

20 | **ON TRACK**
24 | *with Federal Programs*

Federal Programs Institute

SEPTEMBER 10-12 • Chattanooga Convention Center





Staying on Track with McKinney-Vento Annual Training

Vanessa Waters

McKinney-Vento Grant Manager | Federal Programs and Oversight



2024 Federal Programs Institute:
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Agenda

- Program Purpose
- Definitions and Rights Under McKinney-Vento
- Local Liaison Responsibilities
 - Identification, Enrollment, & School Selection
 - Transportation
 - Best Interest & Dispute Resolution
 - Professional Development, Coordination, & Collaboration
- Important Reminders & Resources

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Program Purpose



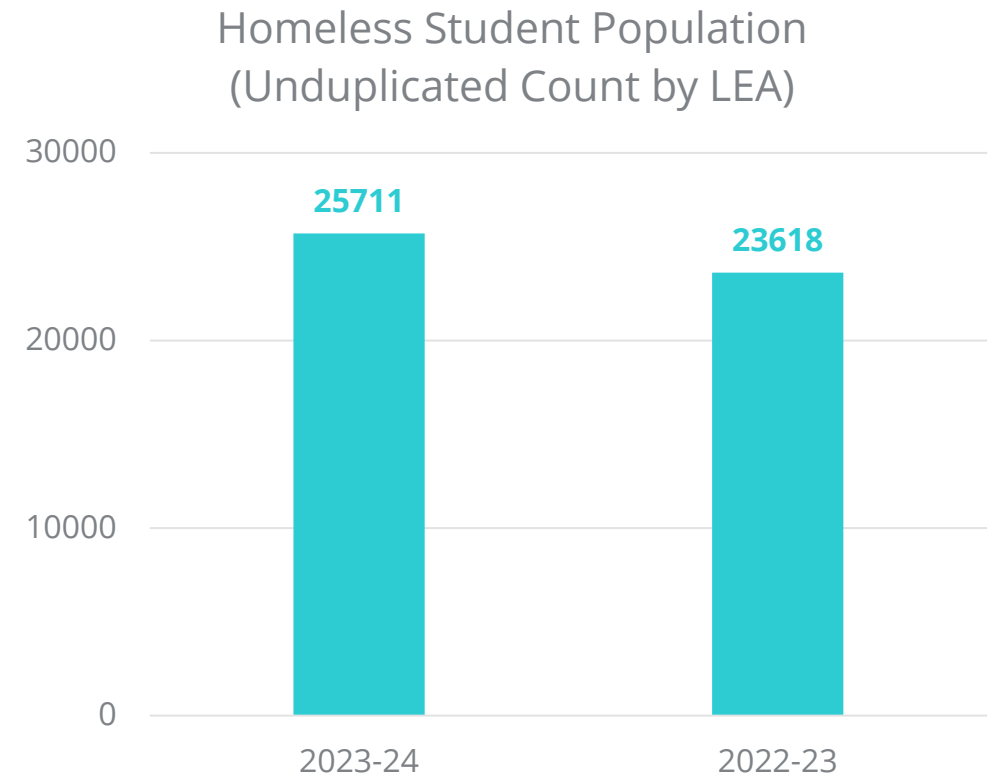
Purpose of the Education for Homeless Children and Youth Program

- The purpose of the McKinney-Vento Education for Homeless Children and Youths (EHCY) 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.

