

McKinney- Vento Homeless Assistance Act Manual

SY 24-25

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Introduction

The Stewart B. McKinney-Bruce Vento Homeless Education Assistance Act (McKinney-Vento Act), (In this document also referred to as “MKV”), reauthorized by Congress in January 2002, establishes the following policy for the education for homeless children and youth:

“Each State educational agency shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths.”

Colorado Preparatory Academy & Pikes Peak Online School is committed to identify and provide services through The Homeless Education Program, which is incorporated in this Policy and Procedures Manual. The Homeless Education Program serves homeless children and youth by ensuring that they are furnished with school placement, registration, homeless awareness activities for students, school-based personnel, and community groups, and transportation services. This program's main objective is to prevent homeless children and youth from being stigmatized or separated, segregated, or isolated based on their status as homeless.

Useful Links
McKinney-Vento Education for Homeless Children and Youth Act http://www.law.cornell.edu/uscode/text/42/11431
Education for Homeless Children and Youth Non-Regulatory Guidance https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716updated0317.pdf
2021 National Center for Homeless Education: Student Homelessness in America, School Years 2017-18 to 2019-20 https://nche.ed.gov/wp-content/uploads/2021/12/Student-Homelessness-in-America-2021.pdf
Federal EHCY Program Profile https://nche.ed.gov/wp-content/uploads/2018/12/ehcy_profile.pdf
National Center for Homeless Education https://nche.ed.gov/
State Coordinator Contact Information https://profiles.nche.seiservices.com/default.aspx
Flowchart for McKinney-Vento Eligibility Determinations https://nche.ed.gov/wp-content/uploads/2020/05/NCHE-Eligibility-Flowchart.pdf

McKinney-Vento/Homeless Liaison

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ESSA Updates

Reauthorization includes updated State Coordinator and Local Liaison roles, which include the following:

- Increased emphasis on adequate capacity and training for State and Local Liaisons.
- Training extended to: ALL Enrollment Personnel, DCS Representatives, Social Services, Law Enforcement, Mental Health Services Representatives, and Domestic Violence Agencies.
- State Coordinators must ensure that all homeless children and youth and their families are aware of Local Liaison duties.
- LEAs must access the needs of Homeless Children and Youth (HCY) to determine the Title I set-aside and ensure that services will be provided to all HCY using set-aside funds.
- The definition of Homeless Children and Youth no longer includes “awaiting foster care placement.” The deletion of “awaiting foster care placement” went into effect on December 10, 2016, in every State except Delaware and Nevada, where the deletion was effective on December 10, 2017. ([Section 725\(2\)\(B\)\(i\)](#)).
 - State Title I Plans must describe steps the SEA (State Educational Agency) will take to ensure collaboration with the State child welfare agency to ensure the educational stability of children or youth in foster care.

Purpose

The purpose of this manual is to provide school personnel with information and procedures to ensure the effective implementation of the McKinney-Vento Homeless Assistance Act. The McKinney-Vento Act is a federal law that ensure children and youth who do not have permanent housing are able to go to school. It gives children and youth rights to immediately enroll in school, get transportation to school-based activities, and succeed in school.

Definitions

Enrollment: The terms ‘enroll’ and ‘enrollment’ include attending classes and participating fully in school activities [42 U.S.C. § 11434a (1)]

Homeless: The term ‘homeless children and youths’ means individuals who lack a fixed, regular, and adequate nighttime residence ...; and includes:

- (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
- (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings ...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
(iv) migratory children ... who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described above

Unaccompanied Youth: The term ‘unaccompanied youth’ includes a youth not in the physical custody of a parent or guardian [42 U.S.C. § 11434a (6)]. The more general term youth, used throughout this document, also includes unaccompanied youth.

School of Origin: ... the term ‘school of origin’ means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled [42 U.S.C. § 11432(g)(3)(G)]

Immediate: Without delay

Parent: Person having legal or physical custody of a child or youth.

Liaison: Staff person designated by Colorado Preparatory Academy & Pikes Peak Online School as the one responsible for carrying out the duties assigned by the McKinney-Vento Act.

Adequate Residence: Sufficient for meeting both the physical and psychological needs typically met in home environments.

Required Staff Training

All staff will complete annual training on McKinney-Vento Act, student eligibility, and referral process. The training will be conducted by the McKinney-Vento Liaison.

Training will be conducted for the 2024-2025 school year at the beginning of the semester. Staff hired after the annual training date will be provided with a copy of the recorded training and asked to complete a training verification form (see appendix) submitted via email to the McKinney-Vento Liaison.

