



# Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

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From: Gina Woodward, Homeless Education Specialist

Date: February 2021 (update)

Subject: McKinney-Vento Homeless Education Act & ESSA Basic Guidance for LEAs

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## **Every Student Succeeds Act**

The Every Student Succeeds Act (ESSA) was signed into law on December 10, 2015. It reauthorizes the 1965 Elementary and Secondary Education Act (ESEA), which was previously reauthorized as the No Child Left Behind Act (NCLB).

The ESSA requires all participating states to submit a consolidated state plan (including a plan to address and eliminate barriers to education for homeless youth in Indiana as defined by the [McKinney Vento Homeless Assistance Act](#)) for review by the United State Department of Education. Indiana's Annual Report on Educational Outcomes of Homeless Youth can be found [here](#). Indiana's Remediation Plan for Homeless Education can be found [here](#).

SEAs and LEAs must begin implementing the new McKinney-Vento Act requirements by October 1, 2016. As noted above, however, the ESSA amended section 725 of the McKinney Vento Act, removing "awaiting foster care" from the definition of "homeless children and youths." This change is effective on December 10, 2016, for most States. In addition, the ESSA removes "awaiting foster care placement" from the definition of "homeless children and youths."

## **THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT** **WHO IS HOMELESS?**

Homeless students are those who lack a fixed, regular, adequate nighttime residence. This includes students who are sharing the housing of others due to loss of housing, economic hardship or similar reason; are living in motels/ hotels, trailer parks, or campgrounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals.

The definition includes migratory students who live in the aforementioned situations. Beginning Dec. 10, 2016, "those awaiting foster care placement" are not included in the definition.

## **MCKINNEY-VENTO LOCAL / DISTRICT LIAISONS**

Public schools (including charters) and private schools accepting funding through Title I must designate an appropriate staff person as a local liaison to carry out all required duties supporting homeless students. The duties of the local homeless liaison are outlined in the McKinney Vento Homeless Assistance Act and have been



# Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

expanded under ESSA. Local liaisons need the time and authority to fulfill legal requirements and participate in professional development activities that support their ability to fulfill the role. The liaison must:

- Post information on the school district website and in the community (in areas frequented by parents / guardians and unaccompanied youth, including schools, shelters, public libraries, and community service providers. Required posting of information includes (but is not limited to) the following:
  - Contact information for the district liaison
  - Rights of Homeless Youth [English](#) | [Spanish](#)
  - Contact information for the state liaison including the [INEHCY website](#)
- Ensure homeless youth enroll in and have a full and equal opportunity to succeed in school (including enrollment based on best interest - assumed to be school of origin in most cases - and transportation services;
- Ensure homeless youth receive credit for full or partial schoolwork;
- Ensure homeless youth have information about higher education opportunities, including independent status for financial aid purposes;
- Ensure families have access to early intervention services, including IDEA Part C (birth-age 3) and preschool programs;
- Assist families with referrals to health care, dental, mental health, housing and other appropriate services;

Page 1 | McKinney-Vento Act IRev:09/18

- Ensure disputes are resolved, while the student remains enrolled in the school or best interest throughout the process;
- Ensure unaccompanied youth are informed of their status as independent students and assist with verification of that status;
- Local liaisons are authorized to affirm that students meet the U.S. Department of Housing and Urban Development (HUD) definition of homelessness, to qualify for HUD homeless assistance programs.

## SCHOOL ENROLLMENT

A student who experiences homelessness may stay in the school of origin for the duration of the time of homelessness. School of origin is defined as the school a student attended when permanently housed or the school in which the student was last enrolled in, including a preschool. It also includes 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.

If staying in the school of origin is not in the best interest of the student, the student should be immediately enrolled in the attendance area school. Students who are homeless should be immediately enrolled even if they do not have required documents, such as school records, records of immunizations, proof of residency, guardianship or other documents. Students who have missed application or enrollment deadlines during any period of homelessness also



# Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

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should be immediately enrolled. The district's local liaison should assist the student with obtaining necessary documents. Districts 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, fines or absences. Enrolling schools must obtain school records from the previous school, and students must be enrolled in school while records are obtained.

## ENROLLMENT OF UNACCOMPANIED YOUTH

For unaccompanied youth, immediate enrollment also applies, even without a parent or guardian. A liaison must help an unaccompanied youth choose and enroll in school, give priority to the youth's wishes and inform the youth of his or her right to appeal. School personnel (administrators, teachers, attendance officers, enrollment personnel) must be made aware of specific needs of runaway and homeless youth. Liaisons must ensure unaccompanied youth are informed of their status as independent students and provide assistance to receive verification of that status.

## TRANSPORTATION

To eliminate barriers to the retention of students, districts must provide transportation to and from the school of origin / school of best interest. The transportation provision is now required to be upheld even when the family secures permanent housing during the year. If the student is staying in the same district, that district must provide or arrange transportation to the school of origin. If crossing district lines, both districts will determine how to divide the responsibility and share the cost. If no agreement is made to share transportation, the school of origin / best interest can request reimbursement for 50% of all excess transportation costs (the amount above a typical per pupil expense). Provision of transportation does include school sponsored extracurricular activities to support equitable access and engagement.

## SUPPORT FOR ACADEMIC SUCCESS

All McKinney-Vento youth should have access to all district and school activities, including before- and after- school activities, to support their academic success. Youth should receive assistance from counselors to prepare for and improve upon college and career readiness. Districts must coordinate McKinney-Vento and special education services within the district and with other involved districts. McKinney-Vento students are categorically eligible for free school meals / fees. The U.S. Department of Agriculture policy permits liaisons and shelter directors to obtain free school meals for students immediately by providing a list of names of students experiencing homelessness with the date of initial qualification..

## TRAINING

All districts are required to conduct an awareness training to ensure **ALL** personnel know the McKinney- Vento law and how to refer questions or concerns to the local liaison. District liaisons are required to participate in regular training outlined by the IDOE



# Indiana Department of Education

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Dr. Katie Jenner, Secretary of Education

providing necessary information and skill development to carry out all local level responsibilities in accordance with law and state rule.

## ADDITIONAL RESOURCES

[The National Center for Homeless Education](#)

[SchoolHouse Connection](#)

[The Coalition for Homelessness Intervention and Prevention - Marion County](#)

[Indiana Housing & Community Development Authority - Balance of State \(outside Marion Co\)](#)

[Indiana District / Local McKinney-Vento Contact List](#)

## STATE HOMELESS EDUCATION COORDINATOR - CONTACT INFORMATION

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