

**Every Student Succeeds Act  
provisions regarding  
homeless children and youth:  
*Implications for students with disabilities***



NATIONAL ASSOCIATION FOR THE EDUCATION  
OF HOMELESS CHILDREN AND YOUTH



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# NAEHCY



- National membership association dedicated to educational excellence for children and youth experiencing homelessness, from early childhood through higher education.
  - Local Youth Task Forces, State Higher Ed Networks, Early Childhood Committee
- Technical assistance on policy implementation.
- Bringing your voices to Congress and state legislatures.
- Youth leadership and support.



## How many students experience homelessness?

- Public schools identified 1.3 million McKinney-Vento students in the 2013–14 school year.
  - 7% increase nationally over previous year.
  - A 100% increase since 2007.
  - 13% of all poor, school-age children and youth.
  - 30% of all extremely poor, school-age children and youth.

Table 5. Number and percentage change in enrolled homeless students, by subgroup:  
School years 2012-13 and 2013-14

Subgroup	2012-13 <sup>1</sup>	2013-14 <sup>2</sup>	Change
Unaccompanied homeless youth <sup>3</sup>	78,654	88,966	13.1
Migratory children/youth	16,231 <sup>4</sup>	18,512	14.5
Limited English Proficient (LEP) students	174,870	190,785	9.1
Children with disabilities (IDEA)	191,259	220,405	15.2

<sup>1</sup>Includes the District of Columbia and Puerto Rico; excludes students in Wisconsin for all subgroups except unaccompanied youth.

<sup>2</sup> Includes the District of Columbia and Puerto Rico; excludes Alabama LEAs that did not receive subgrants.

<sup>3</sup>Excludes California for both years.

<sup>4</sup> Excludes Wyoming.

Source: **FEDERAL DATA SUMMARY SCHOOL YEARS 2011-12 TO 2013-14**, EDUCATION FOR HOMELESS CHILDREN AND YOUTH, 2015 Note: These subgroups are not mutually exclusive. It is possible for homeless students to be counted in more than one subgroup. Get state level data at <http://www.serve.org/nche>

# Impacts of Homelessness on Children and Youth



- Higher incidences of acute and chronic illnesses, depression and anxiety.
- Homelessness in early childhood is associated with poor classroom engagement and poor social skills in early elementary school.
- The achievement gaps between homeless and low-income elementary students tend to persist, and may even worsen, over time.
- A youth who experiences homelessness is 87% more likely to drop out of school.

# McKinney-Vento Implementers: State Coordinators



- Every state must designate a State Coordinator **who can sufficiently carry out their duties.**
- State coordinators must:
  - **Conduct monitoring of local educational agencies (LEAs).**
  - **Post on the SEA website, and annually update, a list of liaisons' contact information and duties, and data on student homelessness.**
  - **Respond to inquiries from homeless parents and unaccompanied youth to ensure they receive the full protections of the law.**

## State Coordinators (cont.)



State coordinators must:

- Develop and implement professional development programs for liaisons and other LEA personnel to improve their identification of McKinney-Vento children and youth and heighten their awareness of, and capacity to respond to, specific needs in those children's and youths' education.



# McKinney-Vento Implementers: Local Liaisons



- Every LEA must designate a McKinney-Vento liaison **able to carry out his/her legal duties.** 11432(g)(6)
- Liaisons must ensure that—
  - McKinney-Vento students enroll in and have full and equal opportunity to succeed in school.
  - Children and youth in homeless situations are identified by school personnel through **outreach and** coordination with other entities and agencies.
  - Public notice of MV rights is disseminated **in locations frequented by parents, guardians, and unaccompanied youth, in a manner and form understandable to them.**

# McKinney-Vento Liaisons (cont.)



- Liaisons must ensure that (cont.)—
  - School personnel providing McKinney-Vento services receive professional development and other support.
  - Children, youth and families have access to and receive educational services for which they are eligible, including Head Start, early intervention (IDEA Part C) and other preschool programs.
  - Children, youth and families receive referrals to health care, dental, mental health, substance abuse, housing and other services.



## Eligibility—Who is Covered?

- Children who **lack a fixed, regular, and adequate nighttime residence**— 11434a(2)
  - Sharing the housing of others due to loss of housing, economic hardship, or similar reason.  
[75% of identified MV students in 2013–14]
  - Living in motels, hotels, trailer parks, camping grounds due to lack of adequate alternative accommodations.  
[Motels: 6% of identified MV students in 2013–14]



## Eligibility (cont.)

- Children who **lack a fixed, regular, and adequate nighttime residence**—
  - Living in emergency or transitional shelters.  
[15% of identified MV students in 2013–14]
  - Living in a public or private place not designed for humans to live.
  - Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or similar settings.
  - Migratory children living in above circumstances.

# 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 (compared to 3–5% of the overall population).
  - 10% of currently homeless female teens are pregnant.

# Now that We Know *Who*



- *What* does the McKinney-Vento Act provide?
  - School Stability.
  - Enrollment.
  - Support for Academic Success.