Public Notice

Colorado Preparatory Academy & Pikes Peak Online School provides public notice about McKinney-Vento rights and services to all parents.

- **Upon Enrollment** using McKinney-Vento Eligibility Questionnaire
- Posters – Posted at School Office(s)
- Parent and Youth posters can be accessed at <https://nche.ed.gov/resources/Newsletters> or other schoolwide communications
- Pamphlet – In office
- Handbook
- Website

Website Postings

Include the following items on your school website regarding McKinney-Vento/Homeless:

- Identification of Homeless Liaison: Name, Address, Phone, and Email
- Privacy and Homelessness: FERPA
- FAQ on Education Rights of Children and Youth in Homeless Situations
- Optional: Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care
- Grievance Procedures

Useful Links & Sample Documents

NAEHCY Publication: The Most Frequently Asked Questions on Education Right of Children and Youth in Homeless Situations

https://naehcy.org/wp-content/uploads/2018/02/2017-10-16_NAEHCY-FAQs.pdf

NAEHCY: FERPA and Homelessness

<https://naehcy.org/wp-content/uploads/2018/04/Privacy-and-Homelessness-FERPA-2016.pdf>

ESSA: Children in Foster Care

<http://www.naehcy.org/essa-and-children-foster-care>

Identification of Students Experiencing Homelessness

It cannot be emphasized enough that determining whether a particular child or youth fits the definition is a case-specific inquiry. General answers based on incomplete information or hypothetical situations will often be legally incorrect.

Useful Links

Issue Brief: *Identifying Children & Youth Experiencing Homelessness*

<https://nche.ed.gov/identifying/>

Homeless Liaison Toolkit

<https://nche.ed.gov/homeless-liaison-toolkit/>

Step 1

- Is the child or youth:
 - Sharing housing of others due to loss of housing, economic hardships , or similar reason?
 - Living in motels, hotels, trailer parks, or camp grounds?
 - Living in emergency or transitional shelters?
 - Abandoned in hospitals?

If yes, apply McKinney-Vento Act.
If no, go to Step 2.

Step 2

- Is the child or youth residing at a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings?

If yes, apply McKinney-Vento Act.
If no, go to Step 3.

Step 3

- Is the child or youth living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting?

If yes, apply McKinney-Vento Act.
If no, go to Step 4.

Step 4

- Does the child or youth lack a fixed, regular, and adequate nighttime residence? (see * below)

If yes, apply McKinney-Vento Act.
If no, don't apply the McKinney-Vento Act.
If unclear, see if the definitions below can help or seek legal advice.

FIXED:

- Placed or attached in a way that does not move easily (Merriam-Webster.com)
- Securely placed or fastened (Merriam-Webster.com)
- Not subject to change or fluctuation (Merriam-Webster.com)

Inhabitant

- One who, although he may not be a citizen, dwells or resides in a place permanently or has a fixed [emphasis added] residence therein, as distinguished from an occasional lodger or visitor (Ballentine's Law Dictionary)

Domicile

- The place where a person has his true fixed [emphasis added] permanent home and principal establishment, and to which place he has, whenever he is absent, the intention of returning, and from which he has no present intention of moving (Ballentine's Law Dictionary)

**A fixed residence is one that is stationary, permanent, and not subject to change.*

Regular

- Happening over and over again at the same time or in the same way; occurring every day, week, month, etc. (Merriam-Webster.com)
- Recurring, attending, or functioning at fixed, uniform, or normal intervals (Merriam-Webster.com)
- Conforming to an established rule, principle, or custom (Ballentine's Law Dictionary)
- Consistent; following a fixed procedure or schedule; acting or happening at uniform intervals (Ballentine's Law Dictionary)

Adequate

- Sufficient for a specific requirement (Merriam-Webster.com)
Fully sufficient; equal to what is required; lawfully and reasonably sufficient (Ballentine's Law Dictionary)

What Are Ways to Identify Students Who are Experiencing Homelessness?

School employees must be aware of the silent signals students may present. These characteristics could be attributed to students with other issues as well as those students/families experiencing homelessness:

- Attendance at several schools
- More than one family at the same address
- Poor hygiene and grooming
- Hunger and hoarding food
- Vague when asked about proof of residency
- Some common statements used by homeless students/families may include:
 - “We’ve moved a lot.”
 - “We’re staying with relatives/friends while looking for a place.”

“We’re going through a bad time right now.”