42 U.S.C.A. § 11431

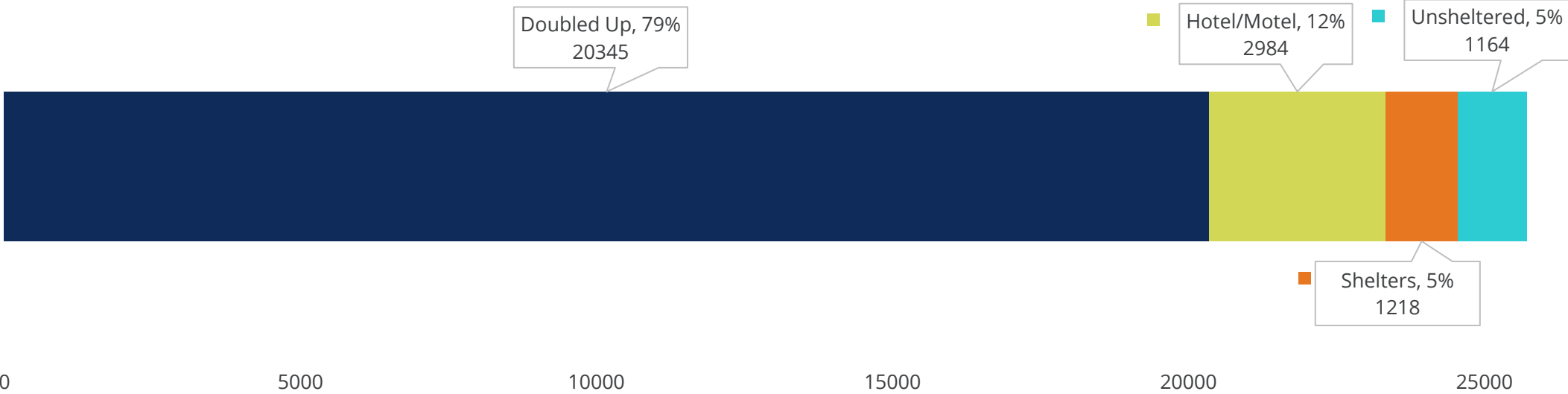
Importance of Homeless Programming

- Based on the most recent data:
 - State Education Agency (SEA) Data for **2023-24** found the homeless student population **increased by 9%** compared to 2022-23.
- The homeless graduation rate was **69.77%** in **2022-23**.



Homeless Residency

- Homeless residency remained highly concentrated in the doubled-up category in **2023-24**.



Source: Data Reporting, from EIS Discoverer FPO Data Review on June 21, 2024

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Definitions and Rights Under McKinney-Vento

Defining Homelessness

- Children or youth who **lack a fixed, regular, and adequate nighttime residence**:
 - sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; living in motels, hotels, trailer parks, or camping grounds; due to the lack of alternative adequate accommodations; living in emergency or transitional shelters, or are abandoned in hospitals;
 - living in a public or private place not designed for or ordinarily used as regular sleeping accommodation for human beings;
 - 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.

42 U.S.C.A. § 11434a(2)

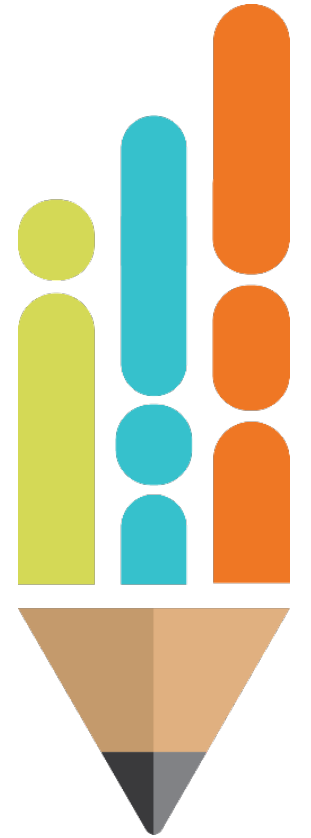
Key Definitions

- **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

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 to disclose any information from a student's educational record.

42 U.S.C. § 11432(g)(3)(G)



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Local Homeless Liaison Responsibilities

Local Liaisons

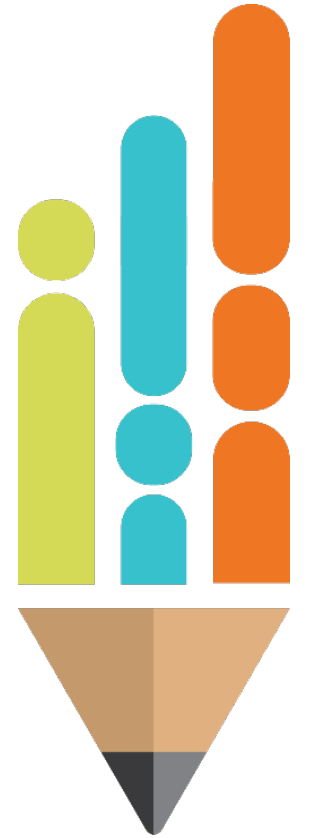
- Every LEA must designate an appropriate staff person to serve as the local homeless education liaison (42 USC § 11432 (g)(1)(J)(ii)).
 - This person may be the coordinator for other federal programs.
- Local liaisons serve as the key homeless education contact for the LEA and play a critical role in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



Local Homeless Liaison Responsibilities Summary

- Identification, Enrollment, and School Section Criteria
- Transportation
- Best Interest Determination & Dispute Resolution
- Professional Development
- Coordination & Collaborations
 - Preschool, Higher ED, HUD & other Federally Funded Programs

