ESSA Compliance and Implementation Children and Youth Experiencing Homelessness

TEXAS CONFERENCE ON ENDING HOMELESSNESS OCTOBER 5, 2017 DALLAS, TEXAS



About SchoolHouse Connection

A national organization promoting success for children and youth experiencing homelessness, from birth through higher education.

We provide strategic advocacy and provide technical assistance in partnership with early care and education professionals.

Follow us on Facebook, and sign up for our newsletter: schoolhouseconnection.org/sign-up.

ESSA, McKinney-Vento, and Title I

The McKinney-Vento Act celebrates thirty years this year (2017).

ESSA amended McKinney-Vento, Title I, and the entire Elementary and Secondary Education Act in 2015.

McKinney-Vento amendments in effect $\underline{now}.$ (Effective date was October 1, 2016).

The legislative process to reauthorize the legislation took more than ten years to complete.





State Coordinators

Every state educational agency (SEA) must have a State Coordinator who can "sufficiently carry out" their duties. 11432(d) (3)

- Ensure McKinney-Vento students receive "the full protections and services provided by" the law. 11432(f)(7)
- Monitor all LEAs. 11432(f)(5)
- \circ Gather and post homelessness data on the SEA website. 11432(f)(1) (A) & (f)(3)
- Collaborate with broad array of educators, service providers, community organizations and policymakers. 11432(f)(4) and Guidance E8

Local Liaisons

Every local educational agency (LEA) must designate a liaison for homeless children and youth

Liaisons must be "able to carry out" ten specific duties. 11432(g)(1)(J)(ii)

What does this mean?

The U.S. Department of Education Guidance states that LEAs "should allocate sufficient time for... liaisons to do their jobs effectively and should support them in fulfilling their duties as outlined in the law and in making timely decisions."

Local Liaisons: Assessing Capacity

To determine the time needed to carry out the liaison's duties, the Department directs LEA administrators to review:

- •The legal requirements for the position;
- Data indicating the prevalence and needs of homeless children and youths (including efforts that may be necessary to improve the identification of such children and youthe). and youths);
- Past technical assistance provided to the LEA... to determine how much time the McKinney-Vento program requires to be managed well;
- oThe number of schools and students in the district; and The number of identified homeless students in the district as a percentage of students living in poverty.

Local Liaisons: Duties 1-4

McKinney-Vento liaisons must ensure that:

- Homeless children and youth are identified by school personnel through 1. outreach and coordination with other entities and agencies;
- Homeless children and youth are enrolled and have full and equal opportunity to succeed in school;
- 3 Homeless families, children and youth receive educational services for which they are eligible, including Head Start, early intervention (IDEA Part C), and preschool programs administered by the LEA;
- Homeless families, children, and youth receive referrals to health, dental, mental health, housing, substance abuse, and other appropriate services:

Local Liaisons: Duties 5-8

McKinney-Vento liaisons must ensure that:

- Parents and guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate;
- Public notice of homeless students' rights is disseminated in locations frequented by parents, guardians and unaccompanied youth, including schools, shelters, libraries and soup kitchens, in an understandable manner and form;
- Enrollment disputes are mediated;
- Parents, guardians and unaccompanied youth are informed of and assisted in accessing transportation services, including transportation to the school of origin; 8.



Local Liaisons & State Coordinators

State coordinators must post an annually-updated liaison list on the SEA website. 11432(g)(6)(B)

State Coordinators must provide professional development for liaisons. 11432(f)(6)

Liaisons must participate in that professional development as determined by the State Coordinator. 11432(g)(1)(J)(iv)



Being homeless doesn't just

Definition: Who is Eligible?

- Sharing the housing of others due to loss of housing, economic hardship, or similar reason.
 [75.8% of identified MV students in 2015–16]
- Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations. [Motels: 6.5% of identified MV students in 2015–16]



Who is Eligible? (cont.)

- Living in emergency or transitional shelters. [14.4% of identified MV students in 2015–16]
- Living in a public or private place not designed for or regularly used as accommodations.
- Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- What is substandard? Check utilities; infestations; mold; dangers Guidance A3
- Resource: "Determining Eligibility" brief: https://nche.ed.gov/downloads/briefs/det_elig.pdf

Unaccompanied Youth

Definition:

Child or youth who meets the McKinney-Vento definition of homelessness and is not in the physical custody of a parent or guardian. 11434a(6)



Frequently Asked Questions

• Is there an age range?

No. McKinney-Vento applies to all school-aged children and youth as defined by state law.

• Is there a citizenship requirement?

No. Supreme Court case *Plyler v. Doe* (1982) makes it unlawful for schools to deny access to undocumented immigrants or ask about immigration status. McKinney-Vento must be equally applied to undocumented students.

