

# **WASBO Federal Funding Conference**

## **McKinney-Vento and IDEA**

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# National Homelessness Data

Number of children and youth experiencing homelessness enrolled in

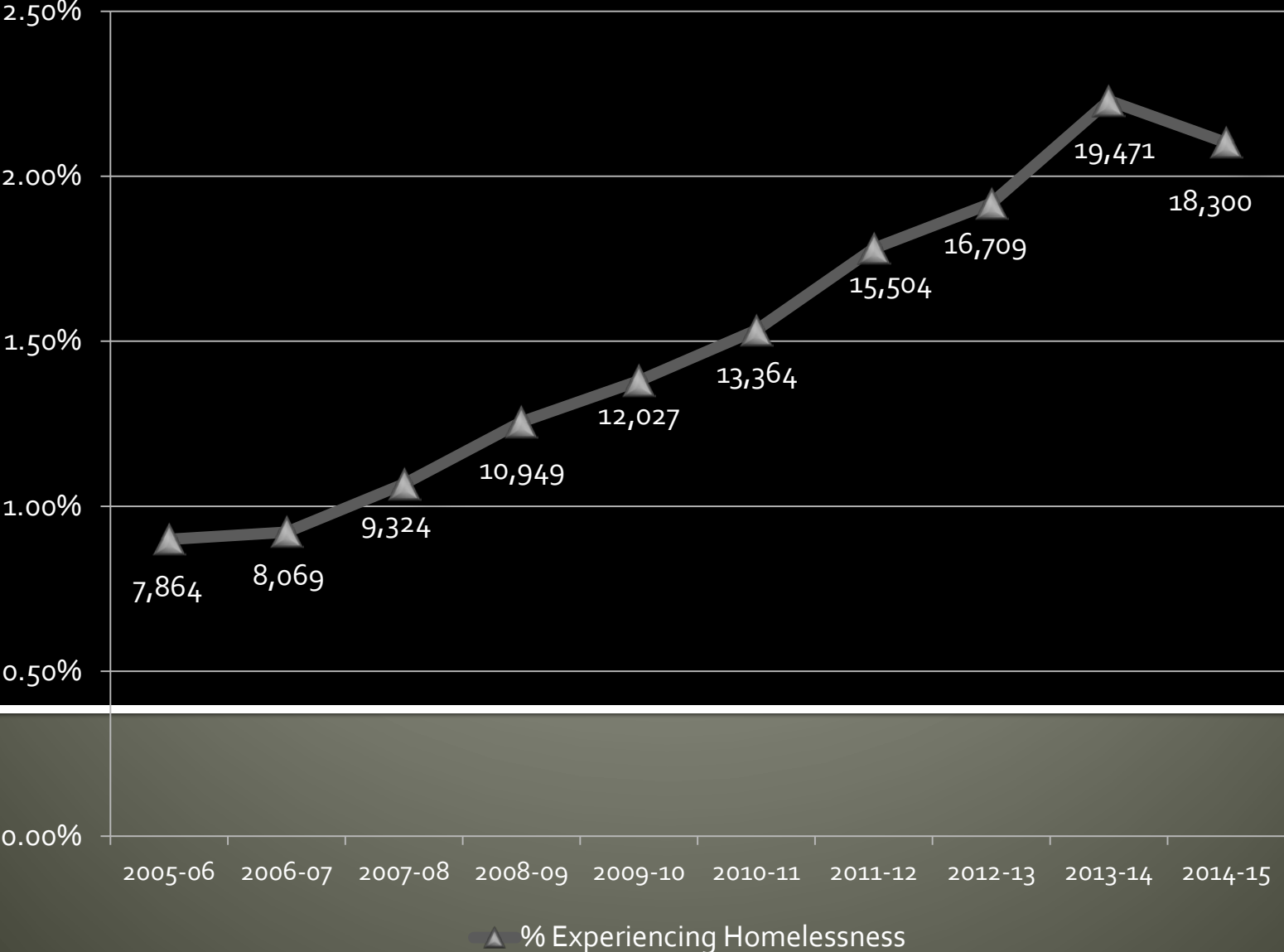
U.S. public schools:

- 2012-2013: 1,258,182
- 2011-2012: 1,168,354
- 2010-2011: 1,065,794

Children are the fastest-growing segment of the homeless population

- more than 40% of homeless children living in shelters are under the age of six
- one in five individuals living in homeless shelters are age five or younger

# Wisconsin Homelessness Data



# The McKinney-Vento Homeless Assistance Act

## 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, or 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, or hunger
- prejudice and misunderstanding

# Homelessness Defined

The term “homeless” children and youth means:

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

What exactly is a fixed, regular, and adequate nighttime residence?

