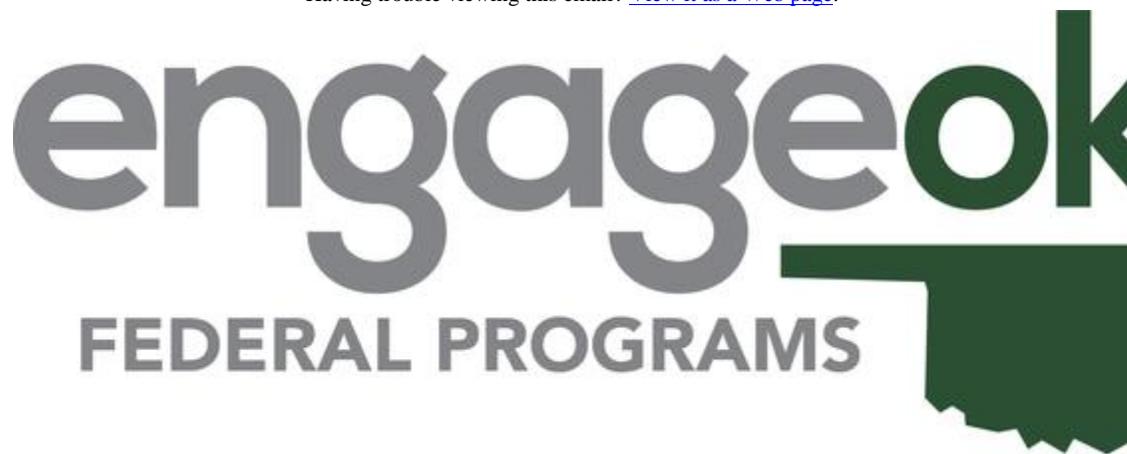


Office of Federal Programs Newsletter January 2020

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January 2020

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Summary of McKinney-Vento Act: Homeless Children and Youth in the Every Student Succeeds Act of 2015

The number of homeless children and youth enrolled in school has doubled since the U.S. Department of Education began collecting the information in School Year 2004-05, with 1.5 million students identified in School Year 2017-18. In Oklahoma, there were 26,155 identified homeless children and youth in School Year 2017-18. The first Federal law to directly impact the education of students experiencing

homelessness was enacted in 1987 as part of the Stewart B. McKinney Homeless Assistance Act. The McKinney Act, which originally contained 15 programs designed to address the needs of homeless persons, contained a subtitle with the purpose of ensuring that children and youth experiencing homelessness could enroll in school without barriers. Since the initial passage, the homeless education law has been reauthorized with stronger and more specific requirements for SEAs and LEAs to ensure the immediate enrollment, school stability, and academic support needed to increase the educational success of homeless children and youth.

Whether an LEA receives a sub grant or not, all LEAs are required to implement the provisions in the McKinney-Vento Act. Below is a summary of the provisions outlined in 42 USC CHAPTER 119, SUBCHAPTER VI, Part B: Education for Homeless Children and Youths.

At the State Agency Level

Every State Education Agency (SEA) must designate a State Coordinator that can sufficiently carry out duties outlined in the McKinney-Vento Act. Key duties include:

- Posting on the SEA website an annually updated list of local educational agency (LEA) liaisons, and the number of homeless children and youth LEAs identify statewide.
- Responding to inquiries from homeless parents and unaccompanied youth.
- Providing professional development programs for liaisons and others.
- Monitoring LEAs to enforce compliance.

At the Local Agency Level

Every LEA must designate a liaison for students experiencing homelessness who is able to carry out the duties described in the law. Key duties include:

- Ensuring that homeless children and youth are identified and enrolled in school, and have a full and equal opportunity to succeed in school.
- Participating in professional development and other technical assistance offered by the State Coordinator.
- Ensuring that school personnel receive professional development and other support.
- Ensuring that homeless children, youth, and families receive referrals to health, dental, mental health, housing, substance abuse, and other appropriate services.
- Disseminating public notice of McKinney-Vento rights in locations frequented by parents and manner and form understandable to them.

School Stability

- Homeless children and youth can remain in their school of origin for the duration of homelessness and until the end of the academic year in which they obtain permanent housing.
- LEAs must make best interest determinations about school selection that presume that staying in the school of origin is in the best interest of the child or youth; consider specific student-centered factors; prioritize the wishes of the parent, guardian, or unaccompanied youth; and include a written explanation and right to appeal if the LEA determines that school stability is not in the best interest

of the child or youth.

- The definition of school of origin now includes both the designated receiving school at the next grade level (if there is a feeder school pattern), and preschools.
- Transportation to the school of origin is required, including until the end of the academic year when a student obtains permanent housing (if it is in the student's best interest to remain in that school).

School Enrollment and Full Participation

- Homeless children and youth must be enrolled in school immediately, even if they lack documents or have missed application or enrollment deadlines during any period of homelessness.
- SEAs and LEAs must develop, review, and revise policies to remove barriers to the identification, enrollment, and retention of homeless students in school, including barriers due to fees, fines, and absences.
- If a dispute arises over eligibility, school selection or enrollment, the child or youth must be immediately enrolled in the school in which the parent, guardian or unaccompanied youth seeks enrollment, pending resolution of the dispute, including all available appeals.
- States must have procedures to ensure that homeless children and youth do not face barriers to accessing academic and extracurricular activities.

Preschool Children

- The definition of school of origin includes preschools.
- Liaisons must ensure homeless families and children can access Head Start, Early Head Start, LEA-administered pre-school programs and early intervention services under IDEA Part C, if eligible.

Credit Accrual and College Readiness

- States must have procedures to identify and remove barriers that prevent students from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies.
- State plans must describe how homeless youth will receive assistance from school counselors to advise, prepare, and improve their readiness for college.

Definition of Homelessness

- The McKinney-Vento definition of homelessness includes children and youth who lack a fixed, regular, and adequate nighttime residence.
- This definition specifically includes children and youth who are: sharing the housing of others due to loss of housing, economic hardship, or a similar reason; living in shelters, transitional housing, or cars; and staying in motels or campgrounds due to lack of adequate alternative accommodations.
- The phrase "awaiting foster care placement" was deleted from the McKinney-Vento Act. New protections for all children in foster care were included under Title I, Part A.

Title I, Part A

- All LEAs that receive Title I Part, A funds must reserve funds to support homeless students.
- Reserved funds may be used for services not ordinarily provided by Title I, including local liaisons and transportation to the school of origin.
- State report cards must include disaggregated information on the graduation rates and academic achievement of homeless children and youth.

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Office of Federal Programs Contact Information

- **Office of Federal Programs:** (405) 521-2846
- **Gloria Bayouth**, Ed.D, Executive Director, gloria.bayouth@sde.ok.gov
- **Nancy Hughes**, Director of Finance, nancy.hughes@sde.ok.gov
- **Corina Ene**, Director of Policy and Research, corina.ene@sde.ok.gov
- **Thomas Kirk**, Project Manager, thomas.kirk@sde.ok.gov

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