

McKinney-Vento Education for Homeless Children and Youth

M-V Services and the Law

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VISION

To create a world-class educational system that gives students the knowledge and skills to be successful in college and the workforce, and to flourish as parents and citizens

MISSION

To provide leadership through the development of policy and accountability systems so that all students are prepared to compete in the global community

MISSISSIPPI STATE BOARD OF EDUCATION
STRATEGIC PLAN GOALS

1

**All
Students
Proficient
and Showing
Growth in All
Assessed
Areas**



2

**Every
Student
Graduates
from High
School and
is Ready for
College and
Career**



3

**Every
Child Has
Access
to a High-
Quality Early
Childhood
Program**



4

**Every
School Has
Effective
Teachers and
Leaders**



5

**Every
Community
Effectively
Uses a
World-Class
Data System
to Improve
Student
Outcomes**



6

**Every
School and
District is
Rated “C” or
Higher**



McKinney-Vento Homeless Assistance Act

- The McKinney-Vento program is designed to address the challenges that students experiencing homelessness face in enrolling, attending, and succeeding in school.
- The Mississippi Department of Education (MDE) must ensure that **each** homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education.

McKinney-Vento Homeless Assistance Act

- MDE and Local Educational Agencies (LEAs) are required to take steps to review and revise laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youth.
- Each LEA is required to have a designated LEA Homeless Liaison who is able to carry out the duties and responsibilities according to the Act.

Purpose

The purpose of the McKinney-Vento grant is to:

- facilitate the enrollment, attendance, and success in school of homeless children and youths.
- provide services through existing programs and mechanisms that integrate homeless children and youths with non-homeless children and youths; and
- expand or improve services provided as part of a school's regular academic program, but not to replace such services provided under such program.

Knowing the Law

- Success in adequately following the mandates of the McKinney-Vento Law can only be done by knowing the Law.
- The Law provides an in-depth view of the definitions and requirements of McKinney-Vento.
- The McKinney-Vento Law can be cited as **42 US Code §§11431-11435** and retrieved at <https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter119/subchapter6/partB&edition=prelim>.

The term “homeless children and youths”--

(A) Refers to individuals who lack a fixed, regular, and adequate nighttime residence; and

(B) includes--

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

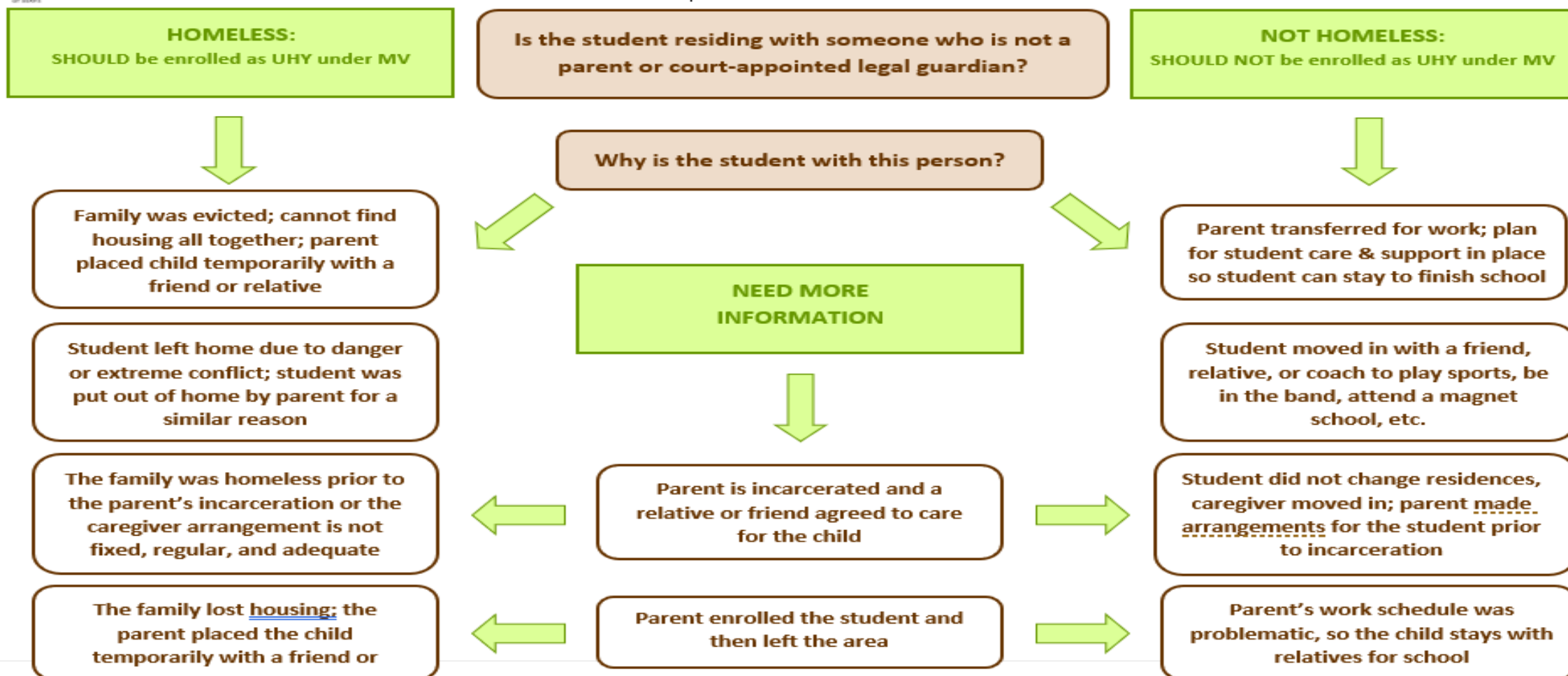
- children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of Section 103(a)(2)(C));
- children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

- migratory children (as such term is defined in Section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

- The term “unaccompanied youth” includes a homeless child or youth not in the physical custody of a parent or guardian.