# 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.

11432(g)(3)(A)



## School Stability (cont.)

- Applies when students lose housing during the year or during the summer. 11432(g)(3)(A)(i)(I)
- School of origin:
  - School attended when permanently housed or school in which last enrolled, **including a preschool.**
  - **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.** 11432(g)(3)(I)



## School Stability (cont.)



In determining best interest, the LEA shall:

- **Presume** that keeping the student in the school of origin is in the student's best interest.
  - Unless contrary to the request of the parent, guardian, **or unaccompanied youth**.
- **Consider student-centered factors, including the impact of mobility on achievement, education, health, and safety.**
- **Give priority to the parent's/guardian's request.**
- **Give priority to the youth's request (in the case of an unaccompanied youth).**

11432(g)(3)(B)(i)-(ii)

# Transportation



1. LEAs must provide transportation to and from the school of origin, **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).
  - 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)

# 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.**

# Enrollment (cont.)



- The terms “enroll” and “enrollment” include 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)

# Support for Academic Success: Participation and Credit Accrual



- 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)
- States must have procedures to identify and remove barriers that prevent youth from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies.

11432(g)(1)(F)(ii)

- Liaisons must implement those procedures.

11432(g)(6)(A)(x)

# Support for Academic Success: Coordination with Other Laws/Programs



- LEAs must coordinate McKinney-Vento and special education services within the LEA, and with other involved LEAs. 11432(g)(5)(D)
- Information about a McKinney-Vento student's living situation is a student education record subject to FERPA. 11432(g)(3)(G)
- Local liaisons are authorized to affirm that students meet the Department of Housing and Urban Development (HUD) definition of homelessness, to qualify them for HUD homeless assistance programs.

11432(g)(6)(D)

# General Resources

National Association for the Education of Homeless Children and Youth <http://naehcy.org> Facebook and Twitter

Every Student Succeeds Act information and resources  
<http://www.naehcy.org/educational-resources/essa>

National Center on Homeless Education  
<http://center.serve.org/nche/>

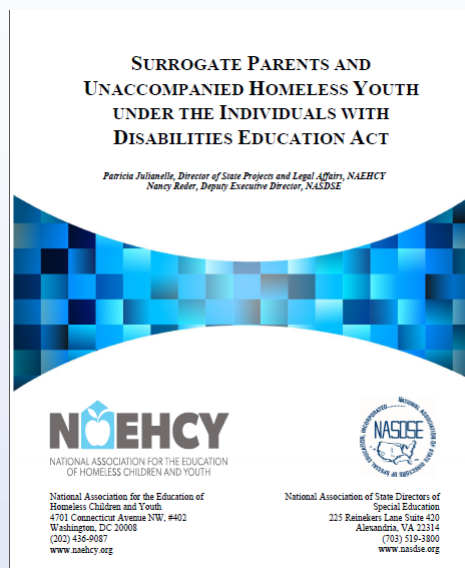
National Network for Youth  
<http://www.nn4youth.org>

DVDs for awareness-raising

- “Real Students, Real Schools”: [naehcy.org/videos](http://naehcy.org/videos)
- “The McKinney-Vento Act in Our Schools”: [pjulianelle@naehcy.org](mailto:pjulianelle@naehcy.org)
- <http://www.hearus.us>

# Special Education and Homelessness Resources

- <http://naehcy.org/educational-resources/spec-ed>
- [http://center.serve.org/nche/ibt/sc\\_spec\\_ed.php](http://center.serve.org/nche/ibt/sc_spec_ed.php)



<http://nasdse.org/LinkClick.aspx?fileticket=Kck6yunnXeEQ%3d&tabid=36>



# School Stability Resources

- School of origin vs. Local school:

[http://center.serve.org/nche/downloads/briefs/sch\\_sel\\_checklist.pdf](http://center.serve.org/nche/downloads/briefs/sch_sel_checklist.pdf)

- Transportation:

[http://center.serve.org/nche/pr/incr\\_sch\\_stab.php](http://center.serve.org/nche/pr/incr_sch_stab.php)

[www.utdanacenter.org/theo/downloads/factsheets/RP33b\\_Transportation\\_Rural.pdf](http://www.utdanacenter.org/theo/downloads/factsheets/RP33b_Transportation_Rural.pdf)

# School Enrollment Resources

- Immediate enrollment without documents:
  - <http://center.serve.org/nche/downloads/briefs/assessment.pdf>
- Immediate enrollment without parent/guardian:
  - <http://center.serve.org/nche/downloads/briefs/guardianship.pdf>
- Immediate enrollment without immunizations:
  - <http://www.naehcy.org/sites/default/files/dl/elders-memo.pdf>

# School Enrollment Resources (cont.)

- Full participation in school activities:
  - [http://center.serve.org/nche/downloads/briefs/extra\\_curr.pdf](http://center.serve.org/nche/downloads/briefs/extra_curr.pdf)
- Ensuring credit accrual and recovery:
  - <http://center.serve.org/nche/downloads/briefs/credit.pdf>