



McKinney-Vento in the ESSA Era: Education of Children and Youth in Homeless Situations

Area 3, ROE 26

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The McKinney-Vento Act



- Subtitle VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 et seq.)
- Originally passed in 1987.
- Reauthorized in 2015 by the Every Student Succeeds Act (ESSA).

Illinois State ESSA Plan



Signed by President Obama on December 10, 2015

- <https://www.isbe.net/Documents/ESSAStatePlanforIllinois.pdf>

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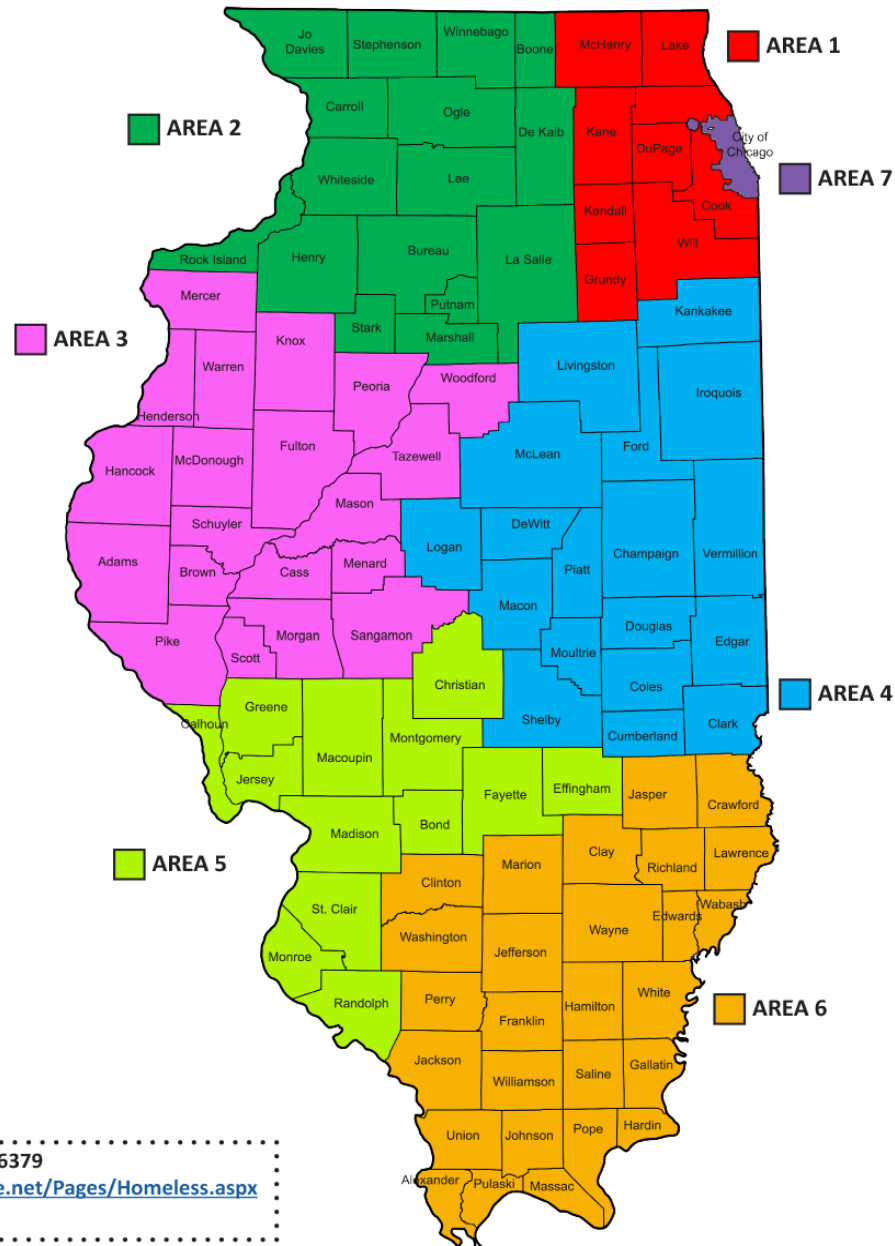


