

Supporting Students in Temporary Housing:



McKinney-Vento 101

Presented By: NYS TEACHS

August 15, 2023

9:30am – 11:00am



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The New York State Technical and Educational
Assistance Center for Homeless Students



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Zoom Meeting Format



Please mute your microphone if you are not speaking to reduce background noise.



Turn your camera on.



The chat should be used to ask questions and share any pertinent comments.



Today's session will be recorded.



Housekeeping



- We will launch poll questions periodically throughout the session and ask you to put your answers in the chat.
- We won't be able to answer questions about specific situations, but we welcome you to call the Help Line to discuss these issues at 800-388-2014.
- The Help Line is open 24 hours a day. Specialists are available from 9:00am – 5:00pm. If you leave a message, you will be called back by the next business day.
- Following today's meeting, today's recorded session, attachments, and Q&As will be distributed.



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Who Is In The Room?

Are you a...

- New Migrant Educator ($\leq 1^{\text{st}}$ Year)
- Migrant Educator (2-4 years)
- Migrant Educator (5 – 9 years)
- Migrant Educator (10 + years)
- METS Director
- Recruiter
- McKinney-Vento Liaison
- Data Specialist
- Program Assistant



Which METS region are you from?

- Brockport
- Fredonia
- Long Island-Metro
- Mid-Hudson
- Mohawk Regional
- North Country
- Cortland
- Oswego



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Today's Agenda



Welcome! Who is in the Room?



Review McKinney-Vento Act



Review Liaison's Roles & Responsibilities



Students Rights under McKinney-Vento



Collaborations & Referrals



Summary and Resources



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Opportunity to Share

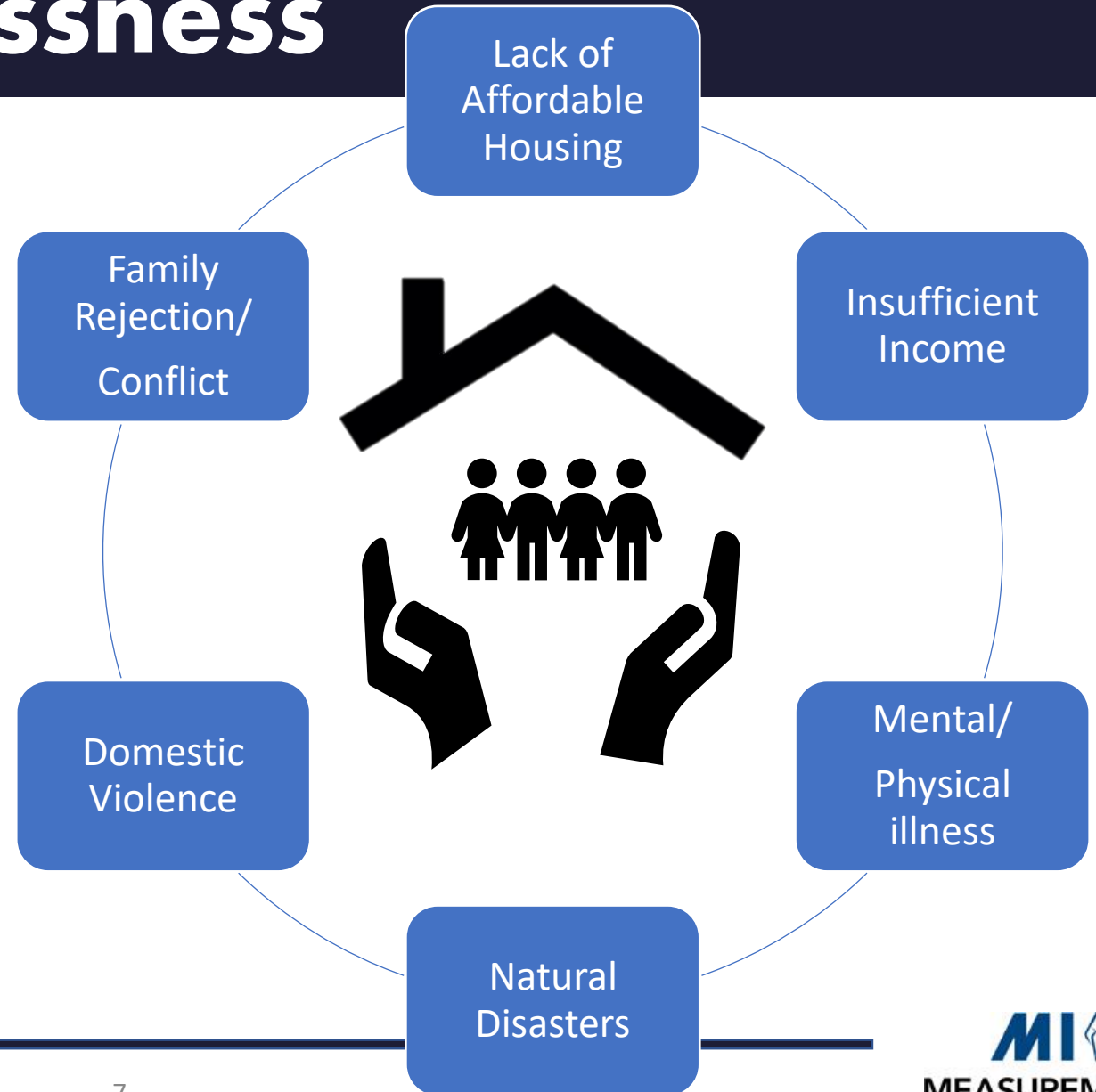
How have you supported a family enrolled in the Migrant Education Program (MEP) who has experienced temporary housing/homelessness?



