
McKinney-Vento Homeless Assistance Act Compliance Review

— Guidance —



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I. McKinney-Vento Compliance Overview

The Department of Public Instruction's (DPI) Education for Homeless Children and Youth (EHCY) program's major responsibility is to implement the McKinney-Vento Homeless Assistance Act as amended by the Every Student Succeeds Act (ESSA). Homeless children, youth, and unaccompanied homeless youth must have access to public school educational programs and services that allow them to meet the same challenging state student academic achievement standards to which all students are held.

While the majority of Wisconsin public school districts and 2r independent charter schools (henceforth referred to as local educational agencies (LEAs)) do not receive grant funds to implement the requirements of the McKinney-Vento Act, all LEAs are still required to be in full compliance with legislative requirements.

In addition to ensuring every LEA is in compliance with McKinney-Vento Act requirements and the supervision of grant-funded programs, the United States Department of Education (ED), as authorized by the *Every Student Succeeds Act, Title IX, Part A – Homeless Children and Youths, Sec.722 (f)(5)*, also requires the DPI EHCY program to monitor both funded and non-funded LEAs to ensure compliance with federal education regulations for children and youth experiencing homelessness.

ED requires the following elements in the DPI EHCY program monitoring process:

- Technical assistance
- Review protocol, including interview questions
- Document the review with a written report of whether requirements were met or corrective actions are required
- A process for resolving required corrective actions and possible follow-up if LEAs need assistance with compliance

Annual Monitoring Schedule

EHCY program staff annually notify Wisconsin LEAs scheduled to receive formal visits and remote compliance reviews. Monitoring includes grant-funded and non-funded LEAs. Every LEA must be able to produce documentation that adequately demonstrates compliance with the McKinney-Vento Act. Examples of acceptable documentation are available in [Section II. McKinney-Vento Requirements](#).

Formal EHCY On-Site Monitoring/Review Protocol (Grant-funded LEAs/consortia)

All grant-funded LEAs/consortia receive on-site monitoring at least once during the grant cycle. Priorities for on-site monitoring visits are given to first-time EHCY awarded LEAs/consortia. All EHCY grant-funded LEAs/consortia are monitored through

1. document reviews
2. interviews with program staff
3. mid-year reports,
4. end-of-year reports, and
5. student identification data.

Compliance Review Protocol

1. The DPI EHCY program director sends a letter to the homeless liaison of an LEA notifying the liaison the LEA is scheduled for a McKinney-Vento compliance review during the current school year. The letter includes this guidance and a timeline to submit required documentation for the McKinney-Vento compliance review. DPI remotely reviews approximately 25 LEAs annually for compliance with the requirements of the McKinney-Vento Act.
2. The LEA or charter school is instructed to complete a [McKinney-Vento Compliance Review LEA Assessment](#) – a series of yes/no questions regarding best practices and basic compliance items to prepare the LEA for the review and to assist DPI in providing technical assistance during the review.
3. The LEA is instructed to electronically submit supporting documentation to the EHCY grants specialist for all compliance items listed in [Section II McKinney-Vento Requirements \(All LEAs\)](#). To submit documentation to DPI through the LEA’s unique Google Drive folder, the homeless liaison must follow these [instructions for uploading documentation](#). The LEA has six weeks to complete the self-assessment and submit documentation. The LEA may contact the EHCY grants specialist for an early review if documentation is submitted prior to the deadline.
4. The EHCY grants specialist reviews the self-assessment responses and submitted documentation over the next two weeks. The EHCY grants specialist may contact the LEA during this time to obtain more information regarding the submitted documentation.
5. At the end of the two week period, the EHCY grants specialist contacts the LEA to request additional documentation if the submitted documentation is insufficient or absent. The LEA has one week to respond to the request. The EHCY grants specialist has one week following the response to review additional or clarified documentation.
6. Once the review is successfully completed, the EHCY grants specialist sends a report and letter to the homeless liaison indicating that the McKinney-Vento compliance review is complete.
7. If the LEA does not successfully complete the review, the grants specialist sends a report and letter to the LEA stating the legislative requirements under the McKinney-Vento Act have not been met. The report lists what requirements the LEA needs to comply with, provides the legislative reference, provides technical assistance on how the LEA can reach compliance, and details the corrective action process. The LEA will receive additional information from the EHCY grants specialist with a timetable to achieve compliance.