Unaccompanied Youth Eligibility Flowchart



NOTE: The information contained in this flowchart is intended to serve as a general guide. All McKinney-Vento eligibility determinations should be made on a case-by-case basis weighing the individual circumstances of each student. To be eligible for McKinney-Vento services as an unaccompanied homeless student, the student must meet the criteria of both homeless and unaccompanied.

The term “school of origin” refers to the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool.

- (1) The terms “enroll” and “enrollment” include attending classes and participating fully in school activities.

- Best Interest
- School Stability
- Immediate Enrollment
- Records Maintenance
- Enrollment Disputes
- Placement Choice
- Transportation

- Contact Information
- School of Origin
- Comparable Services
- Coordination of Services
- Homeless Children and Youths with Disabilities
- Homeless Liaison

Each local liaison should ensure the following occur regarding homeless children and youths:

- Identified by school personnel
- Enrolled immediately
- Have access to/participate in all eligible educational services
- Receive referrals to health care and other appropriate services
- Informed of educational opportunities available
- Public awareness of educational rights

- Mediate enrollment disputes
- Fully inform parent/child of transportation services
- Provide PD for school serving homeless children
- Offer same opportunities unaccompanied homeless youth
- Inform age-appropriate unaccompanied homeless youth of independent status
- Verify independent status of unaccompanied youth for FAFSA

LEAs are required to immediately enroll homeless children or youth, even if the child or youth

- Is unable to produce records normally required for enrollment (immunization records, proof of residency)
- Has missed application or enrollment deadlines during any period of homelessness.

A school enrolling a homeless child or youth is to adhere to the following:

- Contact last attended school to obtain relevant records.
- Refer parent or guardian to homeless liaison who will assist in obtaining necessary immunizations, screenings, or records.
- Maintain all pertinent records (academic, birth certificates, guardianship, evaluations, etc.)

LEAs are to address other problems interfering with the education of homeless children and youths, including problems resulting from enrollment delays that are caused by--

- immunization requirements and other required health records;
- residency requirements;
- lack of birth certificates, school records, or other documentation;
- guardianship issues; or
- uniform or dress code requirements.

The LEA is to serve each child or youth according to the child's or youth's best interest--

- continue the child's or youth's education in the school of origin for the duration of homelessness--
 - (I) in any case in which a family becomes homeless between academic years or during an academic year; and
 - (II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
- enroll the child or youth in any public school that non-homeless students who live in the attendance area attend.

In determining the best interest of the child or youth, the LEA **must--**

- 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
- consider student-centered factors related to the child's or youth's best interest: the impact of mobility on achievement, education, health, and safety, giving priority to the request of the child's or youth's parent or guardian

If the best interest determination is contrary to the desires of the parent/guardian or unaccompanied youth, the LEA must—

- Provide a written explanation of the reasons for LEA's best interest determination.
- Provide information regarding the right to appeal the LEA's decision.

If a dispute arises over eligibility, school selection, or enrollment--

- 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;
- the parent or guardian of the child or youth must be provided a written explanation of any decisions related to school selection or enrollment made by the school, the LEA, or the MDE, including the rights to appeal.
- the Homeless Liaison is to carry out the dispute resolution process as quickly as possible after receiving notice.

The LEA is to ensure that transportation is provided, at the request of the parent or guardian to and from the school of origin, as applicable:

- If the child or youth continues to live in the area served by the LEA in which the school of origin is located, that LEA is to provide transportation.

- If the child or youth encounters issues with living arrangements and is no longer living in the area of the school of origin but living in another local attendance zone, the child or youth may continue his or her education in the school of origin; the LEA of origin and the LEA in which the 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 method, the responsibility and costs for transportation shall be shared **equally**.

Each homeless child or youth shall be provided comparable services offered to other students in the school, including--

- Transportation services
- Educational services based on eligibility criteria, such as Title I services, programs for children with disabilities, and programs for English learners.
- Career and technical education programs
- Gifted and talented programs
- School nutrition programs.

- Tutoring, supplemental instruction, enriched educational services
- Expedited evaluations
- Professional Development for instructional support
- Referral services for medical, dental, mental, and other health services
- Defray excess transportation costs
- Developmentally appropriate early childhood education programs

- Services for attracting and retain homeless students
- Before-school, after school and/or summer programs
- Payment of fees associated with tracking/transferring records
- Training for parents/guardians
- Purchase of school supplies
- Adaptation of space/supplies for non-school facilities
- Emergency assistance needs

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