If homelessness is suspected, possible follow up questions:

1. Are you living in this household because you do not have stable housing?

2. Do you live in any of these situations?
 - sharing housing with relatives or others due to lack of housing
 - in a shelter or transitional living program
 - in a motel, hotel, park or campground due to lack of adequate housing
 - in a car or RV or in a public place (such as a bus station)
 - in sub-standard housing, such as an abandoned building
 - without a parent or guardian, or a teen (up to age 21) living independently
 - parents are migrant workers
 - in other situations that are not fixed, regular or adequate for nighttime residence

3. Would you be willing to talk/meet with our Liaison to discuss resources available to you?

Complex Conditions

Doubled-Up

Doubled-up situations can be particularly confusing when making housing determinations, because it can be difficult to discern fixed housing from temporary. The law refers to this category of homelessness as “sharing housing due to loss of housing, economic hardship, or similar reason” [42 U.S.C. § 11434a(2)(b)(i)]. According to data collected by the U.S. Department of Education, this category of nighttime residence is the type experienced by the largest number of students each year (NCHE, 2013).

If the reason the family or youth moved in with a family member or friend is clearly due to loss of housing or even job loss, it can be easy to determine that the housing fits the category of doubled-up. Similarly, sometimes shared housing is clearly inadequate and therefore easy to identify. However, some situations are less clear as homelessness can last from a few hours to many years and may involve a variety of circumstances. It is important to keep in mind that the reason for the lost housing is not defined in the law and can include a wide range of catalysts such as unpaid rent or mortgage payments on the part of the family or landlord, housing covenant violations, fires, natural disasters, and more. Additionally, there is no time limit on homelessness. As long as the student fits the definition of lacking a fixed, regular, and adequate nighttime residence, the student will be eligible for McKinney-Vento services.

Questions to help determine if the student is eligible for assistance under the McKinney-Vento definition:

Why did the family move in together? Was it for mutual benefit or due to a crisis or other precipitating event?

Is there a plan for the household to remain intact over a long term, or is it a short-term situation?

Where would the family be if they were not able to stay where they are? In a clearly homeless situation or in another apartment or house?

Does everyone have a bed to sleep in? Is the plumbing and electrical service safe? Is the housing otherwise adequate?

Is the family being added to the lease, or have they signed a lease?

Does the homeowner or renter have a legal right to force the family to leave without cause if they choose to do so?

Not all doubled-up situations are homeless according to the law, but they do often provide a feasible option for families when shelters are unavailable or full. In the instance that a family has doubled-up with another, only the family who is temporarily staying in the housing should be considered homeless, with very rare exception. Liaisons should re-evaluate the housing of homeless students at the beginning of each school year to verify that the student still lacks fixed, regular, and adequate housing.

Unaccompanied Homeless Youth

Over time, the law has been adjusted through reauthorization to better meet the needs of students experiencing homelessness. One such adjustment includes the insertion of a definition for *unaccompanied youth* in law, along with information about rights specifically for unaccompanied homeless youth. An unaccompanied youth is a youth who is “not in the physical custody of a parent or guardian” [42 U.S.C. § 11434(a)(6)]. It is important to note that the definition of unaccompanied youth does not automatically indicate that the youth is homeless, but that the student is separated from the physical custody of a parent or guardian. In other words, not all unaccompanied youth are homeless. Any unaccompanied youth, however, who is residing in a situation that is not fixed, regular, or adequate, is considered a homeless unaccompanied youth. When making a determination about McKinney-Vento rights for youth, liaisons must determine if the student is both homeless and unaccompanied as the student could be one or both. When working with youth, evaluating the housing status before considering unaccompanied status can make the process less confusing. If the situation is not homeless, the youth is not afforded rights under the McKinney-Vento Act, even if the student is unaccompanied; in this instance, state or local policy will apply. It is also important to note that the definition discusses physical custody. A parent or guardian could still retain legal custody of a youth, but not have physical custody of the youth. More information about the rights of this subpopulation of homeless students will be discussed in Chapter 9 Unaccompanied Homeless Youth

Substandard Housing

When considering the definition of homelessness, the term adequate is often associated with substandard housing. Substandard housing does not have a definition in federal law or rule. This can lead to frustration on the part of liaisons making eligibility determinations,

but it also allows liaisons to have flexibility in making determinations that reflect regional norms and community standards that would be difficult to capture in a single definition applied to the entire country. One simple consideration for liaisons is to determine if the housing is up to state or local building codes and health and safety codes. If it is not, the housing is probably substandard and any student residing there would likely meet the definition of homeless due to inadequate housing.

Examples of substandard housing could include homes:

- without adequate heat, electricity, or water;
- with unsafe heat sources or electrical service;
- with unsafe conditions, such as holes in flooring;
- with a kitchen or plumbing that is inoperable; or
- condemned by housing or other government authorities.