National Center for Homeless Education, Local Liaison Toolkit (August 2020)



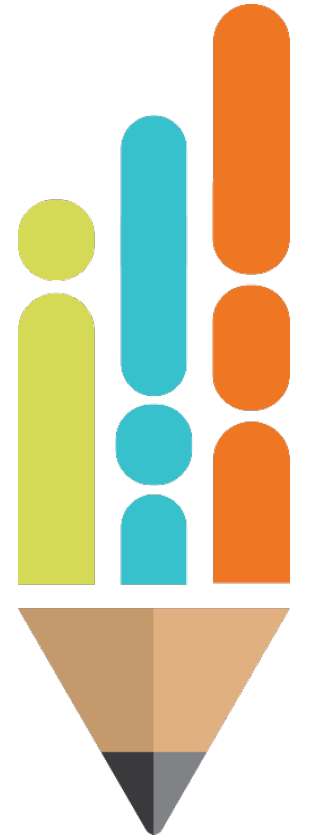
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Local Homeless Liaison Responsibilities:

Identification, Enrollment &
School Selection

Identifying Students

- Identification is the first step to connecting students in homeless situations with the information, resources, and supports 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.



National Center for Homeless Education, Identifying Children and Youth in Homeless Situations (March 2021)

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

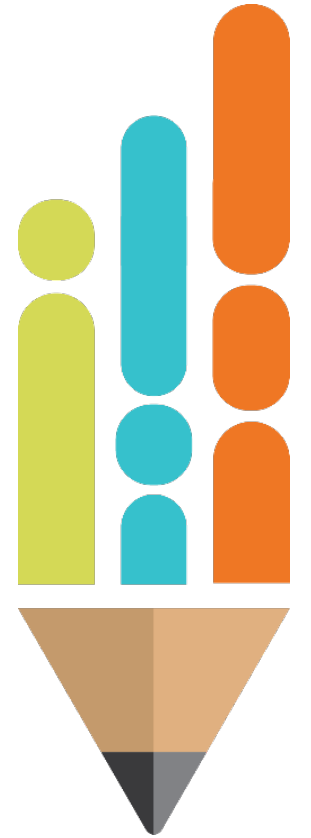
Student Observation

- 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.
 - Translate forms used to identify homeless students to different languages used in the district.
 - Remember schools must communicate information to limited English proficient parents in a language they can understand about any program, service, or activity that is called to the attention of parents who are proficient in English.
 - Designate someone at each school to process forms.
 - Forward to the district homeless liaison or to the designated point of contact.

National Center for Homeless Education, Determining Eligibility for McKinney-Vento and Services (March 2021)
U.S. Dep't. Of Justice and U.S. Dep't. Of Educ., Information for Limited English Proficient (LEP) Parents and Guardians and for Schools and School Districts that Communicate with Them (2015)



Housing Questionnaire

- Samples can be found in [ePlan > TDOE Resources](#) > ESSA Information, Guidance, PPTs, & Webinars > Title IX, Part A Education for Homeless Children & Youth > McKinney-Vento Toolkit and Resources 2023.
- There are two templates:
 - [Housing Form](#)
 - [Housing Questionnaire](#)
- You can access TDOE Resources in ePlan without having to log in.



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).

Immediate 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 (42 USC § 11432 (g)(1)(I)).
- Enrollment is defined as “attending classes and participating fully in school activities” (42 USC § 11434a (1)).
 - Includes Removing Barriers to Extracurricular Activities, Before and After-school Programs.
- Homeless children and youth have the right to enroll in school **immediately, even if lacking documentation normally required for enrollment** (42 USC § 11432(g)(3)(C)).



Immediate Enrollment for Unaccompanied Youth

- Unlike most education laws, McKinney-Vento gives rights **directly to unaccompanied youth, above the rights of their parents/guardians**
 - To enroll and make decisions
 - To choose between school of origin and local school
 - To file disputes
- LEAs can handle enrollment in any way that ensures immediate participation; the most common procedure is for youth to enroll themselves.



Removing 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.