Eligibility: What more do we need to know?

Mary, 10th grade student trying to enroll on her own at LEA High School. She is staying with a boy who attends the school. Mom told the school not to enroll Mary, because Mary has a fine home where she can return any time.

- 1. Is Mary eligible?
- 2. What more do we need to know?



1.3 million children and youth, preK-12, identified and enrolled in school in the 2015-16 school year. $^\circ$ 7% increase over 4 years.

111,753 unaccompanied youth: a 42% increase over 4 years.

Infancy is the period of life when a person is most at risk of living in a homeless shelter.

 $^{\circ}$ Over 1.26 million children under 6 years old were estimated to have



2012-2013 2013-2014 2014-2015 2015-2016 Increase 83,626 111,759 113,063 115,676 +30% SY 2015-2016	Texa: Data	s on Hom	neless St	udents	
5Y 2015-2016	2012-2013	2013-2014	2014-2015	2015-2016	Increase
7.2 x	83,626	111,759	113,063	115,676	+30%
	9.9 N	79.0 N	Doubled-up (e.g., living with Unsheltered (e.g., cars, par	another family)	



Identification (cont.)

3. Educate students, parents and community partners.

- Put information on the school and district websites.
 Posters in school buildings, libraries, motels, camp grounds,
- service providers.
 Meet with teen parent programs, LGBTQ youth organizations, youth organizations, homeless service
- providers, health, housing and social service agencies.
- 4. Use housing questionnaires upon enrollment.
- 5. Ask about preschool-aged siblings.



Educational Impacts

42% of students who experienced homelessness say they dropped out of school at least once; 60% say it was hard to stay in school while they were homeless.

Homelessness is associated with an 87% likelihood of dropping out of school.

Over time, the achievement gaps between homeless and low-income elementary students tend to persist and may even worsen.

Overcoming Homelessness Through Education

The McKinney-Vento Act

- Removing barriers
- School of origin
- Transportation
- Immediate enrollment
- Getting to graduation, and beyond

Title I Part A

Overcoming Homelessness: Removing Barriers

SEAs and LEAs must develop, review, and revise policies to remove barriers to the identification, enrollment and retention of McKinney-Vento students, including barriers due to outstanding fees or fines, or absences. 11432(g)(1)(I)

 This is a "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



School of Origin: Definition

The school attended when permanently housed or the school in which last enrolled, including a preschool. $11432(g)(3)({\rm I})$

What is a "preschool"?

- 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.
- Preschools operated, administered or funded by an LEA, including funded by Title I or similar govt. grants.
- Head Start programs receiving LEA funding or for which the LEA is the grant
- recipient.
- Preschool special education.
- LEA funded or administered home-based early childhood services Guidance N4; Fed. Data Guide

School of Origin Definition (cont.)

Includes the designated receiving school at the next grade level for all feeder schools, when the student completes the final grade level served by the school of origin.

Help with school of origin and preschool:

www.schoolhouseconnection.org/early-childhood/

Staying in the School of Origin

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

Keep the student 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 the student in any public school that housed students living in the attendance area where the student is living are eligible to attend. $_{11432(g)(3)(A)}$



Determining Best Interest

In determining best interest, the LEA shall:

- Presume that keeping the student in the school of origin is in the student's best interest. 11432(g)(3)(B)(i)-(ii)
- Unless contrary to the request of the parent, guardian, or

unaccompanied youth. Consider student-centered factors, including the impact of mobility on

For preschool children, consider attachment to teachers; availability

and quality of services in the new area; and travel time. Guidance N3

Give priority to the request of the parent/guardian.

Give priority to the request of an unaccompanied youth.



Guidance

Transportation to the School of Origin

LEAs must provide transportation to and from the school of origin (including preschools), including until the end of the year when the student obtains permanent housing, at a parent's or guardian's request (or at the liaison's request for unaccompanied youth).

• Even if transportation is not typically provided.

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.

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

Other Transportation

LEAs must provide transportation to extra-curricular activities if lack of transportation is a barrier.

J11

LEAs also must provide students in homeless situations with transportation services comparable to those provided to other students. \$11432(g)\$ (a)(A)\$

Transportation must be arranged promptly to ensure immediate enrollment and not create barriers to attendance, retention or success. Guidance J1

School of Origin/Best Interest: What more do we need to know?

This morning I received a referral for a fouryear-old whose family is currently homeless, but is in the process of moving to permanent housing in a new school district. The mother wants to continue the child in the pre-school program she is currently attending.

1. What more do we need to know?



Immediate Enrollment

62% of McKinney-Vento students said that proof of residency requirements posed a major challenge for them when enrolling in a new school.

56% said lack of cooperation between their new and old schools (records transfer) posed a major challenge.