Inadequate or substandard housing can also refer to conditions that go beyond the structure of the building, such as overcrowding. As you consider if a home is adequate, it may be helpful to ask yourself, “Is this home safe? Does it meet basic needs and provide sufficient space for the individuals living in it?” If the answer is no to any part of those questions, the housing may be inadequate and indicate homeless conditions

Natural Disasters

Mental health experts consider returning to school a critical step in the healing process for children and youth whose lives have been disrupted by disasters (UCLA, n.d.). Going to school helps these students find the structure, normalcy, and routine that is essential to their health and wellbeing. Children and youth who are displaced by disasters, like other students in homeless situations, are forced to live in a variety of unstable, temporary arrangements. These arrangements include facilities set up by relief and community agencies, as well as motels, cars, campgrounds, and sharing the housing of others. Students displaced by disasters will generally meet the definition of homelessness in the McKinney-Vento Act.

Tips for Confirming Eligibility

Do	Don't
Do implement the use of a district-wide residency questionnaire.	Don't contact landlords or housing agencies to conduct investigations about a student or family as it violates the Family Educational Rights and Privacy Act (FERPA) and is unlikely to provide useful information.
Do have parents, youth, or caregivers sign enrollment forms indicating that McKinney-Vento services are offered based	Don't conduct surveillance of students or families, such as following them, observing them from outside their residences, or

on information they have provided about their living situations.	talking to neighbors about their living situations.
Do use only school staff trained on the McKinney-Vento Act and homelessness to do home visits.	Don't use police officers for home visits.
Do use visits only when necessary. Do explain to the family, youth, and the homeowner why the visit is occurring. Assure them that all information will remain confidential, and conduct only the minimum investigation necessary to verify the living situation.	Don't require documents like eviction notices, utility bills, occupancy permits, or notarized letters from host families.
Do contact previous schools to determine if the student was identified as homeless while attending that school.	Don't force caregivers to obtain legal custody or guardianship. The McKinney-Vento Act requires the immediate enrollment of unaccompanied youth; legal custody or guardianship cannot be prerequisites and are not appropriate in many instances.
Do talk with parents and youth about their situations, focusing on basic questions and using care and sensitivity.	Don't force people into shelters or onto the streets as a prerequisite for McKinney-Vento services.
Do work with parents, youth, and caregivers to determine if they are able to provide any documents that could confirm their living situations.	
Do use caller ID to verify when parents or youth call from a hotel, motel, or shelter.	

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Do contact previous schools to determine if the student was identified as homeless while attending that school.	Don't force caregivers to obtain legal custody or guardianship. The McKinney-Vento Act requires the immediate enrollment of unaccompanied youth; legal custody or guardianship cannot be prerequisites and are not appropriate in many instances.
Do talk with parents and youth about their situations, focusing on basic questions and using care and sensitivity.	Don't force people into shelters or onto the streets as a prerequisite for McKinney-Vento services.
Do work with parents, youth, and caregivers to determine if they are able to provide any documents that could confirm their living situations.	
Do use caller ID to verify when parents or youth call from a hotel, motel, or shelter.	

Useful Links
Issue Brief: <i>Confirming Eligibility for McKinney-Vento Services</i> https://nche.ed.gov/wp-content/uploads/2018/10/conf-elig.pdf
Issue Brief: <i>Determining Eligibility for McKinney-Vento Rights and Services</i> https://nche.ed.gov/wp-content/uploads/2020/05/Handout.Det-Elig.pdf
Issue Brief: <i>Meeting the Educational Needs of Students Displaced by Disasters: Youth on Their Own</i> https://nche.ed.gov/wp-content/uploads/2018/10/csds_youth.pdf
Issue Brief: <i>What School District Administrators Should Know About the Educational Rights of Children Displaced by Disasters</i> https://nche.ed.gov/wp-content/uploads/2018/10/csds_admin.pdf

Useful Links

Issue Brief: *Confirming Eligibility for McKinney-Vento Services*

<https://nche.ed.gov/wp-content/uploads/2018/10/conf-elig.pdf>

Issue Brief: *Determining Eligibility for McKinney-Vento Rights and Services*

<https://nche.ed.gov/wp-content/uploads/2020/05/Handout.Det-Elig.pdf>

Issue Brief: *Meeting the Educational Needs of Students Displaced by Disasters: Youth on Their Own*

https://nche.ed.gov/wp-content/uploads/2018/10/csds_youth.pdf

Issue Brief: *What School District Administrators Should Know About the Educational Rights of Children Displaced by Disasters*

https://nche.ed.gov/wp-content/uploads/2018/10/csds_admin.pdf

Student Referral to McKinney-Vento Liaison

Sample Process: Determining eligibility during enrollment

The Enrollment Team and McKinney-Vento Homeless Liaison work together to identify students experiencing homelessness during enrollment by the following procedure:

- Parents/Students are asked the following question during enrollment:
 - “Which of the following accurately describes the student’s current living situation?”
 - Choices include: Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; Motel, hotel, or camping grounds due to the lack of alternative adequate accommodations; Emergency or transitional shelter or other temporary housing due to loss of housing or economic hardship; Public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; None of the above – the student currently lives in permanent and stable housing.
 - This question is intended to address the McKinney - Vento Act, 42 U.S.C. 11435. The answer to this residency information will help determine the services the student may be eligible to receive.
- The Enrollment Team works to expedite the approval and enrollment for all students who indicate their living situation may meet the McKinney Vento definition of homelessness.
- The [Child Find Report](#) will be pulled by the McKinney-Vento Homeless Liaison at a minimum of 1x per week to identify those students for whom a response indicating possible MKV eligibility to the question above was received.
- All students identified as potentially eligible for MKV will be contacted by the McKinney-Vento Homeless Liaison for additional information as needed to determine eligibility.

- The Liaison will email the student/family the Educational Rights of Homeless Students upon enrollment with MKV eligibility ([sample flyers for rights available through SchoolHouse Connection](#)).
- MKV status will be marked in TotalView Special Programs. If a student is not eligible, a note will be added to TotalView Special Programs to indicate such (i.e. “cleared child find”)
- General notes regarding MKV status and eligibility may be maintained in Total View School (TVS). For easy future reference, all notes regarding MKV status will have in the title “MKV.” The body of the note will have more specific information.

Teacher/Staff Referrals

Teachers and staff may review TotalView Notes to determine if the Liaison has already assessed student eligibility. If the student was not eligible or not contacted and you have further evidence regarding MKV status, follow the steps below:

- Gather documentation showing possible student eligibility, including emails, notes on phone calls, and other appropriate evidence.
- Based on your school’s specific procedures, use a referral form as needed to log any specifics on the student’s living situation; a sample McKinney-Vento Referral Questionnaire is available for review in the appendix.
- Refer the student to the Liaison. Share any appropriate evidence and documentation with the Liaison for review; this information will be important as the Liaison works to determine eligibility. Remember to refer to the student by SID for confidentiality of student information.

Available Services for Eligible Students

Colorado Preparatory Academy & Pikes Peak Online School shall set aside a portion of Title I funding to support the needs of McKinney-Vento Students. Support services may include but are not limited to:

- School supplies (pens, paper, folders, pencils, etc. and including headsets, wireless adapter, required software for courses, etc.)
- Food or hygiene supplies for students/families
- Bus passes for students and Legal Guardians per request
- Internet reimbursement/payment
- Connections with local resources
- Transportation to in-person events (testing or other school activities)

Include details of any internal procedures listed above

Educational Rights of Homeless Children and Youth

Once a child or youth is identified as homeless, they are made aware of their rights in regard to education. (Editable format available through [SchoolHouse Connection](#).) The list below is a brief overview of these rights:

- **Academic Achievement**
 - Students must be given access to educational and supplemental resources to achieve academic success.
 - LEAs must demonstrate how they will close the achievement gap between students who are meeting and students who are not meeting the state academic standards.
 - LEAs must demonstrate how they will support enrollment, attendance, and success of HCY, including through Title I set-asides.
- **Segregation/Stigmatization**
 - LEAs cannot separate students from the mainstream school environment.
- **School Choice**
 - *As a school of choice, this section is included in the law, but may not be applicable to Colorado Preparatory Academy & Pikes Peak Online School.
 - Identified MKV students may attend either the school of origin or the school of residence; liaisons are asked to support unaccompanied youth in this choice.
 - If the LEAs determine it is best to send the student to a school that is not preferred, then the LEA must provide a written explanation of the decision and describe the family's right to appeal and appeal process.
- **Transportation**
 - LEAs, to the extent feasible, must provide means of traveling to either the school of origin or the school of residence.
 - Transportation eligibility through MKV services lasts until the end of the school year in which the student is identified.
- **Dispute Resolution**
 - Every state must establish procedures to resolve disputes regarding educational placement of HCY and unaccompanied youth.
 - A dispute must be carried out by the liaison as expeditiously as possible. In the meantime, the student must be admitted immediately to the requested school while the dispute is being resolved.
- **Enrollment**
 - State Education Agencies and Local Education Agencies must develop, review, and revise their policies to remove barriers from school enrollment for HCY.
 - LEAs must enroll students immediately even without required paperwork, citing that removal of barriers to enrollment must take place for HCY.
 - This includes removing fees, absences, and enrollment deadlines as barriers so that the student may immediately attend.
 - Liaisons are responsible for requesting records for the student.