**Illinois
State Board of
Education**

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ISBE Homeless Website: <https://www.isbe.net/Pages/Homeless.aspx>

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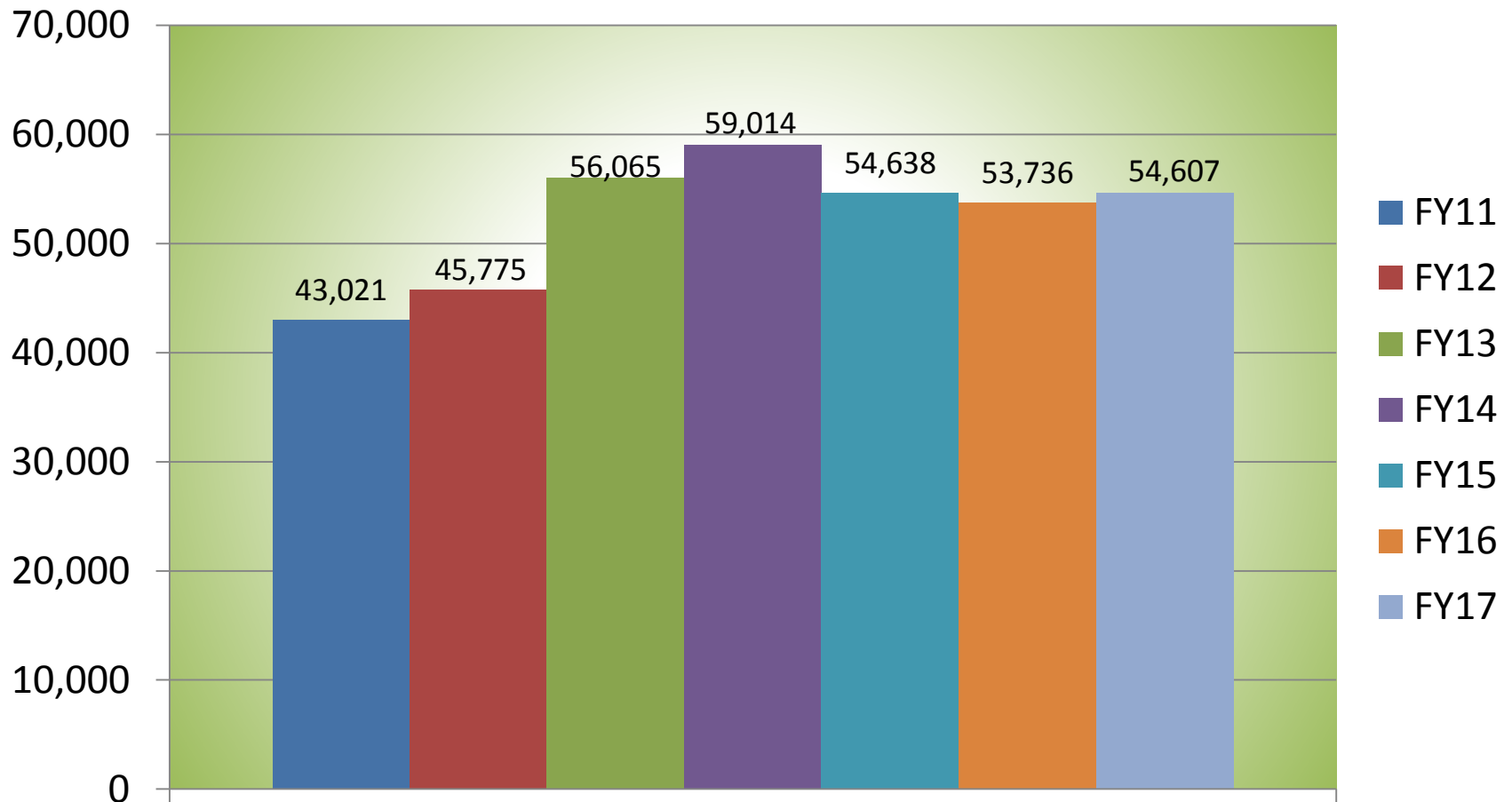
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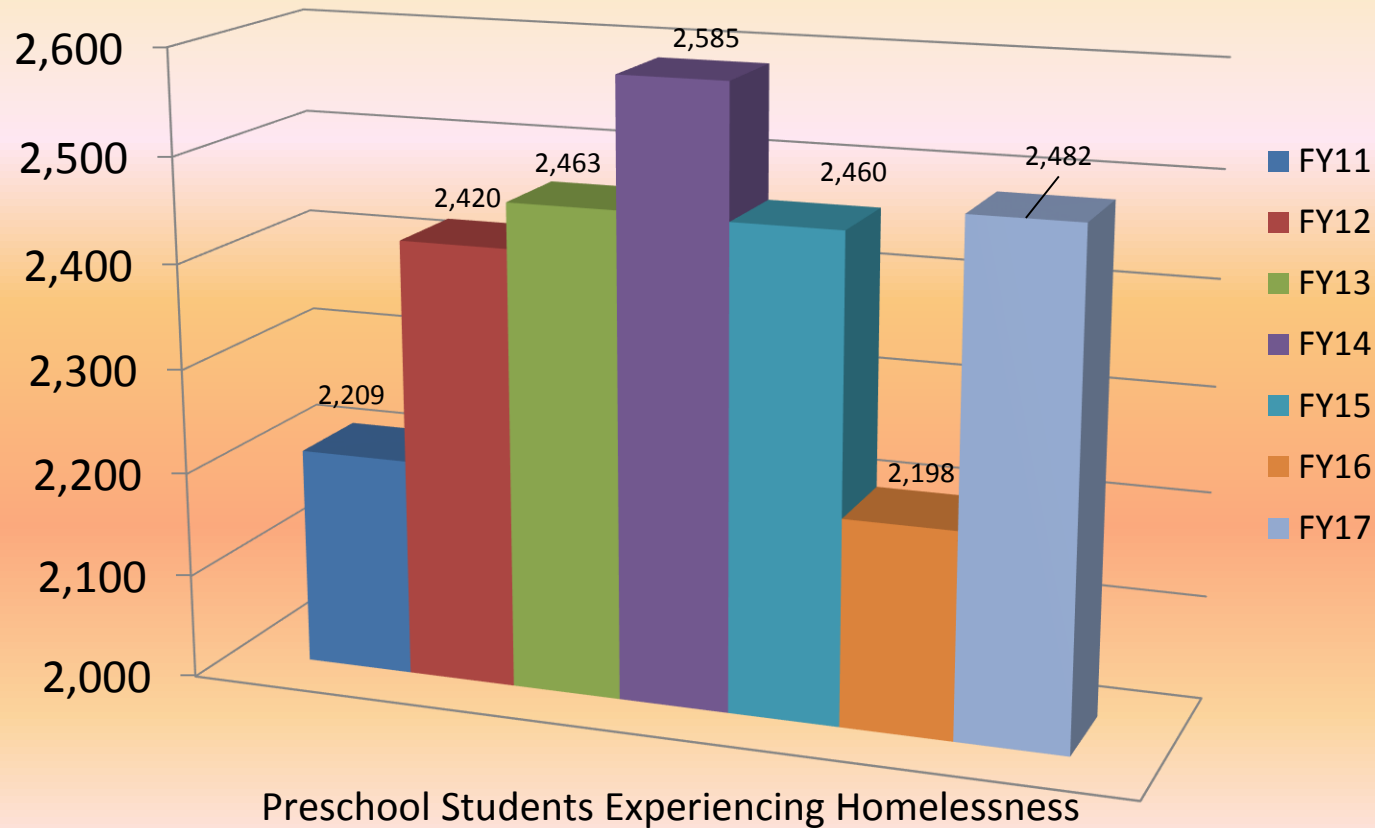
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Illinois PK-12 Homeless Counts



Illinois Preschool Homeless Students Served



Homeless preschool students reported in
Student Information System (SIS)

McKinney-Vento Homeless Assistance Act

- Main themes of McKinney-Vento:
- Identification.
 - School stability.
 - School enrollment.
 - Support for academic success.
 - Child-centered, **best interest** decision making.