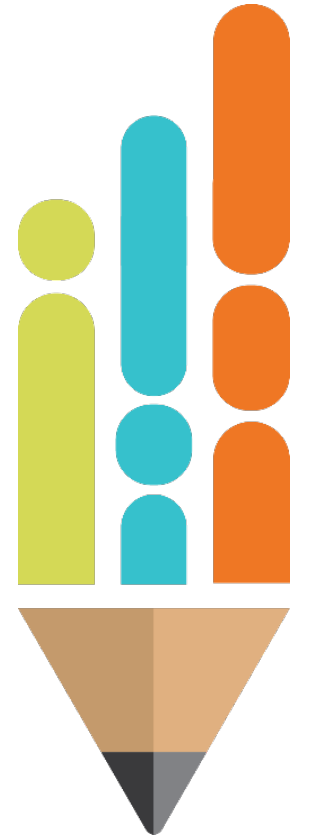
Support trauma-informed, restorative discipline policies and practices.

School Selection Criteria

Students experiencing homelessness may attend either:

- **The local attendance area school:**
 - Any public school that students living in the same attendance area are eligible to attend.
- **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 enrolled.

42 USC § 11432(g)(3)(C)



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)).



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Local Homeless Liaison Responsibilities: Transportation

Transportation

- LEAs must provide transportation for McKinney-Vento students:
 - transportation to and from the school of origin (42 USC § 11432(g)(1)(J)(iii)), or
 - comparable transportation (42 USC § 11432(g)(4)(A)).
- Local homeless liaisons must inform the parent/guardian of a homeless child or youth and any unaccompanied youth of all transportation services that are available by the local education agency. (42 USC § 11432(g)(6)(A)(viii)).



Transportation

- LEAs must transport homeless students to and from the school of origin, at a parent's or guardian's request, or at the local liaison's request for unaccompanied homeless youth.
- 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.

42 USC § 11432(g)(1)(J)(iii)



Transportation MOU Template

<LEA Letterhead>

Dear Parent/Guardian/Unaccompanied Homeless Youth (UHY),

Your child(ren) or you, as an unaccompanied homeless youth, are currently eligible for services through the McKinney-Vento program. Per the McKinney-Vento Homeless Assistance Act, transportation will be provided to your child(ren) or you, as an unaccompanied youth, to and from school.

The following describes our agreement with you regarding transportation:

Pick-Up: Students must be at the bus stop or selected location at the time provided by the transportation department. Drivers can wait no more than [X] minutes from the scheduled time.

Drop-Off: An adult pre-approved by parents and guardians must be present at the bus stop or selected location to pick-up students too young to be left unsupervised. The transportation department will provide the time that the adult must be present for the pick-up of students; parents and guardians must notify the liaison or the transportation department if an adult other than the parent or guardian will be picking up the student.

Communication of Absences: If a student is going to be absent from school and therefore does not need transportation for part or all of a day, parents or guardians must call and inform the designated driver no later than [X] a.m. on the day of the absence so the driver can adjust the route accordingly.

Driver's Name: [Insert]

Contact Phone Number: [Insert]

Behavioral Expectations: Students and parents are expected to follow the [Insert LEA Name] policies for student behavior. Disciplinary actions for students who violate the behavior policies will be followed as they are for any student in the district.

If [Insert LEA Name] fails to provide the agreed upon transportation services, the liaison should be contacted. Your liaison is [Insert Name] and may be reached at [Insert Contact Info].

If a student's residence changes, the transportation department must be contacted by [Insert Time] to allow for transportation to be arranged. Transportation requests and changes may take up to [insert number] days to be routed, so temporary transportation may be provided while routing is arranged.

The transportation department may be contacted at:

[insert info].

Please sign below to acknowledge that you understand and agree with these expectations and terms.

_____ Parent/Guardian/UHY Name (Printed)	_____ Signature	_____ Date
_____ Name of Liaison (Printed)	_____ Signature	_____ Date

Transportation Memorandum Of Understanding (MOU)

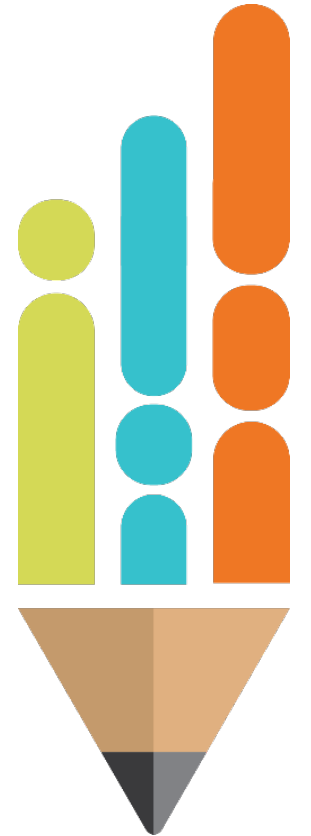
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Local Homeless Liaison Responsibilities: Best Interest & Dispute Resolution

