



National Center for Homeless Education

Determining Eligibility for Homeless Education Services

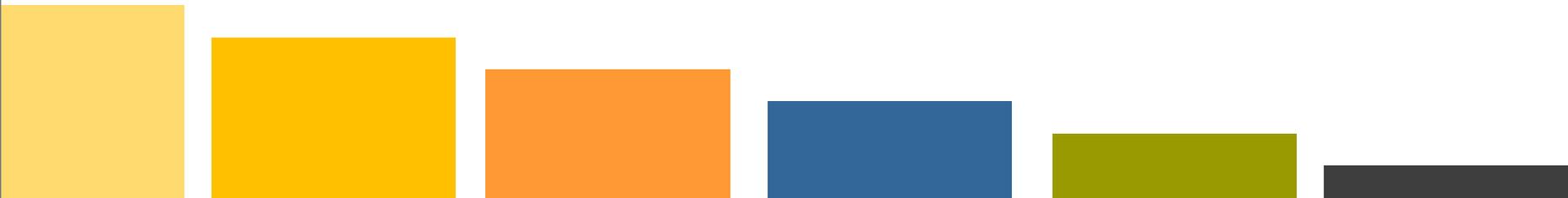
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Laramie, WY, June 7-8, 2017

Goals for Today's Session

1. Understand the McKinney-Vento (MV) definition of homeless
2. Learn the key questions to ask and characteristics to look for when making eligibility determinations
3. Apply your learning to real-life scenarios



The McKinney-Vento Act

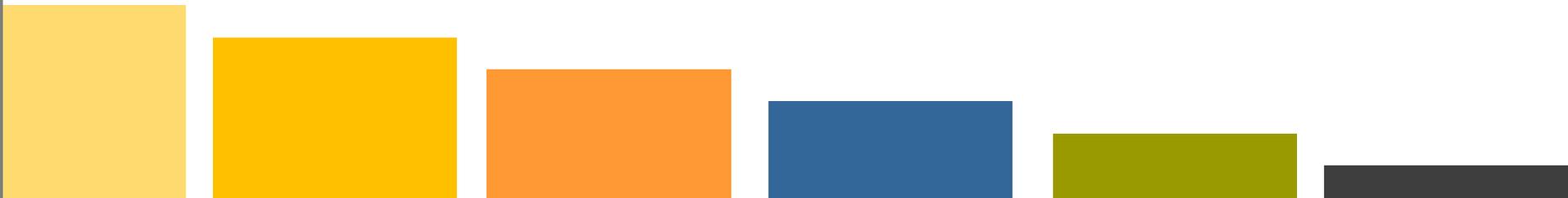
- Establishes education definition of homeless
- Covers all public schools
- Includes preK-12, charter, magnet, and virtual schools
- No age limitations - any student who meets age criteria for public education in your state can be eligible



Homeless Definition

Children or youth who lack fixed, regular, and adequate nighttime residence, including:

- Sharing housing of others due to loss of housing, economic hardship, or similar reason
- Living in motels, hotels, trailer parks, or campgrounds due to the lack of alternative, adequate accommodations
- Living in emergency or transitional shelters



Homeless Definition (cont)

- Abandoned in hospitals
- Living in a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- Migratory children living in the above circumstances



Unaccompanied Homeless Youth

Homeless child or youth not in the *physical* custody of a parent or guardian. To qualify for MV services:

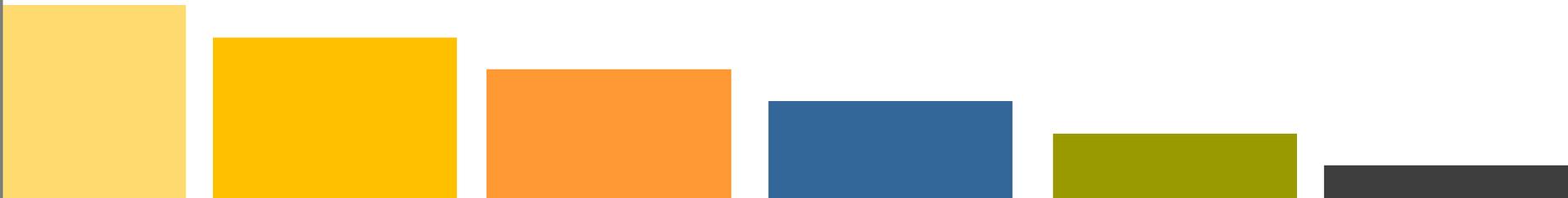
- Student's living arrangement must meet the homeless definition, AND
- Student must not be in the physical custody of a parent or guardian



Specific UHY Considerations

Eligibility is based on student's current living situation

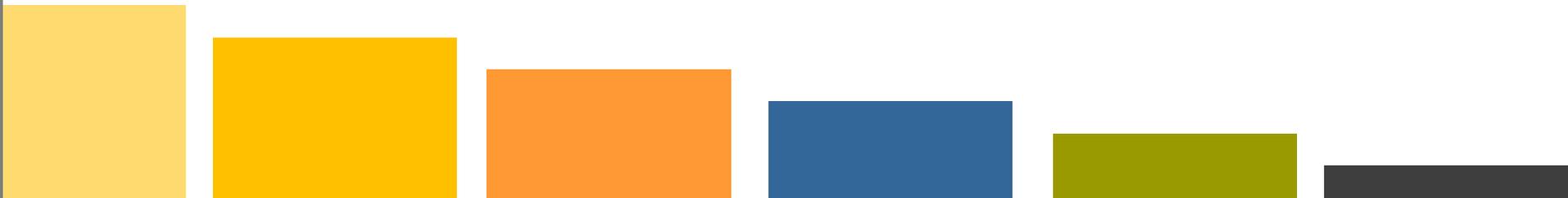
- Lack of a guardian (without homelessness) does not qualify students for McKinney-Vento
- Can be eligible regardless of whether the youth "chose" to leave or was asked to leave
- Behavior of student prior to separation from parents is not relevant
- Many times there more has happened than what is revealed to schools



Awaiting Foster Care Placement

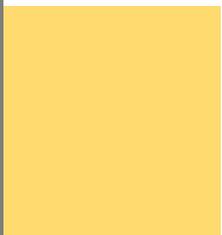
- Removed from homeless definition in WY on 12/10/2016
- Students AFCP are no longer eligible for McKinney-Vento services
- Children in any stage of child welfare involvement are now served under Title I, Part A

EHCY Non-Regulatory Guidance, A-2,
<http://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716.pdf>

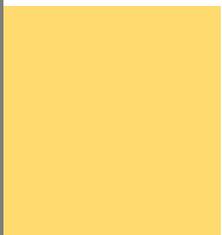


Fixed, Regular, and Adequate

- Fixed
 - Stationary, permanent, not subject to change
- Regular
 - Used on a predictable, routine, consistent basis
 - Consider the relative permanence of the living arrangement
- Adequate
 - Lawfully and reasonably sufficient
 - Sufficient for meeting physical and psychological needs typically met in a home environment



Can the student go to the
SAME PLACE (fixed)
EVERY NIGHT (regular)
to sleep in a
SAFE and SUFFICIENT SPACE (adequate)?

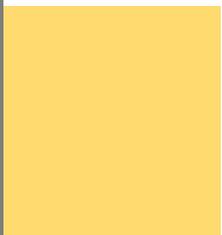


Substandard Housing

- Standards for adequate housing vary by locality
- Consider
 - Accessibility of utilities (water, electricity, heat)
 - Infestations of vermin or mold
 - Whether the housing lacks a basic functional part such as a working kitchen or toilet
 - Presence of unreasonable dangers to adults, children, or persons with disabilities
 - City, county, or state housing codes