Identification

- Lacking a **fixed, regular, and adequate** nighttime residence--
- Doubled-up (sharing the housing of others due to loss of housing , economic hardship, or similar reason.
 - Living in motels, hotels, trailer parks, camping grounds due to lack of adequate alternative accommodations.
 - Living in emergency or transitional shelters.
 - Living in a public or private place not designed for human living.
 - Living in cars, parks, abandoned buildings, substandard housing, bus/train stations, or similar settings

MVHAA – Sec 725(2)

Determining Eligibility

- Case-by-case determination.
- Get as much information as possible (with sensitivity and discretion).
- Look at the MV definition (specific examples in the definition first, then overall definition).
- Considerations for families/youth who are staying with other people:
 - Where would you go if you couldn't stay here?
 - What led you to move in to this situation?
- *NCHE's Determining Eligibility brief is available at http://nche.ed.gov/downloads/briefs/det_elig.pdf*

School Stability

Each LEA shall, according to each child's or youth's best interest:

- Continue the student's education in the school of origin for the duration of homelessness, and until the end of the academic year in which the student becomes permanently housed; OR
- Enroll in any public school that housed students living where the student is living are eligible to attend.
- In Illinois, the parent/guardian makes the best interest determination.

School Stability (cont.)

- School of origin is the school attended when permanently housed or school in which last enrolled, **including preschool and including the designated receiving school at the next grade level for feeder schools.**

11432(g)(3)(I); Guidance N4; Fed. Data Guide

- **Publicly-funded program for children 0-5 for which the LEA is a financial or administrative agent, or is accountable for providing early childhood education. (PFA and PI)**
- **Preschools operated, administered or funded by an LEA, including those funded by Title I or similar government grants. (including PDG)**
- **Head Start program receiving LEA funding or for which the LEA is the grant recipient.**
- **Preschool special education.**
- **LEA funded or administered home-based early childhood services. (example: Prevention Initiative)**

School Stability (cont.)

- School of origin includes the designated receiving school at the next grade level for feeder school patterns, when the student completes the final grade level served by the school of origin.
 - Student enrolled in School A in grade 5, the final grade level served by School A. Students at School A are designated to attend School B for grade 6. The school of origin for the student at the conclusion of grade 5 would be School B.

(Guidance I3)

Transportation

- LEAs must provide transportation to and from the school/preschool of origin, **including until the end of the year when the student obtains permanent housing**, at a parent or guardian's request (or at the liaison's request for unaccompanied youth). 11432(g)(1)(J)(iii); Guidance J5
 - If staying in the same LEA, that LEA must provide or arrange transportation to the school of origin.
 - If crossing LEA lines, both LEAs must determine how to divide the responsibility and share the cost, or they must share the cost equally. <https://www.isbe.net/Documents/50-27-homeless-transportation.pdf>

11432(g)(1)(J)(iii); Guidance J5

Transportation

- LEAs also must provide students in homeless situations with transportation services comparable to those provided to other students. 11432(g)(4)(A)
- SEAs and LEAs must review and revise transportation policies that may act as barriers to identification, enrollment, attendance or success. 11432(g)(1)(I); Guidance J1
- Transportation must be arranged promptly to ensure immediate enrollment and not create barriers to attendance, retention or success. Guidance J1

School Enrollment

When remaining in the school of origin is not in the student's best interest or what the parent, guardian or youth requests:

11432(g)(3)(C)(i)

- McKinney-Vento students are entitled to immediate enrollment in any public school that students living in the same attendance area are eligible to attend; even if:
 - Students do not have required documents, such as **school records, records of immunization and other required health records, proof of residency, guardianship, or other documents; or**
 - **Students have missed application or enrollment deadlines during any period of homelessness.**

School Enrollment (cont.)