Best Interest Determination

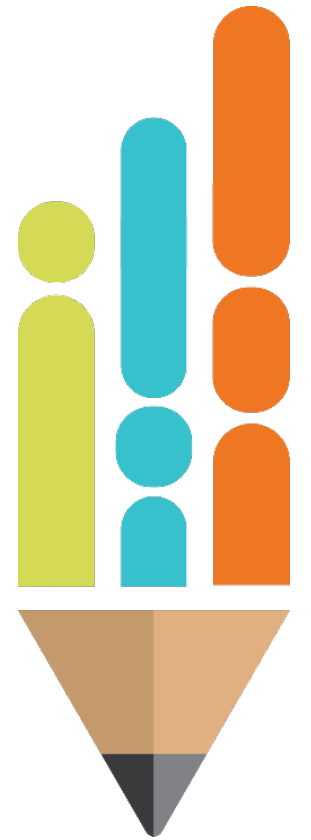
- When making best interest determination in accordance with the statute:
 - presume that remaining in the school of origin is in the student’s best interest;
 - consider the impact of mobility on achievement, education, health, and safety; and
 - ❖ give priority to the request of the parent, guardian or unaccompanied homeless youth.
- If, after conducting the best interest determination based the LEA determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested, provide the parent or guardian or the unaccompanied youth with a written explanation of the reasons for the determination, in a manner and form understandable such parent, guardian, or unaccompanied youth, including information regarding the right to appeal

42 USC § 11432(g)(3)(B)



Local Liaison Responsibilities: Dispute Resolution Process

- The McKinney-Vento Homeless Assistance Act requires SEAs and LEAs to follow a dispute resolution process when parents, guardians, or unaccompanied youth and schools disagree on the eligibility, enrollment, or educational placement of homeless children and youth. [McKinney-Vento Into Law Breiwh Series: Dispute Resolution](#)
- Tennessee's process can be found in [ePlan > TDOE Resources > ESSA Information, Guidance, PPTs, & Webinars > Title IX, Part A Education for Homeless Children & Youth > Resources for Homeless Liaisons > McKinney-Vento State-Level Dispute Resolution](#).



Dispute Resolution Process Brief and TDOE Template



National Center for Homeless Education
Supporting the Education of Children
and Youth Experiencing Homelessness
<https://nche.ed.gov>



MCKINNEY-VENTO LAW INTO PRACTICE BRIEF SERIES

Dispute Resolution

This NCHE brief:

- summarizes the key provisions of the McKinney-Vento Act related to dispute resolution, and
- provides an overview of implementation strategies at the State and local levels



McKinney-Vento Dispute Resolution Process Sample Form

Instructions for Using this Template:

Before sharing, place this document on LEA letterhead, delete or update all red font areas, and provide the most up-to-date McKinney-Vento Liaison contact information.

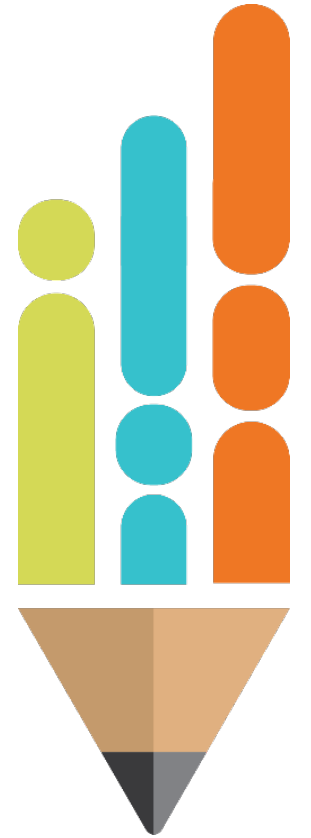
This form can be used to initiate the dispute resolution process required by the McKinney-Vento Homeless Assistance Act. It can be used when a parent, guardian, or unaccompanied youth disagrees with the LEAs eligibility, school selection, or enrollment decision. If a dispute arises under the McKinney-Vento Act over eligibility, school selection, or school enrollment [42 U.S.C. 11432(g)(3)(E)], the Act requires LEAs initiate the McKinney-Vento Dispute Resolution Process. Federal law [42 U.S.C. § 11432(g)(1)(C)] requires that the State have a [Dispute Process](#) and that the LEA policy must align with the State's policy.