- LEAs must maintain records for the student in case of transferal.

Dispute Resolution Policy

1. The child or youth “shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute” [42 U.S.C. § 11432(g)(3)(E)(i)]. In disputes involving unaccompanied homeless youth, the local liaison must ensure that unaccompanied homeless youth are immediately enrolled in school [42 U.S.C. § 11432 (g)(3)(E)(iv)]. The U.S. Department of Education (ED) emphasizes the importance of the requirement for enrollment during the dispute process in the 2004 Non-Regulatory Guidance:

When enrollment disputes arise, it is critical that students not be kept out of school. Interruption of education can severely disrupt the student’s academic progress. To avoid such disruptions, LEAs need an established process for resolving school placement disputes. Permitting students to enroll immediately in the school of choice pending resolution of disputes helps provide needed stability [G-5].

While disputes are pending, students have the right to participate fully in school and receive all services which they would normally receive. This includes transportation services, as indicated by the Non-Regulatory Guidance: The McKinney-Vento Act’s transportation requirements apply while disputes are being resolved [2004, H-5]

2. The parent, guardian, or unaccompanied youth must be provided with a written explanation of the school’s decision regarding school selection or enrollment, including the right of the parent, guardian, or youth to appeal the decision any time the student is denied enrollment in a requested school [42 U.S.C. § 11432(g)(3)(E)(ii)]. In the case of an unaccompanied homeless youth, the notice explaining the decision and the right to appeal are provided directly to the youth [42 U.S.C. § 11432(g)(3)(B)(iii)].
3. The child, youth, parent, or guardian must be referred to the local liaison, who will carry out the dispute resolution process as quickly as possible [42 U.S.C. § 11432(g)(3)(E)(iii)]. The local liaison must be familiar with the state’s McKinney-Vento dispute resolution process and follow all procedures outlined therein.

Useful Links

NCHE Dispute Resolution

<https://nche.ed.gov/dispute-resolution/>

Appendix

Self-Evaluation: Questions to ask to Assist in Understanding the Homeless Program in My School

Question	Source
Who is the State Coordinator for the homeless education program in my state? What technical assistance and training does the State Coordinator provide to LEAs?	NCHE Website; SEA Homeless Education Website
How much time is allocated to the local homeless liaison position? What additional staff support is in place?	Supervisor
How many homeless children and youth did the LEA identify last year?	CSPR Report, LEA Data Manager
Are the numbers identified increasing or decreasing? By how much?	CSPR Report, LEA Data Manager
Does the LEA have a McKinney-Vento subgrant? If so, what are the approved activities to serve homeless children and youth? What are my reporting responsibilities? How long will the LEA receive funds through this grant?	McKinney-Vento Subgrant Application
How much money is set aside for services for homeless children and youth through Title I, Part A? How was the amount of these funds determined? How were these funds spent last year? How may they be accessed?	Title I Coordinator, Consolidated Application
What are the challenges to implementing the McKinney Vento program in the LEA?	Phone and Email Logs, Documentation on Disputes
What local policies and procedures are in place to support services for homeless children and youth? What policies or procedures create barriers to the education of homeless children and youth?	LEA Policy Handbook, School Board Policies, Phone and Email Logs, Documentation on Disputes, LEA Program Coordinators (Tutoring Programs, Nutrition, Special Education, English Language Learning, Migrant)
What data must be collected on homeless children and youth, and what procedures are in place to collect and report this data?	CSPR Report, LEA Data Coordinator
How many homeless children and youth were transported to their school of origin in the past year? What are the procedures for arranging transportation?	Pupil Transportation Director, Student Files
What McKinney-Vento compliance issues have been identified in my district?	SEA Monitoring Reports
What is the local dispute process for the McKinney-Vento program, and who is involved in the process other than the liaison?	Written Dispute Policy

What homeless education awareness activities have taken place in the LEA? What groups in the district and community have been involved? Were the activities effective?	Meeting Agendas and Notes
Which community agencies collaborate with the LEA to serve homeless children and youth?	Meeting Agendas and Notes, Phone and Email Logs
Are posters on McKinney-Vento services displayed in all schools? How long ago were posters and other awareness materials placed in each school in the LEA?	Observation in Schools, Budget or Fiscal Office

Homeless Liaison Responsibilities

****This is a general listing of possible requirements. Verify with your state Department of Education for state-specific requirements. Delete this highlighted statement upon review of this section. ****