Technical Assistance

More information and resources to maintain a successful homeless education program are available from the following sources:

- [DPI’s EHCY website](#)
- [DPI Examples of Forms Created by DPI and by Districts](#)
- [National Center for Homeless Education \(NCHE\) Products and Publications](#)
- [NCHE’s Homeless Liaison Toolkit | 2017 Edition](#)
- [National Association for the Education of Homeless Children and Youth \(NAEHCY\)](#)
- [Contact the DPI State EHCY Coordinator](#) or [contact a nearby grant-funded LEA](#)

Prior to providing documentation of the LEA’s efforts to provide access to public education and other services for children and youth who are experiencing homelessness, DPI recommends viewing the most recent [McKinney-Vento Liaison Webinar](#) for an overview of the LEA’s responsibilities as well as [The McKinney-Vento Act as Amended by the Every Student Succeeds Act \(ESSA\) of 2015 video](#) for a summary of the changes to the McKinney-Vento Act since the implementation of ESSA in October 2016.

II. McKinney-Vento Requirements

The following sections detail the LEA's responsibilities under the McKinney-Vento Act. Each LEA must be able to acceptably demonstrate compliance with each aspect of the McKinney-Vento Act as listed below. Examples of acceptable documentation are provided, and LEAs also encouraged to submit alternate documentation for the compliance review.

Please note: The implementation of the amendments to the McKinney-Vento Act under the Every Student Succeeds Act (ESSA) in October 2016 will likely impact existing LEA policies and procedures regarding homeless children and youth. [A summary of the major amendments to the McKinney-Vento Act is available from NAEHCY](#) and may assist LEAs with policy and procedure reviews. This affects policies regarding, but not limited to, professional development, credit accrual, privacy, coordination with housing agencies, as well as the removal of "awaiting foster care placement" from the definition of homelessness effective December 10, 2016. LEAs must demonstrate that policies regarding homeless children and youth have been reviewed/revised since ESSA went into effect.

1. Public and Staff Awareness

Each local educational agency liaison for homeless children and youths shall ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths. Title IX, Sec. 722(g)(6)(A)(vi)
Local educational agencies shall inform school personnel, service providers, advocates working with homeless families, parents and guardians of homeless children and youths, and homeless children and youths of the duties of the local educational agency liaisons. Title IX, Sec. 722(g)(6)(B)

Requirement: Provide documentation of the LEA disseminating public notice of educational rights of homeless children and youth in places where families and youth are likely to be present and in comprehensible formats. Additionally, provide documentation of the LEA's efforts to inform school personnel **and** service providers of the rights of homeless students, the duties of and contact information for the homeless liaison, and the LEA's procedures for referring homeless students to the liaison.

Documentation may include:

Annual notice posted in school and district buildings, on the LEA's website (include URL), in school calendars/planners, parent and student handbooks, or newsletters. Example:

[Sample Annual Notice](#)

List of locations (including schools, shelters, motels, campgrounds, public libraries, soup kitchens, food pantries, laundromats, medical clinics, faith-based organizations, community service agencies, etc.) where materials are posted and events where materials were made available. Materials can include original posters, flyers, brochures, etc., bearing the homeless liaison's contact and other LEA-specific information. Example:

[Free posters and brochures are available from the National Center for Homeless Education \(NCHE\)](#)

Training materials including PowerPoint presentations, online resources, and handouts. Examples:

[Montello School District School Social Worker McKinney-Vento Training](#)

[New Richmond School District "What Staff Need to Know Regarding Homeless Students"](#)

[Janesville School District Post-Presentation Comprehension Quiz](#)

[NCHE's "Identifying Children and Youth in Homeless Situations - Appendix A: Preparing LEA Role Groups to Identify Children and Youth Experiencing Homelessness"](#)

[Additional Examples available on the DPI EHCY Resources page](#)

Sign-in sheets and/or agendas from relevant staff trainings, inservices, workshops, and meetings.

