

Lawrence County Career and Technical Center

MCKINNEY-VENTO ACT

HOMELESS CHILDREN AND YOUTHS ASSISTANCE

POLICIES AND PROCEDURES



Overview

Subtitle VII-B of The McKinney-Vento Homeless Assistance Act authorizes the federal Education for Homeless Children and Youth (EHCY) Program and is the primary piece of federal legislation related to the education of children and youth experiencing homelessness. It was reauthorized in December 2015 by Title IX, Part A, of the Every Student Succeeds Act (ESSA).

Policies and procedures surrounding this law are continually evolving. New regulations and guidelines may supersede what is outlined within this manual. Enclosed content is taken largely from the PDE Guide to Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program and the PDE Pennsylvania Statewide Directory for School District Liaisons.

Helpful Links

Lawrence County CTC

www.lcctceagles.com

Lawrence County Community Action Partnership (LCCAP)

<https://lccap.org/>

Pennsylvania's Education for Children and Youth Experiencing Homelessness Program

<https://directory.center-school.org/homeless>

McKinney-Vento Act

<https://www.education.pa.gov/K12/Homeless%20Education/mckinneyvento/Pages/default.aspx>

National Center for Homeless Education

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

Pennsylvania Department of Education – Homeless Education

<https://www.education.pa.gov/K12/Homeless%20Education/Pages/default.aspx>

American Rescue Plan – Homeless Children and Youths

<https://www.education.pa.gov/K12/Homeless%20Education/ARP/Pages/default.aspx>

Contact Information for Questions/Concerns

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Role of the Homeless Liaison

The Homeless Liaison is charged with the following:

Knowing the guidelines associated with the federal law and services for homeless children

Identifying homeless children and youth with assistance by school personnel and through coordination with other entities and agencies

Informing parents/guardians of educational rights and related opportunities available to students

Disseminate public notice of the educational rights of homeless students where children and youth receive services under the Act (such as schools, family shelters and food pantries)

Mediate enrollment disputes in accordance with the Enrollment Dispute guidelines

Inform the parent/guardian & homeschool of a homeless child or youth, and any unaccompanied youth, of all transportation options, including to the school of origin, and assist in accessing these transportation services

Facilitating the immediate enrollment of unaccompanied youth as their homeschool is only used as a funding source and there is no delay or interruption in enrollment at the CTC

Understanding the PDE guidance issued for the education of homeless students and be ready to explain the Basic Education Circular related to homeless education to school district staff

Knowing the best resources in your community to assist families with referrals for things such as shelter, counseling, food and transportation

Distributing information on the subject of homeless students and arrange staff development workshops and presentations for school personnel, including office staff

Providing standard forms and information about enrollment procedures and key school programs to each shelter in your district

Being familiar with the various program materials that are available from the Pennsylvania Department of Education

Defining “Homeless” under the McKinney-Vento Homeless Act

“Homeless children and youth” are defined in one or more of the following ways:

Children and youth who lack a fixed, regular and adequate nighttime residence, and includes children and youth 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 lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals or are awaiting foster care placement.

Children and youth who have primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.

Migratory children who qualify as homeless because they are living in circumstances described above.

Conflicting Policies and Procedures

From time to time state/district policies can contradict federal/state/district policies on the education of homeless youth. In these instances, district personnel should adhere to the guidelines outlined in this manual, consult with the District Liaison and/or consult with the regional coordinator. In many instances ECYEH guidelines need to be considered in addition to standard practices to ensure that barriers to a free and appropriate public education are removed for students experiencing homelessness. Typically, there are no enrollment issues with CTC students as their educating building remains the same.

Timely and Accurate Identification/Enrollment

Staff members who learn of or suspect a child could meet the criteria for homelessness should be routinely reminded to share that information with the Liaison and enrollment staff. Office Staff, along with the Liaison are then able to gain additional information about the situation and if needed complete the Referral Form or document similar information. Notification should be made quickly to the Liaison to gather and analyze information from the family or youth and make an appropriate determination of eligibility. Expedient determination of eligibility and immediate school enrollment are critical to the child’s educational continuity and future success. The Liaison will then make contacts with other districts and community programs to help meet the needs of the child. Recommendations to the child/family and access to other services to help meet the child’s needs and ensure their access to education should be enacted immediately as well.

School Selection and “Best Interest”

To counteract the educational disruption caused by students' mobility, the McKinney-Vento Act provides these students with the right to continue attending the school of origin, or enroll in any public school that non-homeless students who live in the same attendance area are eligible to attend, according to the student's best interest. The district is entitled to continue the child's or youth's education in the school of origin for the duration of homelessness or for the remainder of the academic year if the situation is unresolved, unless the youth's parent or guardian prefer to enroll them in the new district. In the event of an unaccompanied youth, the homeless liaison is designated to assist. Regardless of the designated school, student's still remain enrolled at the CTC.