# Eligibility as defined by the McKinney-Vento Homeless Assistance Act

- sharing housing due to loss of housing, economic hardship, or similar reason (often referred to as “doubled-up”)
- living in motels, hotels, trailer parks, or camping grounds due to lack of adequate alternative accommodations
- living in emergency or transitional shelters
- awaiting foster care placement

*ESSA: **One year after enactment**, the phrase “awaiting foster care placement, will be deleted from the definition of homelessness in the McKinney-Vento Act.*

# Eligibility as defined by the McKinney-Vento Homeless Assistance Act

- living in a public or private place not designed for, or ordinarily used, as a regular sleeping accommodation for humans (cars, parks, abandoned buildings, substandard housing, bus or train stations, etc.)
- children of migrant who qualify as homeless because they are living in circumstances described above
- unaccompanied youth living in the above circumstances



# Eligibility as defined by the McKinney-Vento Homeless Assistance Act

McKinney-Vento provisions apply to any student who has not yet graduated and who is enrolled in a public school program grades 4K to 12, including undocumented children and youth.

This includes students with:

- disabilities,
- ages 3 to 21 who are enrolled in a public school, and
- students without disabilities who have not graduated are entitled to remain enrolled through age 20.

# Enrollment and Access to Services

Schools shall immediately enroll the child or youth even if:

- they are unable to produce records normally required for enrollment

*ESSA: they have missed application or enrollment deadlines during any period of homelessness*

Students must have access to educational services for which they are eligible, including special education, Title I, programs for English language learners, gifted and talented programs, vocational and technical education, and school nutrition.

# Other Services and Supports

In addition to access to educational programs, homeless students are eligible for additional services and supports, including:

- school supplies,
- fee waivers,
- tutoring programs,
- before/after school programs,
- referral to community and social services,
- transportation to/from the school of origin, and
- Title I, Part A services and supports.



# School Stability

Students experiencing homelessness may attend:

- the local attendance area school (same as any resident student),
- 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.

*ESSA: School of origin includes preschool*

# School Stability

School selection is determined according to “best interest”

- generally, the student remains in the school of origin unless the parent or unaccompanied youth wishes otherwise

Students may continue attending the school of origin until the end of any school year in which they move into permanent housing.

# School Stability

A student transitioning from one building to another (due to grade level transition) does not have a legal right to attend the feeder school.

*ESSA: 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.*

# Free Appropriate Public Education (FAPE) Responsibility

In general, the LEA where the student is currently living is responsible for implementing the IEP and insuring FAPE. However, when the student remains in the school of origin in a non-resident LEA, the two LEAs may agree the LEA that was previously responsible for FAPE may remain the responsible LEA.

# Dispute Resolution School Selection

Every state must establish dispute resolution procedures under McKinney-Vento. When a dispute over enrollment arises:

- the parent or guardian must be provided with a written explanation of the school's decision, including the right to appeal, and
- the student (including unaccompanied youth) must be allowed to attend the school selected, either school of origin or attendance area, and receive all services including transportation and, as appropriate, special education until the dispute is resolved.



# Transportation of Students Experiencing Homelessness

Districts must transport 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).

When the student is attending the school of origin outside the current district of residence, the district where the student is living and the district of origin determine how to divide the responsibility and cost, or must share the responsibility and cost equally.

# Transportation of Students Once Permanently Housed

*ESSA: MUST transport to school of origin for the remainder of the school year once permanently housed.*

# Transportation Feasibility Factors

## TO BE CONSIDERED

- age,
- safety,
- length of stay at the shelter,
- need for special instructional programs, and
- distance (impact on education).

