides in the “Definitions & Rights under McKinney-Vento” section

# Determining Eligibility



**Question: How are displaced students who don't have an address able to be enrolled in a particular school? For example, students who are in shelters are registered for the nearest LEA school that is zoned for the shelter's address.**

- Schools must enroll children and youth experiencing homelessness immediately and ensure they receive educational and related services for which they are eligible [42 U.S.C § 11432(g)(6)(A)(iii)].
- LEAs must offer alternatives for providing documentation normally required for enrollment, such as forms to substitute for proof of residence and proof of guardianship.
- Reference slides on [School Selection](#):
  - Attending the school of origin or local attendance area school.

# School Selection



**Question: When a student becomes homeless over the summer does the school of origin still apply?**

- Remember that the school of origin is defined as the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.
- Reference slides in the “Education Rights & Supports” section

# Enrollment Disputes



**Question: What is the district's liability refusing to let the child return? They are claiming out of zone, when technically it falls under homeless.**

- Under the federal law, the LEA must begin the McKinney-Vento dispute resolution process when parents, guardians, or unaccompanied youth and schools or LEAs disagree on the enrollment or educational placement (school selection) of homeless children and youth.
- *National Center for Homeless Education Helpline: (800) 308-2145*
- Reference slides in the “Education Rights & Supports” section

# Enrollment Disputes



**Question: We have experienced another LEA telling a family that they cannot return to their system, but they are living with another family in our LEA.**

- Why is the family doubled up?
  - If it is determined that the student is identified as McKinney-Vento eligible, the district **cannot** unenroll a student.
- Reference slides in the “Education Rights & Supports” section

# Transportation



**Question: What are the options when the school of origin is 50-60 miles away? What is the line when it becomes egregious?**

- The McKinney-Vento Act states that in determining the best interest of the child or youth, the LEA must, to the extent feasible, keep a homeless child or youth in the school of origin [42 U.S.C. § 11432(g)(3)(B)(i)].
- Reference slides in the [Transportation & Best Interest](#) section.

# Transportation Between LEAs



**Question: What happens when the bus transportation schedule does not align with both LEAs?**

- In this case, if the bus routine is not going to be an option for transportation for the student to attend their school of origin, the LEAs will have to work together to find another means of transportation.
- The LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin.
- If the LEAs are unable to agree upon such a method, the responsibility and costs for transportation must be shared equally [42 U.S.C. § 11432(g)(1)(J)(iii)(II)].

# Disagreement Between Parties



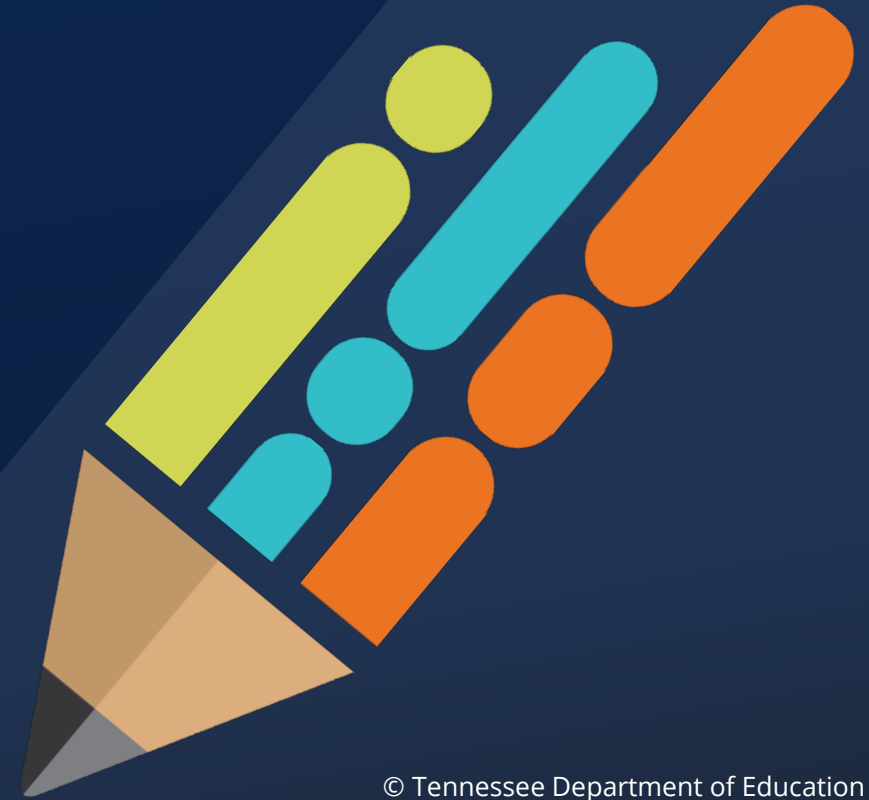
**Question: What are the steps when parties do not agree on where the student enrolls?**

