



McKinney-Vento 101:

Understanding and Implementing the Law in Nebraska





Offered in Partnership By



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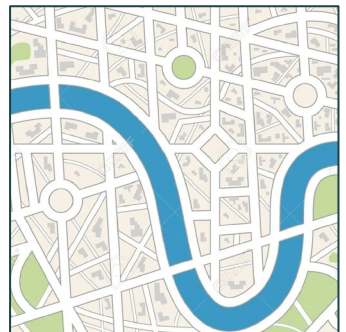


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Today's Roadmap

- The McKinney-Vento Homeless Assistance Act
 - Identifying students experiencing homelessness
 - Summary of rights and supports available to eligible students
- Resources for more information



McKinney-Vento Basics

- Subtitle VII-B of the McKinney-Vento Homeless Assistance Act
 - Was reauthorized by Title IX, Part A of the Every Student Succeeds Act
 - Establishes the definition of homeless used by U.S. public schools
 - Addresses the unique educational barriers and challenges faced by students experiencing homelessness
 - Requires state education departments to designate a State Coordinator for Homeless Education and school districts to designate a local homeless education liaison; access contact information at <https://www.education.ne.gov/federalprograms/title-vii-b/>





McKinney-Vento Basics: Breaking it Down

- State education departments and school districts must
 - Review and revise laws, regulations, practices, or policies
 - that may act as a barrier to
 - the identification of,
 - or the enrollment, attendance, or success in school of
 - children and youth experiencing homelessness



Homelessness: Challenges and Effects

Challenges

- Due to homelessness, students may
 - Be unable to meet school enrollment requirements
 - Move around and change schools a lot
 - Be hungry, tired, and anxious
 - Not have school supplies or a quiet place to study
 - Not have access to reliable transportation
 - Not have a parent or guardian to help them

can lead to

Effects

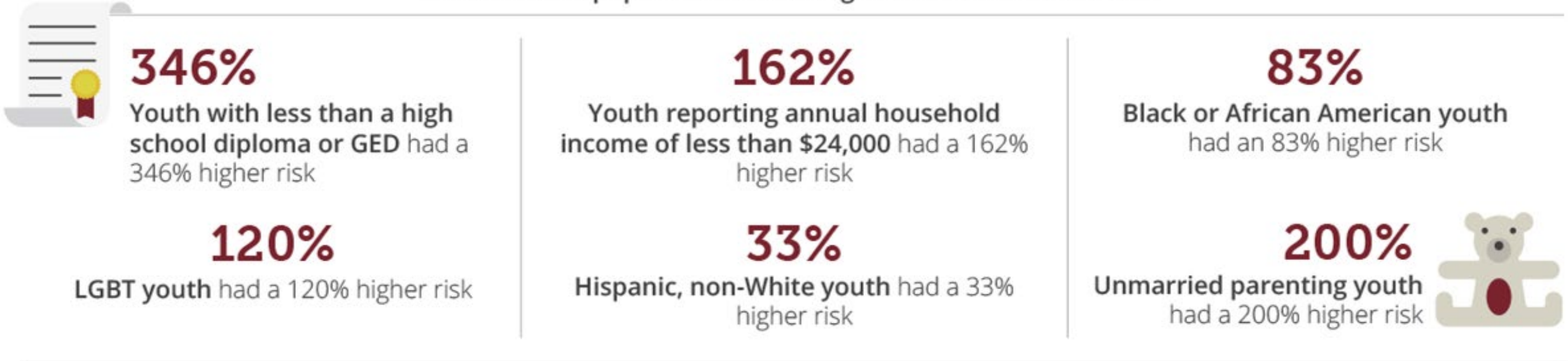
- As a result, students experiencing homelessness are more likely to
 - Be chronically absent from school
 - Get lower grades
 - Have special education needs
 - Score poorly on assessment tests
 - Drop out of school



