

# McKinney-Vento Homeless Assistance Act and Migrant Education



**Kristine Nadolski & Susan Piazza**

State Co-Coordinator, Education for Homeless Children and Youth (EHCY) Program

Wisconsin Department of Public Instruction

# Migrant Students

- Migrant students may come from a highly mobile lifestyle lived in poverty level conditions
- Many migrant workers move frequently to obtain temporary or seasonal employment leading to high residential and school mobility for their children

# Migrant Students

With each school change, migrant students may:

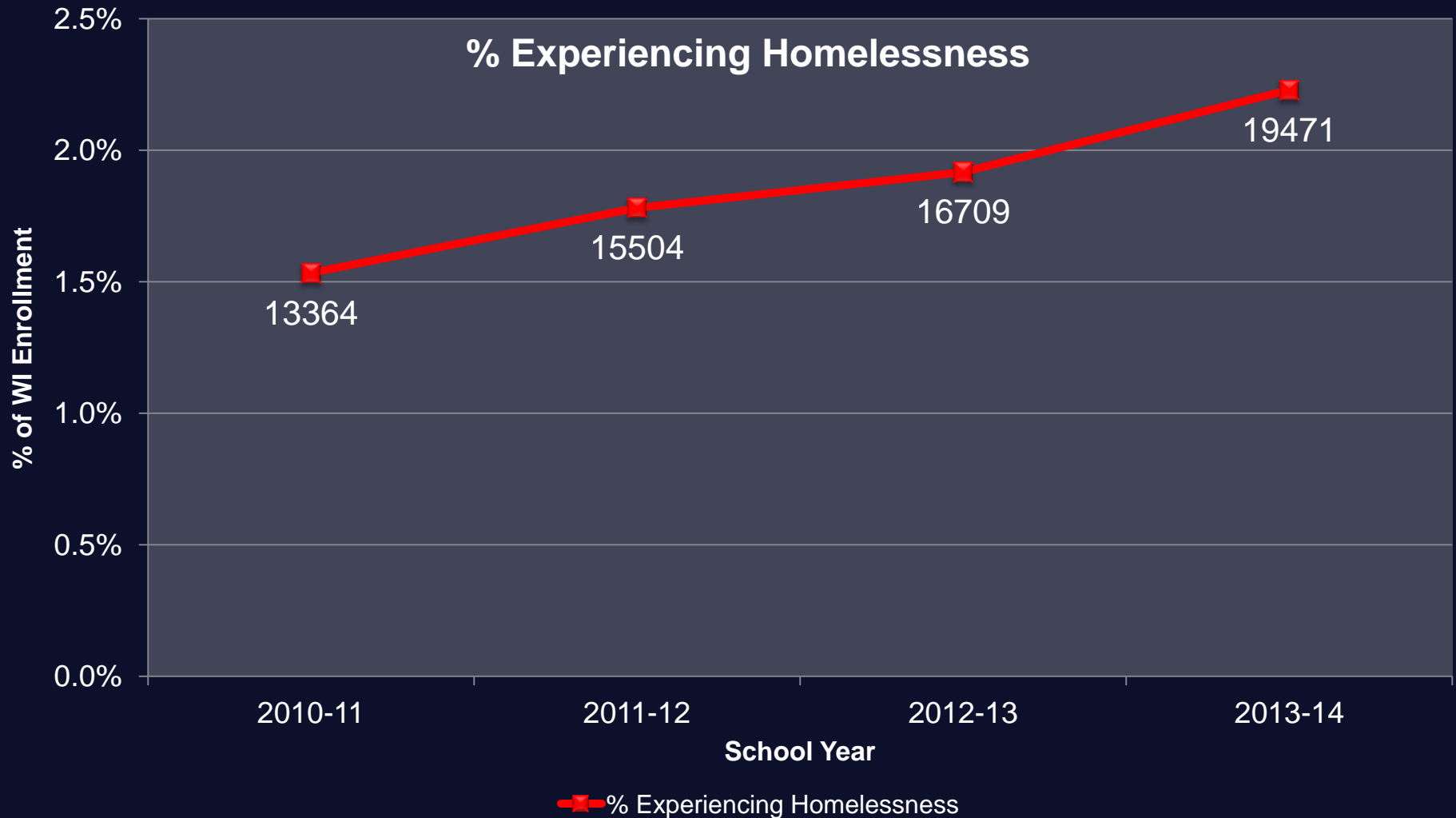
- Face difficulty enrolling in school
- Lack school documentation resulting in inappropriate placement
- Loss of academic credit
- Experience social isolation

# So, Why Are We Here?

- Migrant and homelessness look very similar
- While not all migrant students are homeless, in some instances migrant students may experience homelessness
- Migrant education programs and homeless education programs should have an understanding of each definition to ensure appropriate eligibility

# WI Homelessness Data

WI public schools have shown a steady increase in the enrollment of children and youth experiencing homelessness.