2. Community Coordination and Collaboration

Local educational agency liaisons for homeless children and youths shall, as a part of their duties, coordinate and collaborate with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths. Title IX, Sec. 722(g)(6)(C)

Requirement: Provide documentation of the LEA's coordination with local service providers to ensure that homeless children and youths are promptly identified, have access to available education and related support services, and raise the awareness of local service providers and community members of the challenges associated with homelessness.

Documentation may include:

Coordination with State and local housing agencies. Example:

[Fond du Lac Area Continuum of Care – School District in Attendance](#)

Letters/e-mails to local service providers and other relevant professionals introducing the homeless liaison and the rights of homeless students. Example:

[Parkview School District Letter to Community Members](#)

Agendas/sign-in sheets from meetings with local service providers.

Invitations to collaborate with local service providers. Example:

[Chippewa Falls Area Unified School District Community Network Breakfast Invitation](#)

3. Identification and Referral

The local educational agency liaison shall ensure that homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies and receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services including transportation services, school nutrition program services, and educational services including Head Start programs, early intervention services, and other preschool programs administered by the local educational agency. Title IX, Secs. 722(g)(6)(A)(i), (iv); 722(g)(6)(A)(iii)

Requirement: Provide documentation of the LEA's procedures for identifying and referring school-age homeless children and youth to the homeless liaison, ensuring that homeless children and youth receive the educational services for which they are eligible, including referrals to appropriate community services.

Documentation may include (do not include personally identifiable information with documentation):

Ongoing identification and recordkeeping procedures or for homeless students, such as: residency questionnaires and intake forms which include questions regarding preschool-age siblings in the household. Examples:

[Madison Metropolitan School District Student/Family Residence Questionnaire](#)

[West Bend School District Families in Transition Process Chart](#)

[West Bend School District Screening Families for Transitional Status \(Homelessness\)](#)

[West Bend School District Families in Transition Program Enrollment Form](#)

[Montello School District Information Gathering Questions for Identification](#)

[Montello School District McKinney-Vento Voluntary Survey](#)

[CESA 11 McKinney-Vento Referral for Services](#)

[Verona Area School District Coordination to Serve Homeless Students in Title I Programs](#)

[School District Homeless Student Identification Form](#)

Communication to school personnel regarding the identification and educational rights of homeless students, such as e-mails, agendas, memos, or other communications. Examples:

[Sheboygan Area School District All Staff E-mails](#)

[Montello School District School Social Worker McKinney-Vento Training](#)

Community services and resource lists. Example:

[Milwaukee Public Schools' Community Resources Directory](#)

4. Policy and Procedure Review/Revision

Local educational agencies shall review and revise any policies that may act as barriers to the identification of homeless children and youths or the enrollment of homeless children and youths. In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Special attention shall be given to ensuring the identification, enrollment, and attendance of homeless children and youths who are not currently attending school. Title IX, Sec.722(g)(7)(A), (B), and (C)

Requirement: Provide documentation of the LEA's review and revision of policies and procedures that could act as barriers to the identification, enrollment, attendance, and academic success of homeless children and youth. Related policies concerning preschool, transportation, immunization, residency, birth certificates, school records, guardianship, privacy, and others should be included in policy and procedural reviews.

Documentation may include:

LEA policies ensuring students in homeless situations have the right to immediate school enrollment and full participation. Examples:

[Appleton Area School District Homeless Education Program Policy and Procedures](#)

[Antigo Unified School District Homeless Children Policy](#)

[Chippewa Falls Area Unified School District Homeless Students Policy](#) and [Administrative Guidelines](#)

[Kenosha Unified School District Education for Homeless Children and Youth Policy](#)

Meeting minutes or documentation of actions to review and/or revise policies and procedures which are barriers for homeless students including existing policies which do not make exceptions for homeless students. Example:

[Antigo Unified School District Policy Committee Meeting Minutes](#)