60% found changing schools difficult to navigate.



Immediate Enrollment

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: $_{\rm 11432(g)}_{\rm (3)(C)}$

 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.



Immediate Enrollment (cont.)

The liaison must assist in obtaining immunization and other health records or screenings, and immunizations if needed; the student must be enrolled in the interim. 11432(g)(3)(C)(iii) Enrolling schools must obtain school records from the previous

Enrolling schools must obtain school records from the previous school; the student must be enrolled while records are obtained. 11432(g)(3)(C)(i)

Immediate enrollment applies even without parent or guardian. 11432(g)(1)(H)(iv) $% \left(\left(1,1\right) \right) =0$

• Typically, unaccompanied youth enroll themselves.



Preschool Enrollment

Immediate enrollment applies to preschools, as long as there is space.

- McKinney-Vento children should be prioritized on wait lists.
- Some preschool programs holds slots open for McKinney-Vento children.

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)



Early Childhood Landscape

•Early childhood encompasses a wide variety of service types and settings, as well as funding streams and regulatory systems.

•Local resources are often blurred; hence the need to map out the local early childhood landscape.

•Knowing how the local system is structured will help to identify programs and services.



Notice and Disputes

If a dispute arises over eligibility, school selection or enrollment (including full participation), or if the LEA determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent, guardian or youth:

 The parent, guardian or unaccompanied youth must be provided a written explanation of decisions made by the school, LEA or SEA, and how to appeal them, in a manner and form understandable to the parent, guardian, or youth.

Notice and Disputes (cont.)

The parent, guardian or youth must be referred to the liaison, who must carry out the dispute resolution process as expeditiously as possible.

The student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute (including all available appeals).

The liaison shall ensure unaccompanied youth are immediately enrolled pending resolution of the dispute. 11432(g)(3)(E); Guidance K2; 11432(g)(3)(B)(iii)



Getting to Graduation

Starting in 2017-18, state report cards must disaggregate achievement and high school graduation data for McKinney-Vento students. $_{20}\,$ usc $_{6311(h)(1)(c)}$



Getting to Graduation: Earning Credits

SEAs and LEAs must implement procedures to identify and remove barriers to McKinney-Vento students receiving appropriate credit for full or partial coursework completed at a prior

school. 11432(g)(1)(F)(ii); 11432(g)(6)(A)(x); Guidance O2

Getting to Graduation: Earning Credits Strategies

- Consult with prior school about partial coursework completed.
- Provide priority enrollment in classes the student has partially completed, to allow for completion.
- Evaluate students' mastery of partly completed courses.
- Offer accelerated credit recovery.

Getting to Graduation: Full Participation

States must implement procedures to remove 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 I6
- SEAs and LEAs should develop policies to expedite full participation in extracurricular activities and work with athletic associations to adjust policies to facilitate participation.



Getting to Graduation: School Counselors

All McKinney-Vento youth must be able to receive counseling from counselors to prepare and improve their readiness for college (including college selection, application, financial aid, and on-campus supports). 11432(g)(1)(K); Guidance Q1

 Coordinate with Early Warning Systems for dropout prevention. They can help identify students experiencing homelessness.

ESSA Title I, Part A Amendments on Homelessness

- 1. Strengthens LEA requirement to reserve Title I Part A funds for homeless students.
 - Ensuring adequate set-aside amounts, and effective uses of funds, is a key strategy to closing achievement gaps
- Requires SEAs and LEAs to report disaggregated information on graduation rates and academic achievement of homeless children and youth.
 Shines a spotlight on the academic struggles of children and
 - Snines a spotlight on the academic struggles of childr youth experiencing homelessness
 - Set a baseline against which states and LEAs can measure progress over time

Which LEAs must reserve funds for homeless students? All LEAs that receive Title IA funds must set-aside the funds necessary to provide McKinney-Vento students with services comparable to services provided in Title IA schools. 20 USC 6313(c)(3) • Even school districts that are composed entirely of schoolwide Title I schools must reserve funds for McKinney-Vento students

 McKinney-Vento students attending <u>any</u> school in the LEA are automatically eligible for Title I services. 20 USC 6315(c) (2)(E); Guidance M1

How much funding should LEAs reserve?

1. 20 USC 6313(c)(3)

- Amount <u>may</u> be based on a needs assessment
 Amount <u>must</u> be based on the total LEA allocation
- prior to any allowable expenditures or transfers

2. Guidance M5

 Amount must be sufficient to provide comparable services to homeless students, regardless of other services provided with reserved funds



effectiveness of past activities in accomplishing the goals of both Title I and McKinney-Vento for individual students and the overall programs.

[US Department of Education Guidance M7]

How should local Title I Plans address homelessness?