Type your response in the chat.

Causes of Homelessness

What are the potential causes of homelessness?



Eliminating Barriers to School Success



McKinney-Vento
Homeless Assistance
Act



New York State
Education Law 3209

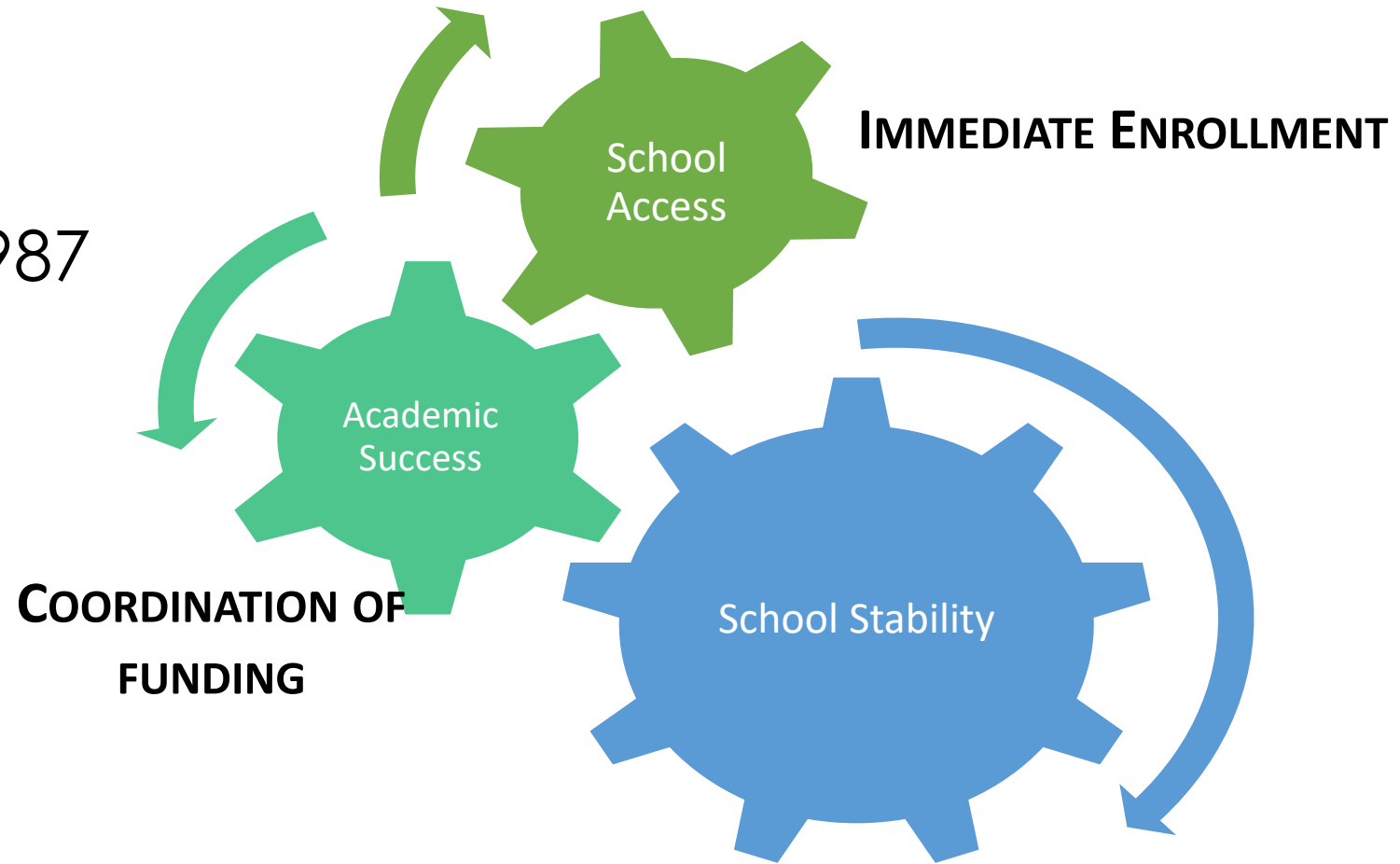


NYS Commissioner's
Regulations Section
100.2(x)



McKinney-Vento Homeless Assistance Act

- Federal Law established in 1987
- Reauthorized in 2015 as part of ESSA



LEAs Role to Remove Barriers For...



Enrolling

Enroll in school immediately even if lacking documents normally required for enrollment.



Attending

Continue attending the school of origin and receive transportation to and from school.



Succeeding

Equal access to the same free, appropriate public education and related services needed to meet State academic standards.



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McKinney-Vento Act Definition of Homelessness