Policies & Procedures
Review local policies and procedures that impact homeless children and youth, such as school enrollment and access to school programs. (This is a LEA requirement that may be assumed by the homeless liaison.)
Revise local policies and procedures determined to be potential barriers for homeless children and youth. (This is a LEA requirement that may be assumed by the homeless liaison.)
Ensure that homeless students are identified by school personnel and other partners.
Enrollment & Access to Educational Services
Ensure that homeless students enroll in, and receive equal opportunity to succeed in, the schools of the LEA.
Assist children and youth who do not have immunizations or medical records in obtaining the necessary immunizations or records.
Ensure that homeless families, children, and youth receive educational services for which they are eligible, including free school meals, Head Start, and preschool programs administered by the LEA; as well as referrals to health, mental health, dental, and other appropriate services.
Ensure that parents and guardians are informed of educational and related opportunities available to their children, and are provided meaningful opportunities to participate in their children’s education.
Carry out the resolution of disputes, ensuring that they are mediated in accordance with the state’s dispute resolution process.
Facilitate transportation arrangements.
Outreach
Ensure that the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all educational rights, including the right to remain in, and receive transportation to and from, the school of origin.
Post the educational rights of homeless children and youth in all schools in the district.
Post the educational rights of homeless children and youth in the community in places where homeless families and youth may receive services (e.g., shelters, public health clinics, libraries, and soup kitchens).
Inform school personnel, service providers, and advocates who work with homeless families and youth about the duties of the local liaison.
Collaborate and coordinate with State Coordinators, community service providers, Title I Coordinators, and other school personnel responsible for the provision of education and related services to homeless children and youth.
Unaccompanied Homeless Youth
Assist unaccompanied homeless youth in school enrollment and placement decisions, while considering the youth’s wishes in those decisions and providing notice to the youth of the right to appeal such decisions through the dispute resolution process.
Ensure that unaccompanied homeless youth are enrolled in school immediately pending the resolution of any dispute that arises over school enrollment and placement.
Data Collection
Collect data on homeless children and youth and submit the data to the SEA for the Consolidated State Performance Report.

Homeless Liaison Responsibilities: Suggested Activities

Provide professional development for school staff to build awareness of the educational needs of homeless students, legal responsibilities of the school and LEA, and local policies and procedures to remove barriers and expedite services for homeless students.

Maintain ongoing communication with LEA programs, such as and Title I, to work collaboratively across programs to serve homeless children and youth.

Provide outreach to community service providers through presentations, announcements, and dissemination of relevant resources. An example of this may be having the FAST team build and develop connections with community service providers in districts across the state.

Provide training for parents on McKinney-Vento rights and services and ways they can support their children's education when experiencing homelessness.

Obtain school supplies, clothing, and other helpful resources from community partnerships and distribute them to schools.

Conduct a needs assessment to prioritize activities and services to support the educational needs of homeless children and youth.

Conduct an evaluation of your homeless education program.

Participate in community task forces and agency advisory committees to create awareness of the needs of homeless children and youth, identify opportunities for collaboration, and share resources.

Sample Residency Information Form

This questionnaire is in compliance with the McKinney-Vento Act, 42 U.S.C. § 11431 et seq. Your answers will help determine if the student meets eligibility requirements for services under the McKinney-Vento Act.

The McKinney-Vento program is designed to address the problems that homeless children and youth have faced in enrolling, attending, and succeeding in school. Under this program, educational agencies must ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youth. Homeless children and youth should have access to the educational and other services that they need to enable them to meet the same challenging state student academic achievement standards to which all students are held.

Student _____ Parent/Guardian _____
School _____ Phone/Pager _____
Age ____ Grade ____ D.O.B. _____
Address _____ City _____
Zip Code _____ Is this address Temporary or Permanent? (circle one)

Please choose which of the following situations the student currently resides in (you can choose more than one):

- House or apartment with parent or guardian
- Motel, car, or campsite
- Shelter or other temporary housing
- With friends or family members (other than or in addition to parent/guardian)

If you are living in shared housing, please check all of the following reasons that apply:

- Loss of housing
- Economic situation
- Temporarily waiting for house or apartment
- Provide care for a family member
- Living with boyfriend/girlfriend
- Loss of employment
- Parent/Guardian is deployed
- Other (Please explain)

Are you a student under the age of 18 and living apart from your parents or guardians? Yes No

Residency and Educational Rights

Students without fixed, regular, and adequate living situations have the following rights:

- 1) Immediate enrollment in the school they last attended or the local school where they are currently staying even if they do not have all of the documents normally required at the time of enrollment without fear of being separated or treated differently due to their housing situations;
- 2) Transportation to the school of origin for the regular school day;
- 3) Access to free meals, Title I and other educational programs, and transportation to extra-curricular activities to the same extent that it is offered to other students.