## NOT TO BE CONSIDERED

- time,
- distance (impact on district), and
- cost.

# Transportation Strategies

- provide passes for public transportation
- use approved taxi or van services
- reimburse parents or unaccompanied youth for gas  
(Sample: [http://homeless.dpi.wi.gov/hmls\\_forms](http://homeless.dpi.wi.gov/hmls_forms))
- re-route school buses
- several districts in Wisconsin have created Inter-District Transportation Agreements (Sample: [http://homeless.dpi.wi.gov/hmls\\_forms](http://homeless.dpi.wi.gov/hmls_forms))
- work with homeless liaison

# Title I Eligibility

Children and youth experiencing homelessness are:

- automatically eligible for Title I services, including services provided through schoolwide 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

# Title I, Part A Set-aside

Districts are encouraged to set aside Title I, Part A funds (or use local or state funds) as necessary to:

- serve students experiencing homelessness to include those not attending Title I schools or in grades not included in the district's Title I programming
- provide services comparable to those provided to children attending Title I schools, including providing educational support services to children in shelters and other locations where homeless children may live

# Title I, Part A Set-aside

When taking into consideration *barriers* that students experiencing homelessness often encounter, districts may provide students experiencing homelessness with services that are not ordinarily provided to other Title I permanently housed students, and are not available from other sources.

# Determining the Title I Set-Aside

There is no federally mandated formula. This amount can be determined by:

- Method #1: Needs Assessment - Identify homeless students' needs, and fund accordingly. The best way to determine the set-aside is to figure out how much it costs to pay for the services that homeless children in your district need and reserve that amount of Title I, Part A funds.
- Method #2: Per Pupil Amount - Obtain a count of homeless students, and multiply by Title I, Part A per-pupil allocation



# Consolidated and Further Continuing Appropriations Act of 2015

- Continuation of the Consolidated Appropriations Act signed into law on January 17, 2014.
- Continues policy changes regarding serving children and youth experiencing homelessness through Title I:
  - funds may be used to support the local liaison position,
  - funds may be used to provide transportation to school of origin.
- Governs the spending of FY2015 Title I dollars, and FY2013 and FY2014 Title I carryover funds.

# Guidance- Use of Title I Funds

Title I funds may be used to:

- offset the excess cost of transporting children and youth experiencing homelessness to/from the school of origin, effective July 1, 2014, and
- fund all or part of the homeless liaison's salary, even if that person has no Title I duties.

There is no official guidance regarding excess cost of transportation. LEAs may consider that transportation offices can calculate a per pupil amount for transportation when rerouting a school bus provided by state and local funds, including special transportation. However, using taxicabs, private shuttle busses, gas cards, or reimbursing for mileage may all be considered "excess cost."

# Title I, Part A Set-aside

Permissible (supplement /not supplant):

- clothing/shoes (school uniform/dress code/gym uniform)
- cap and gown
- fees to participate in the general education program
- school supplies
- birth certificates
- medical/dental services (glasses, hearing aids, immunizations)

# Title I, Part A Set-aside

Permissible (supplement /not supplant):

- 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
- transportation to supplementary educational opportunities, such as after school tutoring programs

# Title I, Part A Set-aside

Prohibited (includes/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

# Homeless Liaison Responsibilities

Every LEA must designate a liaison for students experiencing homelessness to:

- ensure children and youth in homeless situations are identified
- ensure 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
- inform parents, guardians, or unaccompanied youth of transportation services, including to the school of origin
- post public notice of McKinney-Vento educational rights
- ensure that disputes are resolved promptly



# What Can You Do?

- collaboration (district administrators, homeless liaison, social workers, transportation and nutrition program specialists, county workers, etc.)
- review school practices to ensure they do not create barriers for homeless students
- review district policies to ensure they do not create barriers for homeless students
- ensure immediate enrollment and access to transportation

# Contact Information

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# Additional Resources

National Center for Homeless Education (NCHE)-

<http://serve.org/nche>

National Association for the Education of Homeless Children and Youth (NAEHCY)-

<http://www.naehcy.org>

National Law Center on Homelessness and Poverty (NLCHP)-

<http://www.nlchp.org>