Sources: [NCHE McKinney-Vento Dispute Resolution Brief](#)
[TEMPLATE McKinney-Vento Dispute Resolution Process Sample Form 2021-04-16](#)

Enrollment Disputes

- If a dispute arises over **eligibility, school selection, or school enrollment**:
 - the parent, guardian or unaccompanied youth shall be referred to the local liaison, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute;
 - the child or youth shall be **immediately enrolled in the school in which enrollment is sought**, pending final resolution of the dispute, including all available appeals; and
 - the parent, guardian, or unaccompanied youth shall be provided with a written explanation of any decisions related to dispute made by the school, LEA, or SEA, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions.

42 USC § 11432(g)(3)(E)



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Local Homeless Liaison Responsibilities:

Professional Development,
Coordination & Collaborations

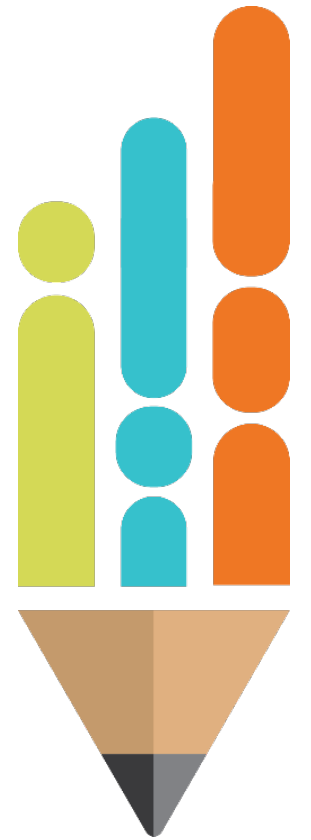
Professional Development

- Local liaisons must ensure that school personnel receives professional development and other support focused on McKinney-Vento.
 - **At a minimum**, liaisons should provide training annually to:
 - school leaders,
 - front office staff/enrollment staff, and
 - school counselors.
 - **Best practice** suggests that **all staff should be trained annually**, including the above, as well as:
 - LEA staff,
 - classroom teachers, and
 - educational assistants.



Professional Development Topics

- Professional Development topics should include the following:
 - Identifying Students
 - Enrollment
 - Transportation
 - Best Interest Determination
 - Right to Privacy
- The National Center for Homeless Education has several [training materials and resources](#) to use for training staff.



Preschool

- Homeless children must have access to and receive services through:
 - Head Start and Early Head Start;
 - IDEA Part C, early intervention; or
 - other preschool programs administered by the LEA (42 USC § 11432(g)(6)(A).
- The school of origin also includes public preschool programs.



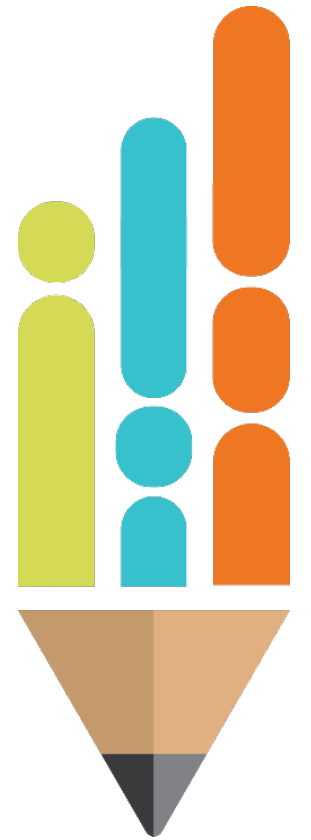
Higher Education

- Local liaisons must inform unaccompanied homeless youth of their status as independent students on the FAFSA and that youth may obtain assistance in verification of this status (42 U.S.C. § 11432(g)(6)(A)(x)).
- School counselors must advise homeless youth about college and support their college readiness.
- See these [Federal Student Aid resources](#) for additional information.



Access to HUD

- Local liaisons are authorized to affirm whether children and youth meet the eligibility requirements for U.S. Department of Housing and Urban Development (HUD) programs. (42 U.S.C. § 11432(g)(6)(D)).
- Although a liaison may affirm, the family must still meet the other requirements of HUD projects.
- Local liaisons may make this affirmation in the form of a signed letter on district letterhead that at minimum, identifies the most recent primary nighttime residence of the homeless child or youth.