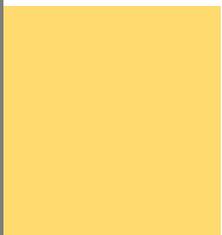
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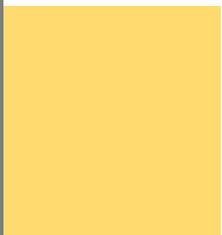
Sharing Housing of Others

- Involves some type of a crisis (“due to loss of housing, economic hardship, or a similar reason”)
- Intended to be short term
- Typically have no legal right to remain in home and can be asked to leave at any time
- Leaving the situation would result in another type of homelessness
- Does not include mutually beneficial, planned, long-term housing (fixed, regular, and adequate)



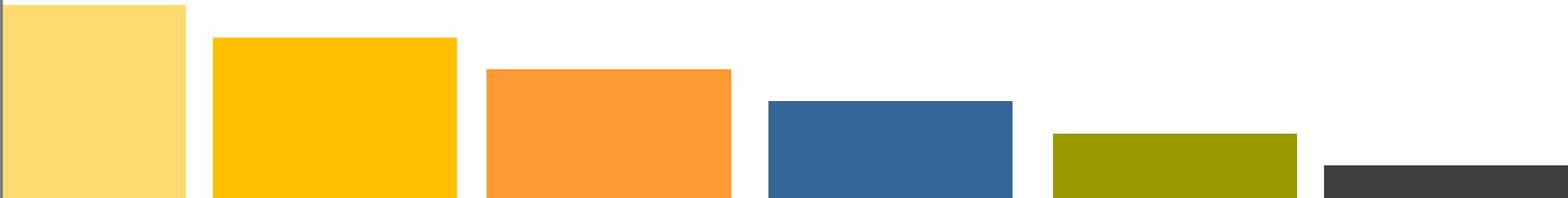
Sharing Housing of Others - Due to Loss of Housing

- Eviction or foreclosure
- Destruction of or damage to home
- Unhealthy or unsafe conditions
- Domestic violence
- Abuse or neglect
- Abandonment, parental incarceration, or similar situation when there is no plan for the student's FRA housing



Sharing Housing of Others - Due to Economic Hardship

- Limited financial resources forced the student/ family to leave home & share housing due to an inability to pay rent/mortgage & other household bills
- Clarifying question: Did an accident, illness, loss of employment, loss of public benefits, or a similar reason force the family or youth to share housing of others temporarily?



Motels, Hotels, Trailer Parks, and Camping Grounds

Due to lack of alternative adequate accommodations

– Consider

- Was it a planned move or due to a crisis?
- Is it suitable housing, e.g., adequate space? Working kitchen? Other considerations?
- Is the arrangement anticipated to be short- or long-term?
- Where would the student live if not there? Are FRA options available?
- Schools can ask for a receipt, but lack of one cannot pose a barrier to identification or immediate enrollment

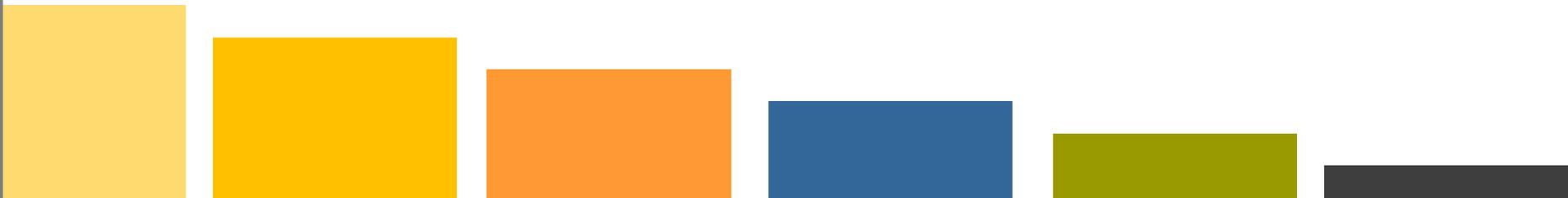


Transitional Housing

- Temporary accommodation as a step to permanent housing
- May last up to 24 months, provide wraparound services, & typically requires participants to pay a portion of their housing costs based on a sliding scale