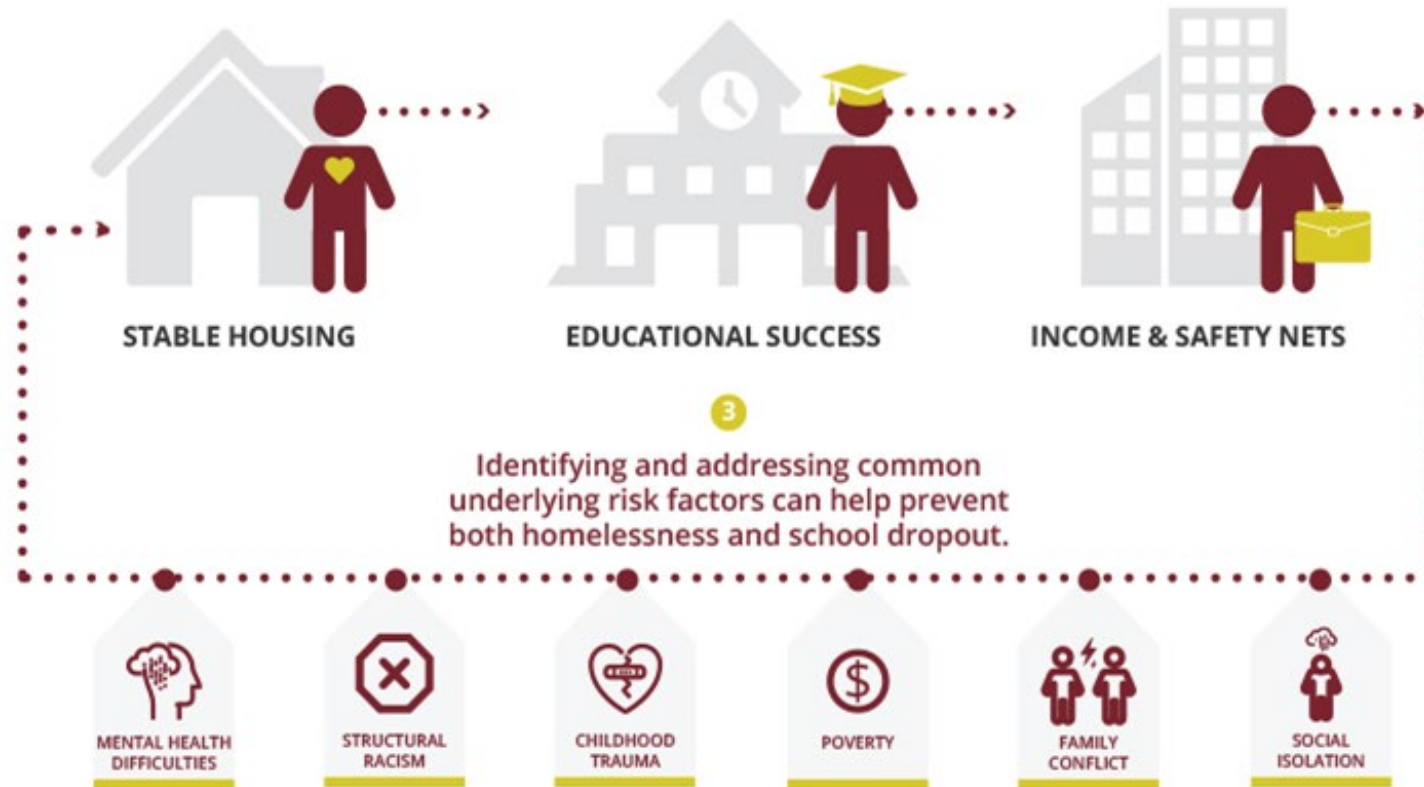
The Research: Risk Factors

Lack of a high school credential is the single largest factor placing youth at risk of experiencing homelessness

Particular subpopulations are at higher risk for homelessness



The Research: A Bidirectional Relationship



Source: Chapin Hall, [Missed Opportunities: Education Among Youth Experiencing Homelessness in America](#)



Role of the Local Liaison

Local liaisons must

- Ensure the **identification** and school **enrollment** of students experiencing homelessness
- Connect families experiencing homelessness to **early childhood services**
- Refer families experiencing homelessness to **other services** (housing, health and mental health care, etc)
- Support the informed engagement of **parents**
- Disseminate **public notice** of McKinney-Vento rights and services
- Provide **professional development** to school personnel
- Support **unaccompanied homeless youth**



Who Is Homeless?

Children and youth who **lack a fixed, regular, and adequate nighttime residence**, including