Examples of Effective Collaborators

LEA Level

- Federal Programs department
- Family Resource Center
- IT/EIS departments
- Fiscal and Accountability departments
- School Nutrition
- Social Workers
- Transportation department

School Level

- School staff
- Administrators
- Enrollment personnel and front office staff
- Attendance/Truancy personnel
- School Counselors
- School Nurses
- Cafeteria workers and bus drivers

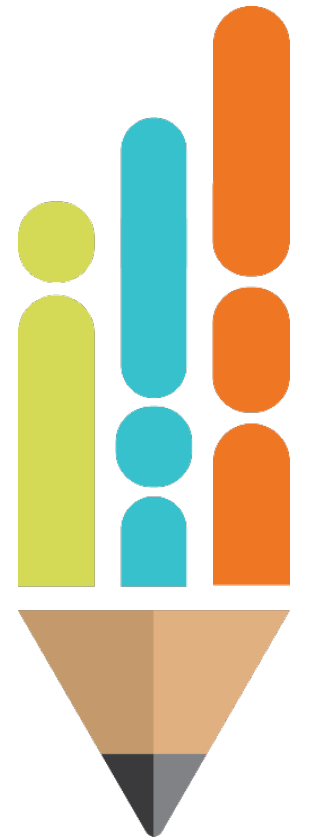
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Reminders & Resources

Important Reminders

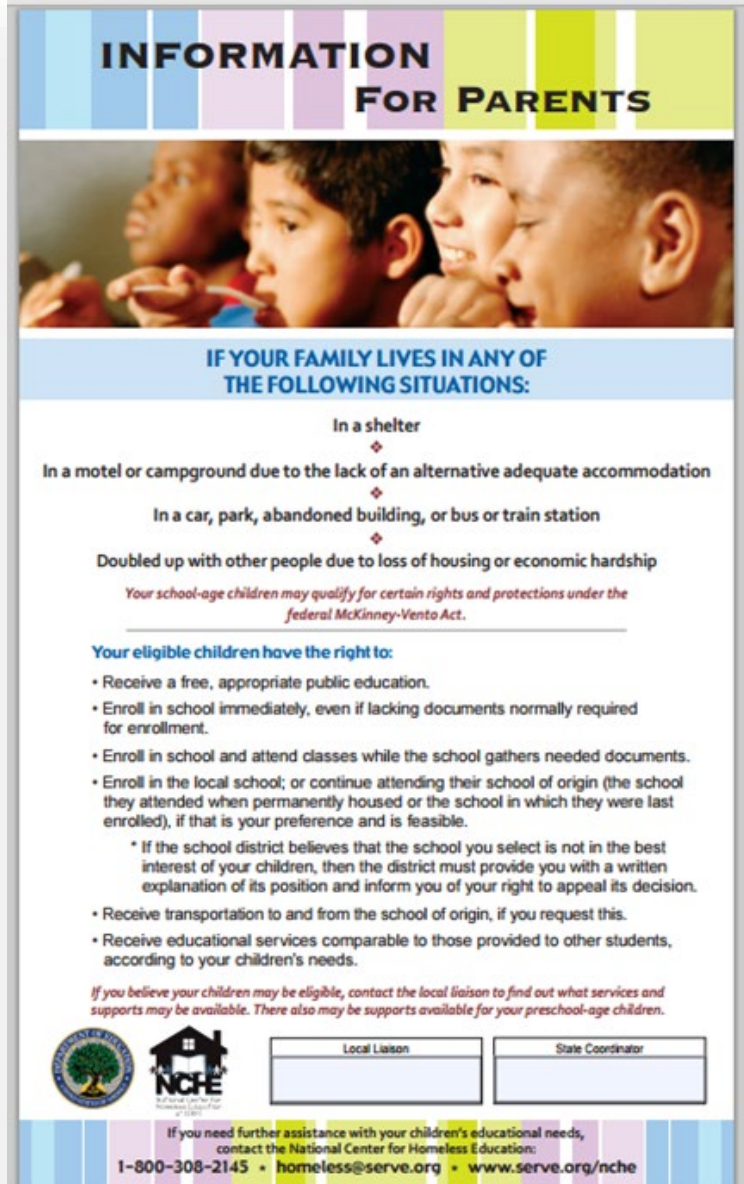
- **Provide documentation of decisions.**

- The McKinney-Vento Act requires liaisons to provide parents information on their right to dispute if denied enrollment.
- LEAs should have written policies and procedures focused on:
 - Identification
 - Enrollment
 - Best Interest Determination
 - Transportation
 - Dispute Resolution
- All written policies should be kept on file and provided to families upon identification. If a dispute arises, the LEA may refer to their written policies and procedures when discussing enrollment, transportation, school selection, and other issues with families.