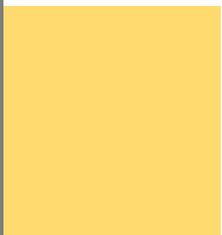
NCHE's *Guide to Reporting Federal Data*

<http://nche.ed.gov/downloads/data-guide-15-16.pdf>



Review of Eligibility Considerations

- Use legislative wording as a guide to eliminate irrelevant information
- Make determinations on case-by-case basis
- Note that the MV definition includes common homeless situations; other situations may qualify because they are not FRA
- Recognize when you need to ask more questions
- Re-evaluate each student's living situation prior to or at the time of enrollment for the new school year



The Concept

Work through complex scenarios focusing both on

PROCESS

and

PRODUCT

The Flow

Guided step-by-step discussion

1. Take in information from the initial call or email
2. Gather additional information, as needed
3. Weigh the information you have
4. Move towards resolution
5. Debrief for lessons learned

Step 1: Take In Information

- What do you know about the student's living arrangement?
- Do you need additional information?
- Of the initial information provided, what is most critical to understanding the student's living arrangement?
- Are there facts you can "set aside" to help make the eligibility determination clearer?

Step 2: Gather Additional Information

- What additional questions do you have?
- Who could provide relevant information?
- How can you gather information in a sensible and strategic manner, showing consideration for involved parties and ensuring that privacy is not violated?

Step 3: Weigh the Information

- Does the student's living arrangement fall under one of the categories of homeless listed in the definition?
- If not, would the student qualify as homeless because the living arrangement is not FRA?
- Would it be helpful to consult with a colleague? A local liaison? The State Coordinator? NCHE? Someone else?

Amy

Amy's family was living in the Elm School District. Her parents split up over the summer. Now, her dad is living in Dixon District and her mom is residing in a temporary housing situation in Easton District.

- How would you determine if Amy is eligible for McKinney-Vento services?
- Does it matter if one parent's living arrangement meets the definition of housing but the other's does not?
- Is the parents' marital status relevant to determining eligibility?

Baxter

Julia and her son, Baxter, had a place of their own until Julia had an accident that led to surgery and months of physical therapy. Recently, they moved in with Julia's old college friend.

- How would you determine if Baxter is MV eligible?

Staying with the college friend doesn't work out, so Julia and Baxter move in with Julia's parents.

- Is Baxter MV eligible now?

Fast forward to the next school year. Julia and Baxter are still at Julia's parents and Baxter is enrolling in school.

- Is Baxter still MV eligible?

The Millers

The Millers lost their housing in October and had to split up. Mr. Miller and his son, Micah, went to stay with one of Mr. Miller's cousins. Mrs. Miller moved to her mother's house with her daughter, Emily.

It's May now. Mr. and Mrs. Miller and Micah moved into permanent housing last week. Emily continues to stay with her grandmother who recently had surgery.

- When Emily enrolls for the new school year, how will you determine if she meets the MV criteria?

The Browns

The Browns lived in their own home until a severe storm damaged their home. They are still paying the mortgage. The insurance company has not determined if the damage is covered. Until the claim is settled, the family won't start the repairs. In the meantime, they are staying with Mr. Brown's brother.

- What factors would you consider to determine if the Brown children are eligible?
- What additional information do you need?

Tara

Tara's dad is incarcerated. Her mom died recently, and she is staying with her grandparents.

- How will you determine whether Tara is MV eligible?
- What additional questions do you need to ask?

Shvawn

Shvawn's family was homeless when she enrolled in school in August, but they found permanent housing in September. Her parents want her to transfer to the local school during Thanksgiving break, but staff there say they can't serve her under MV since she's no longer homeless.

- Should Shvawn continue to receive MV services if she transfers to the local school?
- If so, what is your LEA's process to ensure that formerly homeless students continue to receive services if they transfer to a new district?