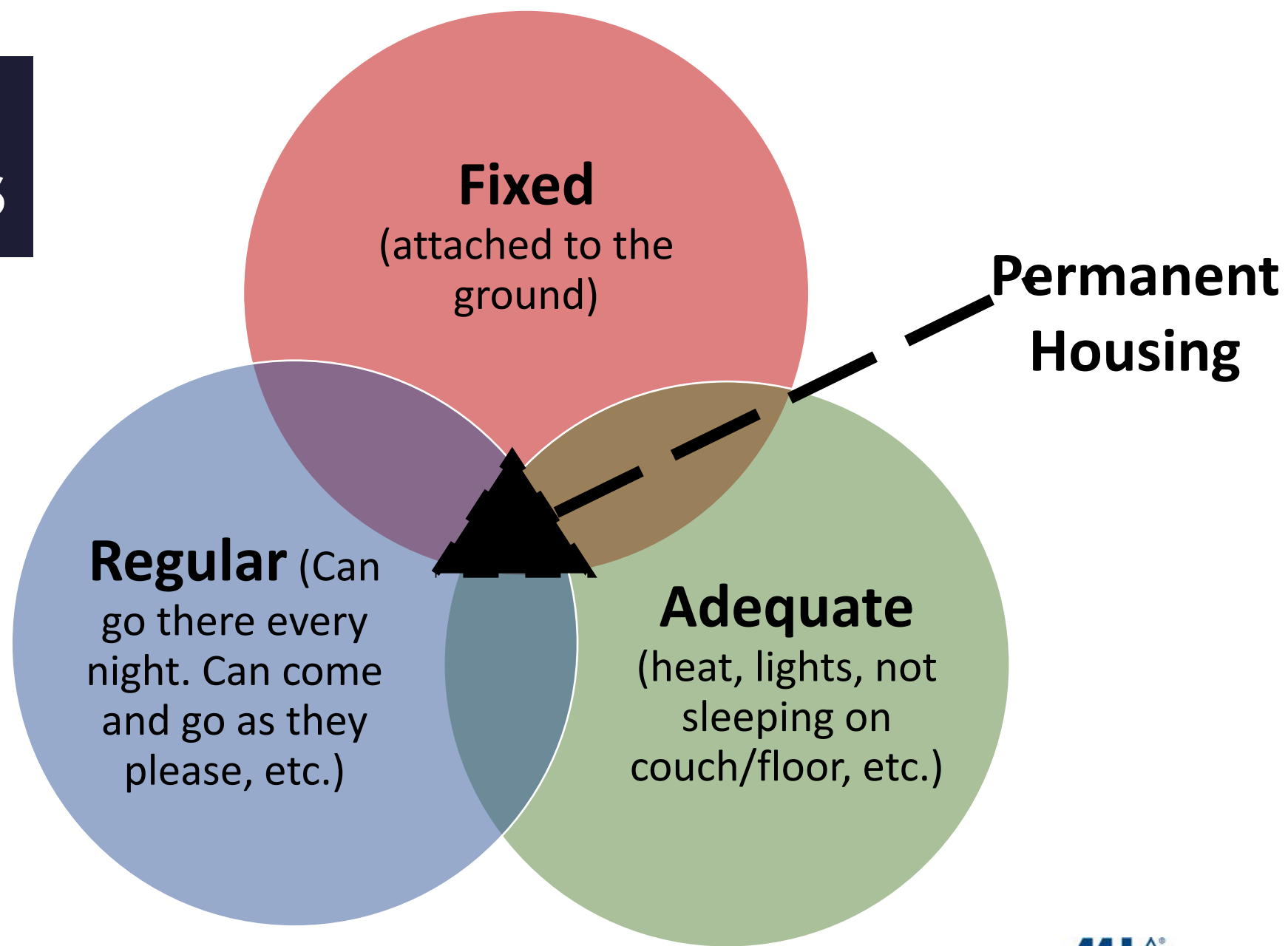
Homelessness: Living Conditions

- Sharing the housing of others due to loss of housing, economic hardship or a similar reason
- Living in emergency or transitional shelters
- Living in motels, hotels, trailer parks, camping grounds due to the lack of alternative adequate accommodations
- Abandoned in hospitals
- Living in a public or private place not designed for sleeping
- Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, etc
- Migratory children living in circumstances described above
- Unaccompanied youth living in circumstances described above

Education Law §3209(1)(a); 8 NYCRR §100.2(x)(1); see also 42 USC §11434A(2)(B)(i); U.S. DOE's Non-Regulatory Guidance, Question A-2

Definition of Homelessness

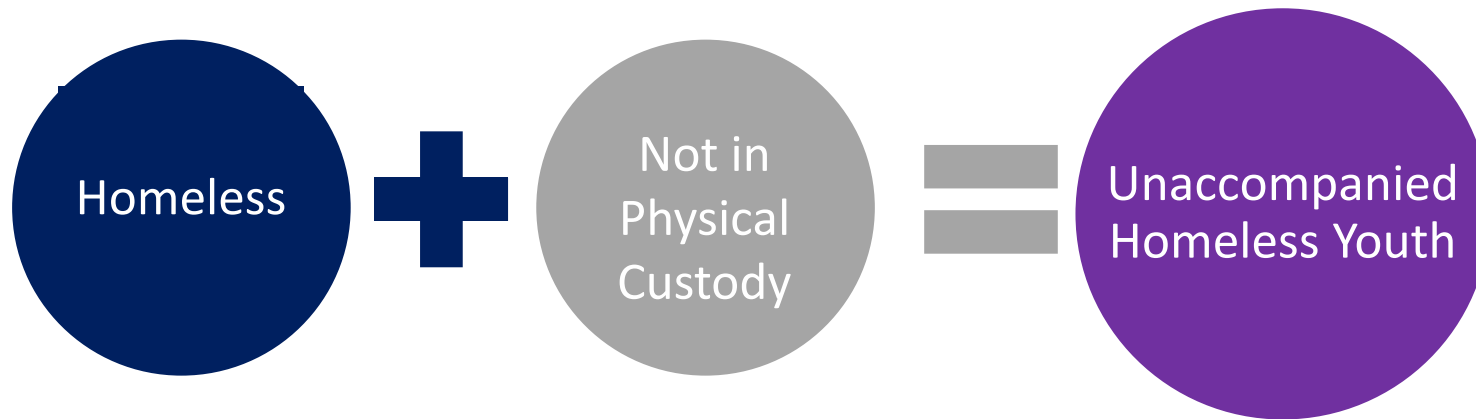
The term “homeless child or youth” means individuals who lack a fixed, regular, and adequate primary nighttime residence.



Definition of an Unaccompanied Homeless Youth

An unaccompanied youth is a child or youth that is not in the physical custody of/not living with a parent or guardian.

To be eligible for services under the McKinney-Vento Act, the youth must also meet the definition of homeless.



42 U.S.C. §11434a[6]; Education Law §3209[1][a][1][v]; and 8 NYCRR §100.2[x][1][iii][6]

McKinney-Vento Liaison

The McKinney-Vento Act requires school districts to designate an appropriate staff person, who also may be a coordinator for other Federal programs, as a local homeless education liaison.

The local liaison assists families and district staff with the identification and enrollment of students experiencing temporary housing.



42 U.S.C. § 11432(g)(1)(J)(ii)

McKinney-Vento Liaison has Knowledge of...