Any questions about these rights can be directed to the local McKinney-Vento Liaison at 307-840-9398

or the State Coordinator at gumina_p@cde.state.co.us .

By signing below, I acknowledge that I have received and understand the above rights.

Signature of Parent/Guardian/Unattached Youth & Date

Signature of McKinney-Vento Liaison & Date

Sample McKinney-Vento Referral Questionnaire

The following questions are designed to assist in gathering information from families or youth to determine the extent to which their living arrangement is fixed, regular, and adequate.

Student's first initial, last name: _____ **Student ID:** _____

Grade: _____

School:

Start with some basics:

Where are you currently living (i.e. what kind of place is it – a home, a shelter, a trailer)?

How long have you been living there?

Depending on what they answered above as well as on the McKinney Vento Eligibility Questionnaire, ask some of the following:

● **FIXED: “A fixed residence is one that is stationary, permanent, and not subject to change.”**

With whom are you staying? Why are you staying with them?

Are you looking for another place to live? / Do you plan to move out soon?

Why are you staying in your current place?

Where were you living right before this place? Why did you leave?

Where would you go if you couldn't stay where you are?

Did you and your friends/relatives decide to move in together and share a home and expenses?

Could your friends/relatives that you are staying with ask you to leave if they wanted to?

Are you all sharing the home equally, or are you more like guests in the home?

● **REGULAR: “A regular residence is one that is used on a regular [i.e., nightly] basis.”**

Do you stay in the same place every night?

Do you have a key to the place where you are living?

Do you move around a lot?

How long have you been at that place? How long do you plan to stay?

How long did you live in your last place?

● **ADEQUATE: “An adequate residence is one that is sufficient for meeting both the physical and psychological needs typically met in home environments.**

How many people are living in the home?

How many bedrooms/bathrooms does it have?

Are you and your children sharing a room? How many people are staying in one room?
Are you and your children sleeping in a bedroom, or in a public area, like a dining room?
Does the home have heat/electricity/running water?
Does it keep out rain and wind? Is it safe? Is it warm and dry?
Can you come and go as you please?

Additional Notes:

Sample McKinney Vento Enrollment Procedures: Stride K12 Enrollment Team

Process Overview: McKinney Vento

Confirm Your School Process; some schools do not use the forms

When identified **DURING the Parent Portal Application Process:**

- Enrollment receives a Salesforce System Trigger, which alerts team members to follow specific directions.
- Agent informs family, “Based on your application responses, we are passing along your student’s application to Colorado Preparatory Academy or Pikes Peak Online School for review. If possible, please complete the McKinney Vento form, and begin collecting and submitting the remaining documentation listed in your Parent Portal. In the meantime, a point of contact from the school may reach out to you, if necessary.
- The MKV form is automatically triggered as ‘requested’ in this scenario by the system, based on the parent’s response to the MKV application question.
- This form is a ‘DocuSign’ electronic document, and may be completed by the family prior to our escalation process occurring.
- If submitted by the family, the MKV form will be marked ‘pending’ by the Document Processing team if we have not yet received a response from the school.
- Agent then submits a Salesforce Case (internal escalation) to the Resolution Specialist team
- Resolution Specialist team escalates an email to the school, and requests a review of the account. Once the school responds, the team will mark the account accordingly.
- If school deems the account to be YES/MKV Eligible: Resolution Specialist will remove all required compliance items so family can move forward for approval.
- If schools deems the account to be NO/MKV Ineligible: Resolution Specialist team will resolve the case, and the agent will follow back up with the family to continue with the enrollment process.

If MKV is identified **POST-application**

(within the Admissions Conference or later in the Admissions process):

- Agent informs family, “Based on your application responses, we are passing along your student’s application to Colorado Preparatory Academy or Pikes Peak Online School for review. If possible, please complete the McKinney Vento form, and continue collecting and submitting the remaining documentation listed in your Parent Portal. In the meantime, a point of contact from the school may reach out to you, if necessary.”
- Agent then submits a Salesforce Case and assigns it to the Resolution Specialists, who trigger the MKV document as ‘requested’ and reach out to the school.
- If the MKV form is submitted prior to a school response, the Document Processing team will mark the MKV form as ‘pending’ which may be viewed on the MKV Pending Account report. Accounts will be identified by SID.
- This account may have already been escalated by the Resolution Specialist team to the school if the MKV documentation was submitted by the family around the time the school is receiving the email notification by the escalation team.