Enrollment

Most importantly, remember that the Homeless Act requires the immediate enrollment of children and youth experiencing homelessness, even in the absence of records, normally required for enrollment. Barriers and district actions must not exist that prohibit the enrollment of these students. A general guideline is to complete enrollment as quickly as possible and begin/continue their regular school attendance while other documentation and circumstances are being investigated or resolved. Keep them in school or get them enrolled – sort out the other details and seek guidance from there. In cases with Homeless and especially Unaccompanied Youth, the CTC should plan to take a more active role in locating or recreating relevant academic records, immunizations, medical records and other needed documentation. In these cases it is not the sole responsibility of the student or family to produce the information. The terms “enroll” and “enrollment” are defined to include attending classes and participating fully in school activities.

Transportation

To counteract the educational disruption caused by students' mobility, the McKinney-Vento Act provides these students with the right to continue attending the school of origin, or enroll in any public school that non-homeless students who live in the same attendance area are eligible to attend, according to the student's best interest. It is important to consider the wishes of the parent/guardian and the student. Parents and youth should be informed of their school of origin rights and the available transportation services or other transportation options. The CTC liaison can help set up transportation through coordination within the potential home districts. As a general rule, school districts are expected to split the cost of transportation when needed. The CTC does not provide its own transportation.

Referrals and Services

The Homeless Liaison and CTC personnel can further support students in homeless situations by networking, referring and providing assistance toward accessing both CTC and community agencies and programming. Such programs could include but are not limited to:

Head Start and preschool programs

Academic support such as academic support classes, cyber, on-line learning/credit recovery

Referrals to health care services, dental services, mental health services, and other appropriate services

Lawrence County Children and Youth, Lawrence Crisis Shelter, City Rescue Mission, Foster Care and other support agencies

Turkey Box Donations

Christmas Gift Cards

LCCTC Food Pantry

LCCTC Linen Closet and Toiletries

Shelters, housing, food, clothing and personal care agencies

Parenting or enrichment workshop

Dispute Resolution

Pursuant to the McKinney-Vento Act, every state must develop procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths. 42 U.S. §11432(g)(1)(C). The state must ensure that LEAs comply with requirements set forth in the McKinney-Vento Act including ensuring immediate enrollment, providing written notice to families concerning school selection, enrollment decisions and providing enrollment and pendency in the school of choice while a dispute is being resolved. 42 U.S. §11432(g)(2)(A).

There are two dispute levels:

Level 1 – A dispute raised with an LEA, where a parent, guardian or unaccompanied youth initiates the dispute. The LEA must issue a written disposition of the dispute within 20 business days after the liaison is notified of the dispute. The disposition is provided to the parent, guardian or unaccompanied youth to explain the basis for the decision and advise the parent, guardian or youth of the right to appeal. All LEAs must inform families of the basis of their decision regarding enrollment or school selection, notify families of their right to remain in their school of choice pending resolution of the dispute, and explain the procedures for challenging the decision of the LEA.

Level 2 - A complaint filed with a McKinney-Vento Coordinator when a parent, guardian or unaccompanied youth is dissatisfied with the LEA's disposition of a dispute or raising any issue of McKinney-Vento Act noncompliance, files a complaint or appeal with a McKinney-Vento regional or site coordinator or with the state coordinator. The child or youth remains in the

school in which he or she is seeking enrollment until the complaint or appeal is resolved or until a disposition from a McKinney-Vento coordinator is received. Any dispute raised by a homeless family or youth via telephone, letter or any mode of communication is treated as a complaint.

If a dispute arises over school selection or enrollment in a school:

1. The child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;
2. The parent or guardian must be provided with a written explanation of the school's decision on the dispute, including the right to appeal.
3. The child, youth, parent, or guardian shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(C) as expeditiously as possible after receiving notice of the dispute.
4. In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

If disputes or complaints on non-compliance do arise regarding the education of homeless children and youth, the following system will be used.

Proposed Steps

A. The Pennsylvania Department of Education recommends that the person having the complaint first contact the school or school district (i.e., the local school district liaison for homeless students, the principal or superintendent) to present their concerns to the people closest to the situation and most likely to be able to resolve it quickly.

B. If step A is not successful or is not possible under the circumstances, contact should be made with the Regional/Site Coordinator or the Department of Education will accept complaints directly through the Education for Homeless Children and Youth Program at phone number (717) 783-6466.

C. Individual cases may be referred to the Department's Office of Chief Counsel and the Office of Deputy Secretary for Elementary and Secondary Education, as needed (by the State Homeless Coordinator).

D. The Department of Education will deliver a response within 20 business days of the receipt of the complaint. (The complaint may arrive in the form of a copy of the school/district letter or on the Dispute Letter Form, if given directly to a regional/site coordinator of the Homeless Children's Initiative.)

Dispute Form Dispute Letter – English

<https://www.education.pa.gov/Documents/K12/Homeless%20Education/Dispute%20Letter%20English.pdf>

Dispute Letter – Spanish

<https://www.education.pa.gov/Documents/K12/Homeless%20Education/Dispute%20Letter%20Spanish.pdf>