- District Policies
- The role of the McKinney-Vento Liaison
- Challenges faced by students and families experiencing homelessness
- Community Resources to assist students and families
- The rights and services provided by the McKinney-Vento Homeless Act, Education Law 3209, and the Commissioner Regulations 100.2(x)



McKinney-Vento Liaison Responsibilities

1. Identification
2. Enrollment
3. Referrals for Early Childhood
4. Referrals for Health, Housing, and Other Needed Services
5. Parent Involvement
6. Posting Public Notices
7. Dispute Resolution
8. Transportation
9. Training for Colleagues
10. Meeting Needs of Unaccompanied Youth

42 U.S.C. § 11432(g)(6)(A); US Department of Education Non Regulatory Guidance, Section F, Questions L-3& Q2; 8NYCRR § 100.2 (x)(7)(iii)(a)

McKinney-Vento Students' Rights

- ✓ Free appropriate education
- ✓ Immediate enrollment
- ✓ Attend classes
- ✓ Receive transportation
- ✓ Receive educational services



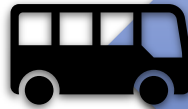
Receive a free, appropriate public education



Enroll in school immediately, even if lacking documents normally required for enrollment, or having missed the application or enrollment deadlines during any period of homelessness



Enroll in school and attend classes while the school gathers needed documents



Receive transportation to and from the school of origin, if requested by the parent or guardian, or by the local liaison on behalf of an unaccompanied youth



Receive educational services comparable to those provided to other students, according to each student's need

Early Childhood Educational Programs



Ensure that children and youth experiencing homelessness have access to and receive educational services they are eligible for including early learning programs:

- Head Start programs
- Early Intervention Program
- Preschool programs administered by LEA
- Home-based early childhood educational services administered by LEA

Preschool Programs

- **Preschool is now included in the definition of school of origin.** Children experiencing homelessness have the right to maintain enrollment in their school of origin and receive transportation to school.
- In New York State, **preschool means a publicly-funded education program** provided to preschool children that is either administered by the Department or an LEA, including a pre-kindergarten program administered by an LEA, Head Start program administered by an LEA, and/or preschool services under the IDEA.

42 U.S.C. § 11432(g)(3)(I); Non-Regulatory Guidance Section O, Questions I-1, N-4, N-5;
N.Y. Ed Law §3209(1)(g); 8 NYCRR §100.2(x)(1)(iv); NYS Field Memo #2-2017, item 5



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Identification

Under the McKinney-Vento Act, the local liaison is charged with ensuring that homeless children and youth are identified by school personnel through outreach and coordination activities with other entities and agencies.”

42 U.S.C. § 11432 (g)(6)(A)(i)



1. Bus Drivers
2. Front Office Staff
3. School Nurse
4. Cafeteria Staff
5. Teachers
6. Registrars-Enrollment Staff
7. Migrant Educators

Housing Questionnaire?

A Housing Questionnaire should be filled out:

1. **FOR** all students enrolling in school and for all students who have a change of address in grades preschool-12 .
2. **BY** the student's parent, person in parental relation, or in the case of an unaccompanied youth, by the student directly.



Immediate Enrollment

- Selected school must immediately enroll, even if the child/youth:
 - Does not have records normally needed for enrollment.
 - Has missed application or enrollment deadlines during any period of homelessness.
- Enrolling school should contact last school attended for records.
- Liaison must assist child/youth in obtaining any necessary immunizations or other required health records.



Education Law §3209(2)(f); 8 NYCRR §100.2(x)(4)(ii); see also 42 USC §11432(g)(3)(C); Non-Regulatory Guidance, Questions I-5 & I-6.



School Selection

Local education agencies (LEAs or school districts) must “presume that keeping homeless children and youth in the school of origin is in the child’s or youth’s best interest, to the extent feasible, except when doing so is contrary to the wishes of the parent or guardian (or in the case of an unaccompanied homeless youth) the youth.”

42 U.S.C. § 11432(g)(3)(B)(i), 2001



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McKinney- Vento Act: School Selection

All students in temporary housing may have up to **three choices** for school enrollment.

They can choose:

1. The school attended when they were last permanently housed, or
2. The school last attended, even if they were temporarily housed during that time, or
3. The local school where they are currently temporarily housed.



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Ongoing Eligibility

Liaisons are responsible to have ongoing communication with the family and check in each year to ensure the housing is still considered “temporary”.

There is no “expiration date” when McKinney-Vento benefits and services end as long as the housing is not fixed, regular and adequate.



Referrals

Ensure that homeless families, children, and youth receive referrals to housing and health care services.