# The McKinney-Vento Act



- Subtitle VII-B of the McKinney-Vento Homeless Assistance Act; reauthorized by Title X, Part C of ESEA
- Main themes of the McKinney-Vento Act
  - School access
  - School stability
  - Support for academic success
  - Child-centered, best interest decision making
  - Role of the local homeless education liaison

# Barriers to Education for Children and Youth in Homeless Situations

- **Enrollment requirements** (residency, school records, immunizations, legal guardianship)
- **High mobility** resulting in lack of school stability and education continuity
- Lack of **access** to programs
- Lack of **transportation**
- Lack of **school supplies**, clothing, etc.
- **Poor health**, fatigue, hunger
- Prejudice and **misunderstanding**

# Homelessness Defined

The term “homeless” children and youth means:

**“Children who lack a fixed, regular, and adequate nighttime residence—”**

So, what exactly is a fixed, regular, and adequate nighttime residence?



# Fixed, Regular, and Adequate

- **Fixed:**
  - Stationary, permanent, not subject to change
- **Regular:**
  - Used on a predictable, routine, consistent basis
  - Consider the relative permanence
- **Adequate:**
  - Lawfully and reasonably sufficient
  - Sufficient for meeting the physical and psychological needs typically met in a home environment

**Can the student go to the SAME PLACE (fixed) EVERY NIGHT (regular) to sleep in a SAFE AND SUFFICIENT SPACE (adequate)?**

# Eligibility as defined by the McKinney-Vento Assistance Act

Common homeless living situations defined as homeless include:

- Sharing the housing of others due to loss of housing, economic hardship, or similar reason (sometimes referred to as doubled-up)
- Living in motels, hotels, trailer parks, camping grounds due to lack of adequate alternative accommodations
- Living in emergency or transitional shelters
- *Awaiting* foster care placement
- Living in a public or private place not designed for or ordinarily used as a regular sleeping accommodation for humans (car or park)

# Migrant Students

- Migrant students are not categorically eligible for McKinney-Vento services.

However...

- Migrant children who are living in a primary nighttime residence that is not fixed, regular, and adequate are eligible for McKinney-Vento services

# Unaccompanied Homeless Youth— Key Provisions

- Definition: Youth who meet the definition of homeless AND are *not in the physical custody of a parent or guardian* (e.g. youth living with relatives on an emergency basis, youth living with a friend, runaway, or throwaway youth)
- Regardless of housing status (homeless vs. permanently housed), liaisons must help unaccompanied youth choose and enroll in a school.
- This may be relevant for migrant youth who come alone or without a parent/guardian to find work

# Homeless Liaison Responsibilities

- Every LEA must designate a liaison for students experiencing homelessness
- Responsibilities
  - Ensure that children and youth in homeless situations are identified
  - Ensure that students experiencing homelessness are **IMMEDIATELY** enrolled in and have full and equal opportunity to succeed in school
  - Link students experiencing homelessness with educational services; including preschool and health services

# Homeless Liaison Responsibilities

- Inform parents, guardians, or unaccompanied youth of educational and parent involvement opportunities
- Post public notice of McKinney-Vento educational rights
- Ensure that disputes are resolved promptly
- Inform parents, guardians, or unaccompanied youth of transportation services, including to the school of origin



# Eligibility

When determining McKinney-Vento eligibility for a migrant student, the homeless liaison and migrant recruiter should work through the case-by-case consideration together.

The homeless liaison should make the final determination.

# Access to Services

- Students who experience homelessness must have access to educational services for which they are eligible, including special education (to include timely assessment and evaluation), programs for English language learners, gifted and talented programs, vocational technology programs, and school nutrition programs
- Undocumented children and youth have the same right to attend public school as U.S. citizens and are covered by the McKinney-Vento Act to the same extent as other children and youth



# Other Services and Supports

McKinney-Vento eligible students, including migrant students experiencing homelessness, are eligible for additional services and supports, including:

- Free school meals
- Transportation to/from the school of origin
- School supplies
- Fee waivers
- Tutoring programs
- Before/After school programs
- Referral to community and social services
- Title I, Part A services and supports

