

MEMORANDUM

To: Superintendents, Principals, and Homeless Education Liaisons

From: Nathan Williamson, Director of Title Grants and Support
Valerie Beard, Assistant Director of English Learners and Migrant Education Programs

Date: June 21, 2019

Re: Senate Enrolled Act 464 - Homeless Children and Youths

Background:

Senate Enrolled Act (SEA) 464 allows certain individuals to carry out specific functions when representing homeless youth if the entity is providing services to the homeless youth. The bill codifies federal law regarding McKinney-Vento Act updates, via the *Every Student Succeeds Act (ESSA)*.

Guidance:

Codifying Existing Federal Law

Under SEA 127, state law was updated to reflect existing requirements of the McKinney-Vento Act via ESSA. Homeless children and youth are individuals, with or without the consent of a parent, who lack a fixed, regular, and adequate nighttime residence. This includes “doubling up” with other families due to economic hardship or living in hotels, parks, camping grounds, shelters, and other locations not designed for ordinary use as a regular sleeping accommodation.

The below state requirements were present in previous federal law or guidance, and should therefore not represent changes for local education agencies (LEAs). This recommitment to serving homeless children and youth includes traditional public schools and charter schools:

- Indiana Department of Education (IDOE) must employ a Coordinator for the Education of Homeless Children. The duties of this position include gathering information, carrying out the state plan, assessing educational needs, coordinating activities with educators and social services providers, providing technical assistance and monitoring of LEAs, and responding to inquiries from parents, guardians, and homeless children and youth.
- Each LEA must provide professional development training to school staff, including teachers, paraprofessionals, and school support staff (counselors, nurses, speech language pathologists, librarians, and administrative personnel) **at least one time per year**. IDOE offers training for all liaisons in the [KickStand](#) online learning platform, and will provide alternate training and options for liaisons to train local staff. The training shall include:
 - The definition of homelessness;

- Signs of homelessness;
 - Steps to take when a homeless student is identified;
 - Needs of homeless children and youth;
 - Rights of homeless children and youth; and
 - Needs specific to the education of homeless children and youths.
- Each LEA must post certain information concerning the McKinney-Vento Act on its website, including a list of student rights, resources to IDOE's homeless children and youth [website](#), contact information for the state coordinator, and relevant newsletters and bulletins.
 - Each LEA must designate a local homeless liaison that serves as the primary contact between homeless families, school personnel, and service providers. Enrollment disputes must be mediated in accordance with the McKinney-Vento Act. The liaison must ensure that homeless children and youth, and their families, are:
 - Identified through outreach with other respective entities;
 - Enrolled in school and have full and equal opportunity to succeed as established for other children and youth;
 - Provided access to education services to which the children are eligible, including Head Start, Individuals with Disabilities Education Act (IDEA), and preschool programs administered by the LEA;
 - Referred to health, dental, mental health, substance abuse, housing, and other services;
 - Informed of opportunities to participate in the education of the children and youth, including the dissemination of educational rights in locations frequented by parents and guardians such as schools, shelters, libraries, and soup kitchens. The information must be presented in a manner and form understandable to parents and guardians;
 - Informed of transportation services, including to and from the school of origin; and
 - Served through school personnel that receive professional development.

Individuals that Represent Homeless Youth

Eligible individuals who may represent the homeless youth must be employed by an organization that serves and will accept delivery of mail for the homeless youth. The individual must be employed by one of the following:

- A government entity;
- A school corporation or charter school (the individual must be the homeless liaison); or
- A nonprofit organization.

The individuals may carry out the following functions on behalf of the homeless youth without consent of a parent:

- Present a fee and consent waiver affidavit to receive an operator's license from the Bureau of Motor Vehicles at no cost to the homeless youth. The minor applicant must provide proof of ownership of a policy of motor vehicle insurance;
- Present a fee and consent waiver affidavit to receive an identification card from the Bureau of Motor Vehicles at no cost to the homeless youth;
- Present a fee and consent waiver affidavit to receive a certificate of birth from the local health department at no cost to the homeless youth; and
- Represent the youth in an exit interview to withdraw from school, enroll in adult basic education services, and register for the Indiana high school equivalency exam.

If you have any questions, please contact Nathan Williamson at (317) 232-6671 or e-mail at nwilliamson@doe.in.gov.

This bill was authored by Senator Jim Merritt and the full bill text can be found [here](#). Information regarding how to contact your legislators can be found [here](#).