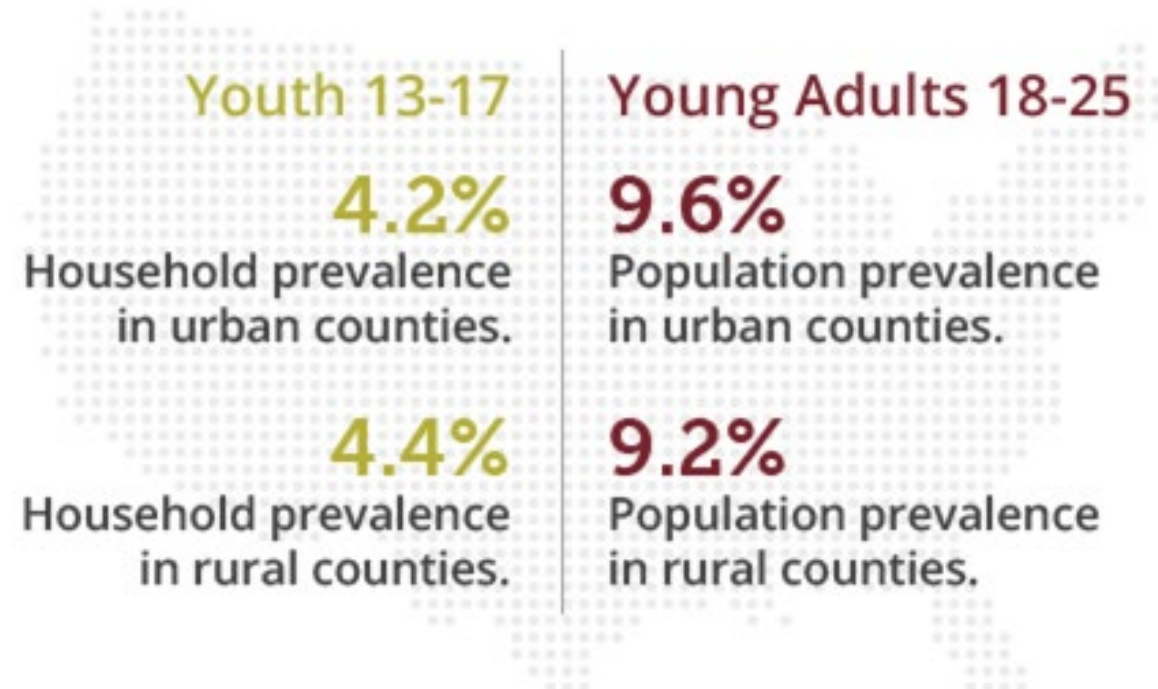
- Sharing the housing of other persons, *due to loss of housing, economic hardship, or a similar reason*
- Living in motels, hotels, trailer parks, camping grounds *due to the lack of alternative adequate accommodations*
- Living in emergency or transitional shelters, or abandoned in hospitals
- Living in a public or private place not designed for or ordinarily used as a regular sleeping accommodation
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- Migratory children living in the above circumstances
- Children and youth not in the physical custody of a parent or guardian living in the above circumstances

42 U.S.C. §11434a(2)

42 U.S.C. §11434a(6)

The Research: Rural v. Nonrural

Rates of youth homelessness are statistically identical in rural and nonrural areas



Determining McKinney-Vento Eligibility



- The **local liaison** has the authority and responsibility to ensure that eligible students are identified
- Eligibility determinations should be made on a **case-by-case basis**, considering the circumstances of each student
- Pay close attention to the **legislative wording**, as it may provide needed clarity
- Download NCHE's [Determining Eligibility for McKinney-Vento Rights and Services](#) brief for more information

Immediate Enrollment



- Children and youth experiencing homelessness have the right to **immediate school enrollment**
 - even if lacking paperwork normally required for enrollment (birth certificate, proof of residence, previous school records, immunization/health records, etc.)
 - even if they do not have a parent or legal guardian present
- ***Enrollment*** is defined as “attending classes and participating fully in school activities” [42 U.S.C. § 11434a(1)]



School Selection and Transportation

- Children and youth experiencing homelessness have the right to attend
 - **The school of origin** [42 U.S.C. § 11432(g)(3)(I)(i)]
 - The school that a child or youth attended when permanently housed, or the school in which the child or youth was last enrolled
 - **The local attendance area school** [42 U.S.C. § 11432(g)(3)(A)(ii)]
 - Any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend
- **School of origin transportation** must be provided at the request of the parent or guardian, or, in the case of an unaccompanied youth, at the request of the local liaison [42 U.S.C. §11432(g)(1)(J)(iii)]

Determining Best Interest



- In determining best interest, the school district shall
- **Presume** that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the parent, guardian, or unaccompanied youth
- **Consider student-centered factors** related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the parent, guardian, or unaccompanied youth



What if We Disagree?

- If, after conducting the best interest determination, the district determines that it is not in the student's best interest to attend the school requested by the parent, guardian, or unaccompanied youth
 - The district must provide the parent, guardian, or unaccompanied youth with a **written explanation** of the reasons for its determination...
 - in a **manner and form understandable** to the parent, guardian, or unaccompanied youth...
 - including information regarding the **right to appeal** [42 U.S.C. §11432(g)(3)(B)]
- The child or youth shall be **immediately enrolled** in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals [42 U.S.C. § 11432(g)(3)(E)(i)]

Barriers: A Deeper Dive



- In addressing educational barriers, school districts must
 - Address barriers related to **outstanding fees or fines, or absences** [42 U.S.C. § 11432(g)(1)(I)]
 - Ensure students receive appropriate **credit for full or partial coursework** satisfactorily completed at a prior school [42 U.S.C. § 11432(g)(1)(F)(ii)]
 - Address barriers to accessing **academic and extracurricular activities**, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs [42 U.S.C. § 11432(g)(1)(F)(iii)]

Higher Education



- School counselors must assist students experiencing homelessness with **college preparation and readiness** [42 U.S.C. § 11432(g)(1)(K)]
- Local liaisons must inform unaccompanied youth of their **independent student status** on the Free Application for Federal Student Aid (FAFSA) and assist with verification of this status [42 U.S.C. § 11432(g)(6)(A)(x)(III)]

For More Information

- [NDE homeless education webpage](#)
- [SchoolHouse Connection website](#)
- [National Center for Homeless Education website](#)
- [U.S. Department of Education EHCY Program Non-Regulatory Guidance](#)





Thanks for Joining!



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