- Dental services
- Mental health
- Substance abuse services
- Housing services



Outreach Materials

Access **outreach materials**:

- **Posters** and **brochures** available online.
- PDFs are available as Print on Demand, or you can order shipped to you free of charge
- Brochures are available in English and Spanish.
- Posters are available in 10 languages: English, Arabic, Bengali, Chinese, French, Haitian-Creole, Korean, Russian, Spanish, Urdu



[Order NYSTEACHES Brochures & Posters \(nysteachs.org\)](http://nysteachs.org)



Transportation

The McKinney-Vento Act states that “(iii) The State and the local educational agencies in the State will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin.”

42 USC 11432(g)(1)(J)(iii).

Transportation for Students in Temporary Housing



Students experiencing homelessness, including preschoolers, are entitled to transportation to school of origin.



Students who move into permanent housing are entitled to transportation throughout the remainder of the school year and an additional year if it is the child's terminal grade in the school.



Students who enroll locally are entitled to comparable transportation as their permanently housed peers receive, and elimination of barriers to enroll in and attend school.



42 USC § 11432(g)(1)(J)(iii), 11432(g)(3)(A)(i)(II); Education Law § 3209(1), 3209(2)(c), 3209(2)(d), 3209(4)(i); 8 NYCRR §§ 100.2(x)(2), 100.2(x)(6)(iv); Non-Regulatory Guidance, Question J-5.



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Educational Barriers

Lack of safe and stable housing

Lack of support from a caring adult

Lack of school supplies and clothing

Difficulty accumulating credits due to school mobility

Lack of basic needs, including food and medical care

Lack of consistent access to bathing and laundry facilities

Irregular school attendance

Concerns about being reported to child welfare





Dispute Process

The McKinney-Vento **dispute resolution process** is required to resolve any dispute that arises over eligibility, school selection, enrollment in a school, or transportation under the McKinney-Vento Act before a district interrupts services for the student.

42 U.S.C. § 11432(g)(1)(C) & 11432(g)(3)(E); U.S. DOE Non-Regulatory Guidance, Questions K-1, K-2; N.Y. Education Law § 3209(5); 8 N.Y.C.R.R. § 100.2(x)(7)(ii)

Check for Understanding



Check for Understanding #1

There is a migrant family with two children living in housing provided by the farm. Dad loses his job, so the family loses their housing, and they double up with friends. **Is this family MV eligible?**

- A. Yes
- B. No
- C. Not Sure

Are the children potentially eligible to remain in their school of origin?

- A. Yes
- B. No
- C. Not Sure



Check for Understanding #2

A 16-year-old student doesn't want to become a migrant worker on the farm where his parents work. They have an argument, and he runs away. He is staying with his aunt who lives in the next district over.



Is this unaccompanied youth MV eligible?

- A. Yes
- B. No
- C. Not Sure

Is he able to remain in the same school where he started?

- A. Yes
- B. No
- C. Not Sure

Check for Understanding #3

There is a family with two children who found stable employment in the hospitality industry. They found new housing near their jobs and are no longer migrant workers.

Is this family MV eligible?

- A. Yes
- B. No
- C. Not Sure

Are the children eligible to remain in their school of origin?

- A. Yes
- B. No
- C. Not Sure



Check for Understanding #4



Family A is a migrant family residing in an apartment near the farm where they work. They invite family B to move in and double up with them in their apartment when family B loses their housing. Then family A moves away.

- 1. Is family B still MV if the original lease holder moves out?**
- 2. What additional information would you need or what questions would you need to ask to resolve this?**

Key Points

1. McKinney-Vento eligibility is decided on a case-by-case basis.
2. Some migrant families are eligible for M-V services, not all migrant families are categorically eligible.
3. MEP staff can assist families by coordinating with the liaison and providing information regarding housing loss.
4. MEP and MV share common goals of increasing school stability by providing necessary services/supports to ensure student success.



Technical and Educational Assistance Center

- **Help Line** (800-388-2014)
- **Website** (<https://nysteachs.org>)
- **Web-Based Trainings**
- **Outreach Materials**



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Upcoming Webinars:

*Back to School with McKinney-Vento
August 31 on Zoom*



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[NCHE Unaccompanied Youth Eligibility Flowchart](#)

[NCHE Brief: Homeless Education Liaisons: Understanding Their Role](#)

[NCHE Brief: Local Homeless Education Liaisons: Information for New Local liaisons](#)

[Liaison Responsibilities](#)

Questions