5. Transportation to and from School of Origin (Including a Preschool)

The local educational agency shall, according to the child's or youth's best interest, continue the child's or youth's education at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison) and ensure that transportation is provided to and from the school of origin (including a preschool) 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.. Title IX, Secs. 722,(g)(3)(A)(i); 722(g)(3)(B); 722(g)(1)(J)(iii); 722(g)(3)(I)(i)

Requirement: Provide documentation of the LEA's efforts to continue homeless children and youth in the school of origin (including a preschool) according to the child's or youth's best interest. Provide documentation of the LEA providing transportation, at the parent/guardian/homeless liaison's request to and from the school of origin.

Documentation may include:

LEA policies ensuring students in homeless situations have the right to continue in the school of origin (including a preschool) and to receive transportation, even if the residence is not within the transportation region of the school of origin (including another school district). Example:

[Appleton Area School District Homeless Education Program Policy and Procedures](#) (see "School Selection")

School selection or intake form including the choice to remain in the school of origin (including a preschool) and the availability of transportation to and from the school of origin. Examples:

[Sample School Selection Form](#)

[CESA 11 School Selection Form](#)

Interdistrict transportation agreement. Example:

[Middleton-Cross Plains Area School District Transitional Education Interdistrict Agreement](#)

Parent/guardian transportation agreements. Examples:

[Madison Metropolitan School District Transition Education Program Transportation Agreement](#)

[Montello School District McKinney-Vento Transportation Agreement](#)

6. Immediate Enrollment

If the parent/guardian or unaccompanied youth does not wish to continue in the school of origin or it is determined that it is not in the child's or youth's best interest, the public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation; or has missed application or enrollment deadlines during any period of homelessness. Title IX, Secs. 722(g)(3)(A)(ii); 722(g)(3)(C)(i)

Requirement: Provide documentation of the LEA immediately enrolling children, youth, or unaccompanied youth in a public school that nonhomeless students who live in the attendance area of the homeless child, youth, or unaccompanied youth's temporary residence are eligible to attend, even if the child, youth, or unaccompanied youth lacks the records ordinarily required for enrollment (**do not include personally identifiable information with documentation**).

Documentation may include:

LEA policies and/or procedures requiring that homeless children, youth, and unaccompanied youth be immediately enrolled even without ordinarily required documentation (e.g., immunization records, school records, proof of residence, etc.) and procedures for securing needed documentation once the student is enrolled. Examples:

[Appleton Area School District Homeless Education Program Policy and Procedures](#) (see "Enrollment")
[Madison Metropolitan School District Student/Family Residence Questionnaire](#)
[NCHE Affidavit Form for Missing Enrollment Documentation](#)
[Dodgeville School District Information Release Form](#)

Agreements with other LEAs to provide timely transfer of relevant academic and health records.

Efficient recordkeeping procedures to ensure timely transfer of relevant academic and health records.

7. Dispute Resolution

The local educational agency must have procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths. If a dispute arises over eligibility, or school selection or enrollment in a school 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 or (in the case of an unaccompanied youth) the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the local educational agency, or the State educational agency involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions. Title IX, Sec. 722(g)(1)(C); 722(g)(3)(E)(ii)

Requirement: Provide documentation of the LEA's procedure for the resolution of disagreements, **including specific, written procedures** including the rights of the parent, guardian, or unaccompanied youth to appeal any decisions made by the school, LEA, or DPI. Dispute resolution procedures must allow for immediate enrollment in the school in which enrollment is sought, including receiving transportation to and from the school of origin (including a preschool). Procedures must include providing a written explanation of any decisions made by the school, LEA, or DPI to the parent, guardian, or youth.

Documentation may include:

Written, LEA-specific Dispute Resolution Procedure or process chart and/or LEA-specific letter or form which provides for immediate enrollment of students in the school in which enrollment is sought during the dispute resolution process and explains the school placement determination and appeals process. Examples:

[Milwaukee Public Schools' Homeless Education Program Student Placement Dispute Form](#)
[Racine Unified School District Families in Transition Dispute Process](#)