- “Enrollment” includes attending classes and participating fully in school activities. 11434a(1)
- SEAs and LEAs must develop, review, and revise policies to remove barriers to the identification, enrollment and retention of children and youth in homeless situations, **including barriers due to outstanding fees or fines, or absences.**
11432(g)(1)(I)
 - **“Broad, on-going requirement... with regular input from homeless parents, youth, and advocates so that new barriers... do not prevent” students from full, immediate enrollment and services.** (Guidance A4)

Unaccompanied Homeless Youth

- Definition: child or youth who meets the McKinney-Vento definition and is not in the physical custody of a parent or guardian. 11434a(6)
- Many youth become separated from parents due to lack of space in living situations or shelter policies.
 - Many flee abuse: 20-50% sexual; 40-60% physical.
 - Many flee family dysfunction: Over 2/3 Hotline callers report at least one parent abuses drugs or alcohol.
 - Roughly 1/3 homeless youth identify as LGBTQ.
 - 10% of currently homeless female teens are pregnant.
 - Many are not enrolled in school.

NAEHCY, 2016

Enrollment of Unaccompanied Youth

Unaccompanied Youth: A youth who is not in the physical custody of a parent or guardian. ***11432(g)(1)(H)(iv)***

- Immediate enrollment applies, even without parent or guardian.
 - Youth self-enrollment; Caregiver forms https://www.isbe.net/Documents/83-04J_caregivers.pdf
 - Liaisons must help unaccompanied youth choose and enroll in a school, give priority to the youth's wishes, and inform the youth of his/her appeal rights.
11432(G)(3)(B)(iv)
- School personnel (administrators, teachers, attendance officers, enrollment personnel) must be made aware of the specific needs of runaway and homeless youth.
11432(g)(1)(D)
<https://www.isbe.net/Documents/83-04T-MKV-cert-minor-health-form.pdf>

Early Childhood Landscape: Early Development, Care and Education

- Child Care
- Head Start and Early Head Start
- Individuals with Disabilities Education Act
 - Part B-Infants and Toddlers
 - Part C-3-5 Year olds
- State Pre-Kindergarten Programs (PFA, PDG)
- Federal Programs: Title I, Migrant and Indian Education
- McKinney-Vento and Preschool
- HUD-Hearth Act
- Maternal Infant and Early Child Home Visiting(MIECHV-Affordable Care Act)



Young Children and Homelessness

- 51% of all children in HUD homeless shelters are under the age of 6.
- The age at which a person is most likely to stay in a homeless shelter in the United States is infancy (under age 1).
- Nearly 50,000 homeless children ages 3-5 were enrolled in public preschool programs in 2013-2014; only 3.6% of all students identified as homeless by public schools.

NAEH CY, 2016



Homelessness Harms Young Children

Poorer social-emotional, cognitive, and physical development than other low-income children.

Linked to later child welfare involvement and early school failure.

More likely to be diagnosed with developmental delays.

Associated with poor classroom engagement and poor social skills in early elementary school.



Enrollment in Preschool

- McKinney-Vento state plans must ensure that children experiencing homelessness have access to preschool programs
- State McKinney-Vento plans must describe procedures that ensure that homeless children have access to public preschool programs administered by the SEA or LEAs.

11432(g)(1)(F)(i)

- Liaisons must ensure access to Head Start, early intervention (IDEA Part C), and other preschool programs administered by the LEA.

p11432(g)(6)(A)(iii)

- **Preschools are included in the school of origin definition.**

11432(g)(3)(I)



McKinney-Vento and Preschool

- Immediate enrollment in SEA or LEA programs, even if lacking documentation

Birth certificates, medical/immunization records, proof of residency, or other required documentation

- Comparable transportation
- Use of sub-grant funds to provide early childhood programs that serve preschoolers experiencing homelessness
- General mandate to provide access and remove barriers to enrollment and retention