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](#).



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.

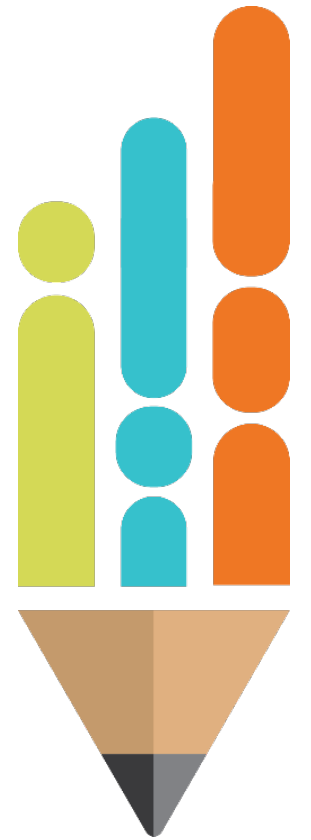
 

Local Liaison	State Coordinator

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

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, and
 - rights and services available to students experiencing homelessness.



Resources

- [ePlan > TDOE Resources > ESSA Information, Guidance, PPTs, & Webinars > Title IX, Part A Education for Homeless Children & Youth > McKinney-Vento Toolkit and Resources 2023](#)
- [U.S. Department of Education \(ED\): McKinney-Vento Law and Guidance](#)
- [Education for Homeless Children and Youths Program Non-Regulatory Guidance](#)
- [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?



Thank You!

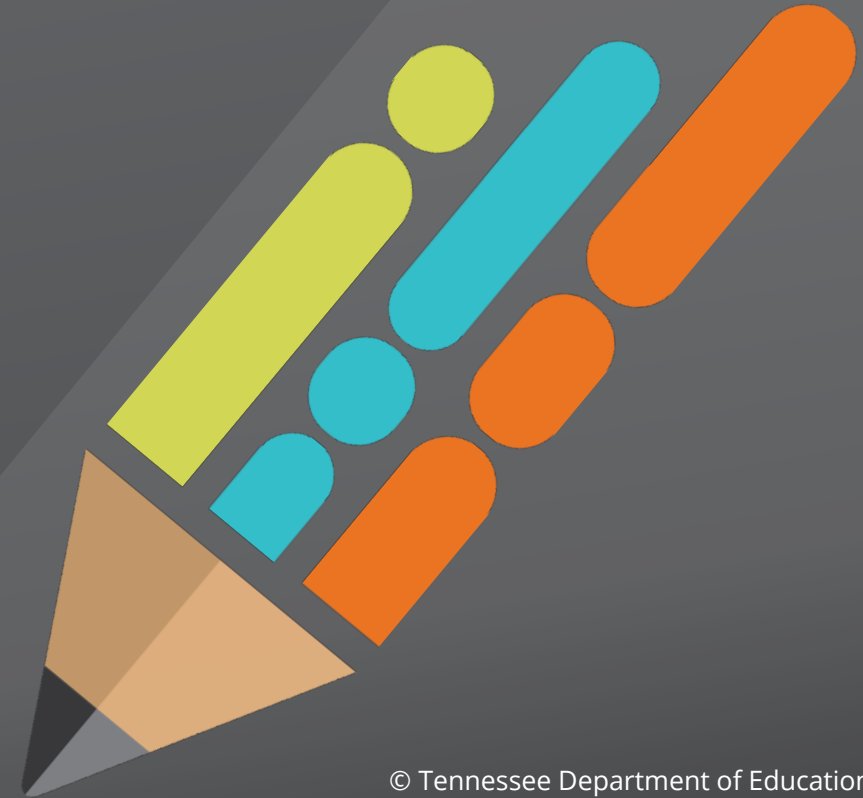
Vanessa Waters | McKinney-Vento and Immigrant Grant Manager
Vanessa.Waters@tn.gov

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Please Share your Feedback:

You may access the survey by navigating here:

https://stateoftennessee.formstack.com/forms/2024_federal_programs_institute_presentation_survey



Fraud, Waste or Abuse

Citizens and agencies are encouraged to report fraud, waste, or abuse in State and Local government.

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>