Disagreement Between		Outcome
Parent/Guardian/ Unaccompanied Youth	School of origin or local school	The student is immediately registered in the school where enrollment is sought; BID occurs, and if unresolved, the dispute resolution process may begin.
School of origin	Local school	The student stays enrolled in the school being sought; BID occurs, and if unresolved, the dispute resolution process may begin. Ultimately, the state makes the decision in this process.

- Reference slides in the [Transportation & Best Interest](#) section.



# Important Reminders & Resources



# 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](mailto:homeless@serve.org) • [www.serve.org/nche](http://www.serve.org/nche)

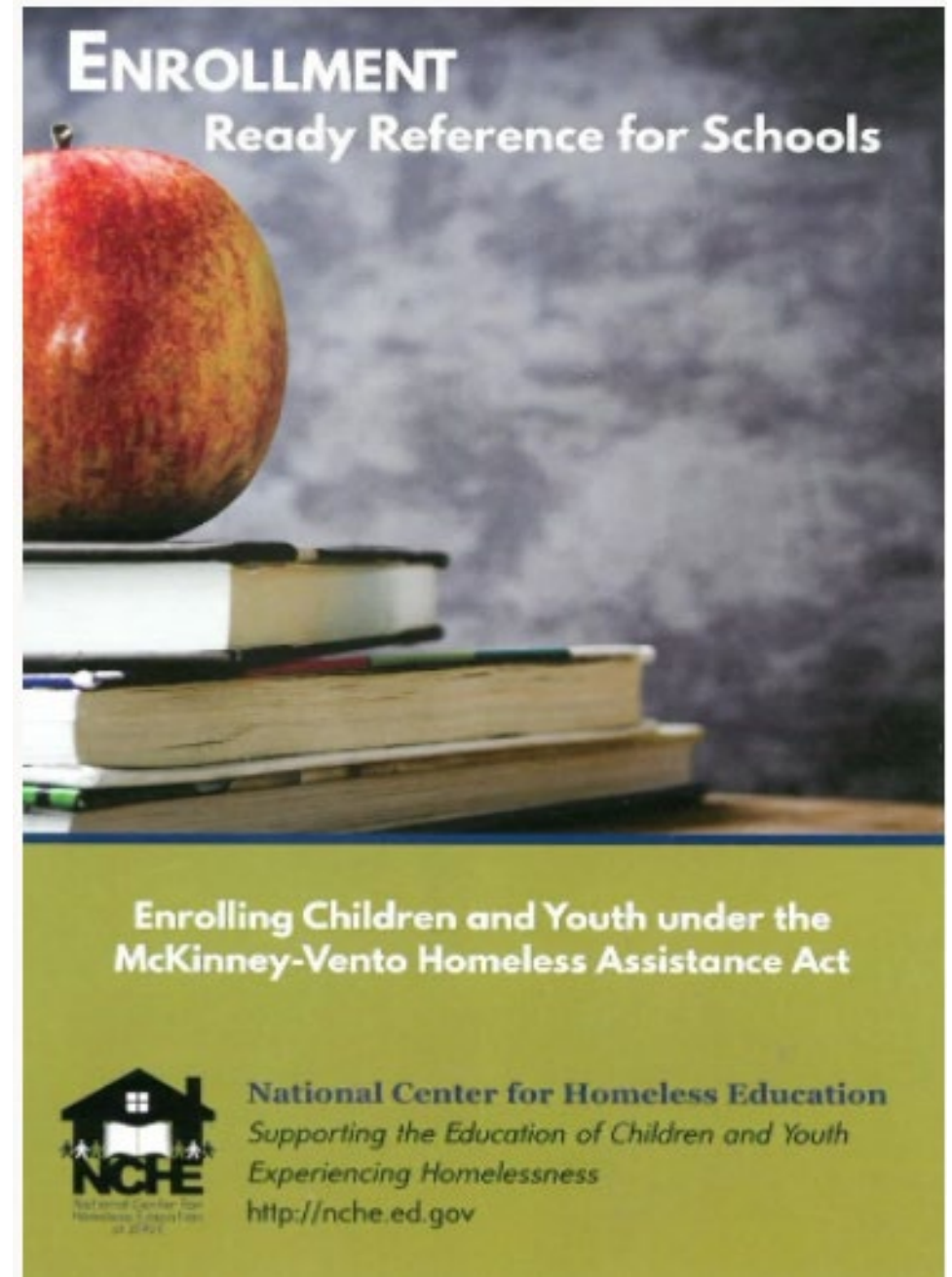