Barriers most common: identification, immediate enrollment, transportation

Support for Academic Success: Full Participation

- States must have procedures to eliminate barriers to academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs.
11432(g)(1)(F)(iii)
- LEAs should anticipate and accommodate the needs of McKinney-Vento students to enter these programs and consider giving them priority on waitlists. (Guidance 16)
- SEAs and LEAs should develop policies to expedite full participation in extracurricular activities and work with athletic associations to adjust policies to facilitate participation.
(Guidance p. 25)

Support for Academic Success: Credit Accrual and School Climate

- LEAs must have procedures to ensure McKinney-Vento students receive appropriate full or partial credit, such as: consulting with prior school about partial coursework completed; evaluating students' mastery of partly completed courses; offering credit recovery. 11432(g)(1)(F)(ii); 11432(g)(6)(A)(x); Guidance O2
- SEAs and LEAs should ensure school personnel consider issues related to homelessness prior to taking disciplinary action.
(Guidance p. 33)
- SEAs and LEAs should provide training on the traumatic impacts of homelessness and how to provide trauma-informed support.
(Guidance p. 34)

Charter Schools

A charter school is a public school that operates under a contract, or charter, entered into between the school's organizer and a charter school authorizer. Like other public schools, charter schools are open to all students in the district and are tuition-free.

Charter schools are subject to the same State goals, standards, and assessments that other public schools are subject to, but they are given greater freedoms as well. Charter schools are released from certain requirements in order to give them the independence to take responsible risks and create new, innovative ways of educating children within the public school system. In exchange for this freedom, charter schools are expected to have high rigorous standards for student performance.

Charter School in Area 3:

Quest Charter Academy	Peoria
Springfield Ball Charter School	Springfield

- <http://nche.ed.gov/downloads/briefs/charter.pdf>

Charter Schools

Page 134, ESSA State Plan:

Procedures in Illinois law eliminate barriers to academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs (11432(g)(1)(F)(iii)). Such legal provisions will be enforced via each LAL, who will monitor compliance and provide technical assistance to the districts in his/her charge. Further, information regarding the rights of homeless pupils with respect to equal access to such programs will be disseminated by the SEA and LALs via webinars, materials, guidance and formal updates/communications.

Magnet schools, summer school programs, career and technical education, advanced placement, online learning, and charter school programs may be highly motivating or a necessary option for homeless children and youth to reach their highest education potential. The LAL will work with homeless children and youth and their families to assist in gaining access to these programs. In addition, the LAL will work with staff within the programs through trainings on the McKinney-Vento program and also through ongoing technical support to the programs.

Title IA Reservation

➤ Funds may be used: 20 USC 6313(c)(3)

- For homeless children and youth attending any school in the LEA. (Guidance M5)
- For services not ordinarily provided to other students. (Guidance M4, M5)
- To fund the McKinney-Vento liaison. (Guidance M10)
- To provide transportation to the school of origin. (Guidance J7)
- For educationally related support services, including preschool.

Dispute Resolution

If a dispute arises over eligibility, school selection, transportation or enrollment in a school (including full participation):

- The student shall be immediately enrolled and/or provided transportation;
- Illinois:
 - The Regional Superintendent shall appoint a fair and impartial Ombudsperson to convene a meeting of the parties.
 - The Ombudsperson's decision may be appealed to the State Coordinator for review. The State Superintendent shall make the final determination.

General Resources

National Association for the Education of Homeless Children and Youth

<http://naehcy.org>

Facebook and Twitter

National Center on Homeless Education

<http://nche.ed.gov/>

National Network for Youth

<http://www.nn4youth.org>

SchoolHouse Connection

<https://www.schoolhouseconnection.org/>

General Resources

McKinney-Vento full text and Policy Guidance:

<https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716updated0317.pdf>

National Law Center on Homelessness and Poverty (NLCHP)

www.nlchp.org

Most Frequently Asked Questions

http://naehcy.org/sites/default/files/dl/legis/2016-09-26_FAQ_FINAL.pdf

Illinois State Board of Education Homeless Education

<https://www.isbe.net/Pages/Homeless.aspx>



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