- Must be coordinated with McKinney-Vento programs.
- Must describe the services provided to McKinney-Vento students, including with reserved funds, to support their enrollment, attendance and success. 20 USC 6312(a)(1); (b)(6)
- Should describe the method used to determine the amount of the set-aside for students experiencing homelessness.
- Should describe how the liaison was involved in determining the amount. Guidance M8

How may Title I Part A funds be used to support homeless students?

Funds may be used:

- For McKinney-Vento children and youth attending *any* school in the LEA.
- For services not ordinarily provided to other students.
- To fund the McKinney-Vento liaison.
- To provide transportation to the school of origin.
- For educationally related support services, including preK.

[20 USC 6313(c)(3) Guidance M4, M5, M10, J7]

General Principles for use of Title I Part A funds on homelessness

USED's general principles for using Title IA funds: Guidance M4

- Services must be reasonable and necessary to enable homeless students to take advantage of educational opportunities.
- Funds must be used as a last resort when services are not reasonably available from another public or private source.



Higher Education Act: Independent Student Definition

Unaccompanied homeless youth are automatically considered independent students.

 $^\circ$ Must be determined to be unaccompanied and homeless after July 1 of the prior year.

Youth who are unaccompanied, at risk of homelessness, and self-supporting are also automatically considered independent students.

Must be determined as such during the school year in which the application is submitted.

Financial Aid for College

Liaisons must ensure unaccompanied youth are informed they qualify as independent students for the FAFSA and assist the youth in obtaining verification of that status. 11432(g)(6)(A)(x)(III);Guidance Q2

- ° Unaccompanied youth can complete the FAFSA without parental signature or income information.
- They need verification that they are unaccompanied and homeless from a liaison, shelter provider, or financial aid administrator.

More information on higher education:

www.schoolhouseconnection.org/higher-education/

October 1 – 2018-2019 FAFSA

- New FAFSA for 2018-2019 is available on <u>October 1,</u> 2017
- Omits the definition of "youth" that used to appear on the FAFSA for unaccompanied youth
- •Youth who are 24 and under, and who have been determined to be unaccompanied and homeless, or unaccompanied, self-supporting, and at-risk of homelessness, will be considered independent students and will be shown the three questions

Texas Data:

Unaccompanied Homeless Youth and FAFSA

Applicants determined to be UHY, or at-risk, by homeless liaison, agency, or financial aid administrator					
2013-2014	2014-2015	2015-2016	Change		
2,918	3,400	3,397	+ 16.4%		

Transitioning to Higher Education: US Department of Education Guidance

A local liaison may continue to make a determination of a youth's status as either unaccompanied and homeless, or as self-supporting and at risk of being homeless, for as long as the liaison has access to the information necessary to make such a determination for a particular youth. 2016 Guidance, Q-2.

If a liaison does not have the information that is necessary to make the determination, either because the youth become homeless after high school, or because the liaison is no longer familiar with the youth's circumstances, the financial aid administrator must make the determination.

Transitioning to Higher Education: 2017-2018 Application & Verification Guide

In rare cases where a recognized authority provides documentation of unaccompanied homeless youth status to a person no longer receiving services from the authority's organization, that documentation is acceptable for verifying unaccompanied homelessness.

Local liaisons may write subsequent year letters of verification for unaccompanied homeless youth through age 23 for whom they have the necessary information to write such letter.

Quick Legislative Update

FY2018 Budget

- McKinney-Vento EHCY is level funded (\$77 million)
- December 8 is deadline for reaching an agreement

Higher Education Access and Success Act for Homeless and Foster Youth: S. $1795\,/\,H.\,R.\,3740$

o Bipartisan and bicameral

- Streamlines FAFSA; Single Points of Contact; Housing; Work-Study Priority
- Homeless Children and Youth Act S. 611/H.R. 511

o Bipartisan and bicameral

Aligns HUD definitions; prohibits national priorities for populations or partialized aligns HUD with child and youth serving systems



The ABA has committed funds to support the development and implementation of a national Homeless Youth Legal Network (HYLN)—a new initiative to increase legal services for youth and young adults experiencing homelessness. For more information, please visit our websit at www.ambar.org/ HYLN

Or contact: Amy Horton-Newell Director, ABA Commission on Homelessness & Poverty (202) 662-1693 Amy.Hortonnewell@ americanbar.org

SHC Youth Leadership & Scholarship Program

 Provides scholarships and support to youth who have experienced homelessness to ensure their completion of a post-secondary education program;

- oBuilds a stable peer and adult support network for recipients, before, during, and after their college careers, and into their transition into the workforce;
- •Offers young people meaningful opportunities to engage in advocacy, while providing sustained support services to help ensure graduation and success in life.

Deadline for Applications: November 8, 2017

www.schoolhouseconnection.og









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