# Posters

- 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:
  - The LEA’s homeless liaison contact information
  - School-level contact information for liaisons (if accruable)
  - The McKinney-Vento Act
  - Definition of Homeless
  - Local homeless family resources that may be available
  - Supports the LEA offers to students experiencing homelessness
  - Parents’ right to dispute

# 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](mailto:homeless@serve.org)

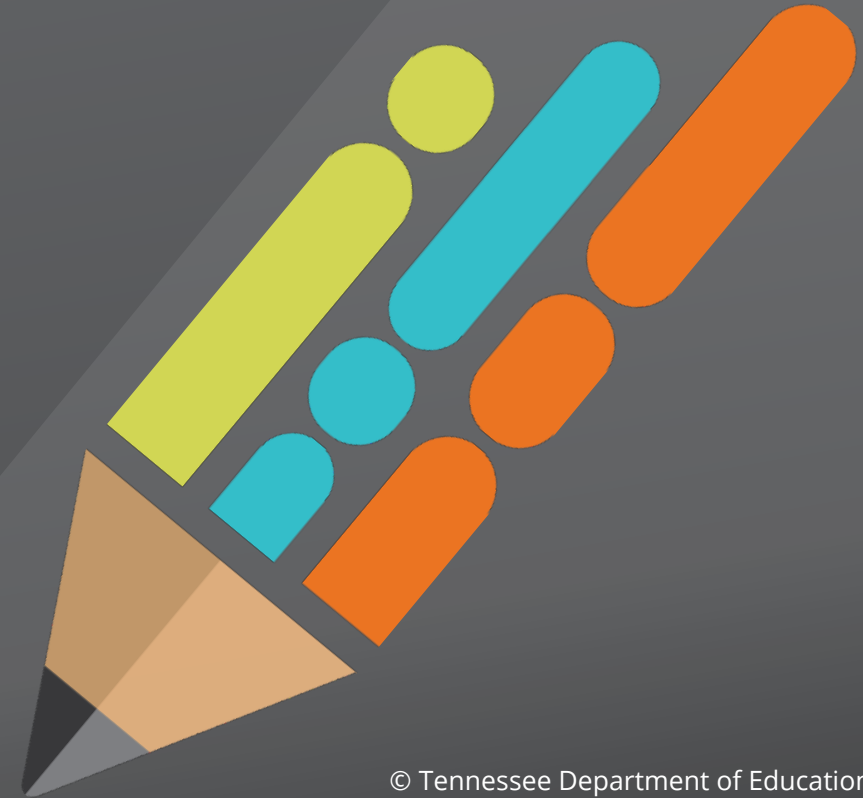


**Questions?**

# Please Share your Feedback:

You may access the PD by navigating here:

[https://stateoftennessee.formstack.com/forms/fpo\\_professional\\_development\\_survey](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>**