# Identification Strategies

- Provide awareness activities for school staff (migrant recruiters, registrars, secretaries, counselors, social workers, nurses, teachers, bus drivers, administrators, etc.)
- Coordinate with community service agencies, such as shelters, meal programs, drop-in centers, public assistance and housing agencies, and public health departments
- Provide outreach materials and posters where there is a frequent influx of low-income families and youth in high-risk situations, including motels and campgrounds
- Provide outreach materials to migrant camps and employers of migrant families

# Immediate Enrollment

Students experiencing homelessness are entitled to **immediate enrollment** (defined as attending and fully participating in school) even if they do not have:

- School records,
- Medical records **including immunization records**,
- Proof of residency,
- Guardianship papers,
- Birth certificate, or other documents normally needed.
- After enrollment, the homeless liaison will assist the parent, guardian or unaccompanied youth in obtaining necessary documents.

# School Stability

- **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

# Why is it so important for a child to stay in the school of origin?



- It is a “rule of thumb” that it takes a child four to six months to recover academically after changing schools.
- High mobility impedes students’ academic and social growth
- Highly mobile students frequently fare poorly on standardized tests
- Therefore, the default position is that remaining in the school of origin is in students’ best interests

# Transportation

- Districts must transport homeless students to and from the school of origin, at a parent's or guardian's request (or at the liaison's request for unaccompanied youth)
- If the student's temporary residence and the school of origin are in the same district, that district must arrange transportation
- If the student is living outside the district of origin, the district where the student is living and the district of origin must determine how to divide the responsibility and cost, or they must share the responsibility and cost equally



# Transportation Feasibility Factors

## To be considered

- Age
- Safety
- Length of stay at the shelter
- Need for special instructional programs
- Impact of commute on education

## Not to be considered

- Time
- Distance
- Cost

# Title I Eligibility

- Children and youth experiencing homelessness are:
  - Automatically eligible for Title I services, including services provided through school wide or targeted assistance programs
  - Eligible to receive Title I services for the remainder of any school year in which they become permanently housed
  - Eligible to receive Title I services, even if not attending a Title I school, through the Title I set-aside



# Permissible Use of Title I, Part A Funding:

- Used only when not available from other sources – supplement not supplant...
- Partial list:
  - Transportation to and from the school of origin
  - Clothing/shoes (school uniform/dress code/gym uniform)
  - Cap and Gown
  - Fees to participate in the general education program
  - School supplies
  - Birth certificates necessary to enroll in school
  - Medical/dental services (glasses, hearing aids, immunizations)
  - Counseling for issues affecting learning
  - Outreach services to students living in shelters, motels, and other temporary residences
  - Extended learning time or tutoring support
  - Activities/services supporting parent involvement

# Prohibited Use of Title I, Part A Funding:

Includes but not limited to...

- “Extras” such as yearbook, letter jacket, class ring
- Rent
- Utilities
- Clothing for parents

# Subgrants - Wisconsin

- Services provided with McKinney-Vento grant funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the school's regular academic program.


- Appleton Area School District
- Ashwaubenon School District
- Beloit School District
- CESA 3
- Fond Du Lac School District
- Janesville School District
- Jefferson School District
- Kenosha Unified School District
- La Crosse School District
- Madison Metropolitan School District
- Marinette School District
- Milwaukee Public Schools
- Racine Unified School District
- Sheboygan Area School District
- West Allis-West Milwaukee School District

# Scenario

A family migrates to School District A hoping to find work and stays in a camp shelter before the seasonal work begins. Their 3 children enroll and begin attending school in District A. Two weeks later, the camp no longer has room for the family since other migrant families are arriving to begin work. The family moves into a rental house with relatives in District B.

- Is the family homeless?
- Where do the children have rights to attend school?
- What services do the children have rights to?

# Thank You



ANY  
QUESTIONS  
?

# Helpful Resources

- National Center for Homeless Education (NCHE)  
800-308-2145 <http://serve.org/nche>
- National Law Center on Homelessness and Poverty (NLCHP)  
202-638-2535 <http://www.nlchp.org>
- National Association for the Education of Homeless Children and Youth (NAEHCY)  
202-364-7392 <http://www.naehcy.org>

# Contact Information

**Kristine Nadolski, Wisconsin DPI EHCY Coordinator**

**[kristine.nadolski@dpi.wi.gov](mailto:kristine.nadolski@dpi.wi.gov)**

**(608) 267-7338**

**Susan Piazza, Wisconsin DPI EHCY Coordinator**

**[susan.piazza@dpi.wi.gov](mailto:susan.piazza@dpi.wi.gov)**

**(608) 267-1284**

**WI DPI EHCY Program website**

**[www.dpi.wi.gov/homeless/](http://www.dpi.wi.gov/homeless/)**