

# MCKINNEY VENTO ACT PRESENTATION

Presenter:

Danny Lackey

Director of Diversity and Student Support  
Services

District McKinney-Vento Homeless Act Liaison  
Merrillville Community School Corporation

# THE MCKINNEY VENTO HOMELESS YOUTH ACT OF 1987

- Protects students who are experiencing homelessness
- Broadens working definition of homelessness to include children in all transient and homeless situations

# HOMELESS YOUTH DEFINITION

## **Lacks a**

- Fixed – not temporary or transient
  - Stable – consistent and always available
  - Adequate – has the basic amenities necessary for it to be appropriate housing
- place to live

# HOMELESS YOUTH DEFINITION

## Homeless Youth live:

- In shelters
- In hotels or motels
- In cars
- At friends' homes or "couch hop"
- In housing that is inadequate because of a specific reason (lack of water, heat, basic amenities)
- In a home that was intended for one family, but that more than one family lives in— referred to as "doubled up"
- In temporary or transitional housing
- In adequate housing, but were forced into that housing because of domestic violence, loss of job, financial hardship or other extenuating circumstances

# SERVICES AND PROTECTIONS

- Children that are homeless are allowed to attend your schools even if because of their homelessness they no longer live in your district
  - If the homeless shelter is in another town or if the family were forced to move to cheaper housing elsewhere, they may still attend your schools.
- Free lunch services from the moment they are homeless to the end of the school year, even if they have secured stable housing before then.
- Text book assistance
- Title 1 services
- In some cases, homeless youth are provided with transportation to and from school even if they live out of the district.
- Non-discriminatory services – homeless youth must be given the same opportunities as their non-homeless counterparts. Homeless youth cannot be educated away from their classmates or segregated in any way.

# WHAT CAN YOU DO?

## Help identify students who are homeless

- People do not always want to admit they are homeless or know that they qualify.
- Know the definitions of homelessness to help our students and their families know that services are available.

Communicate knowledge about a homeless family with administration, social worker, counselor...etc., to help get students and their families the services that they need.

# MCKINNEY-VENTO SCHOOL SELECTION RIGHTS: CHANGES UNDER ESSA

## ESSA BASICS

*“After more than 10 years, members of Congress from both parties have come together to revise our national education law.”*

- The Every Student Succeeds Act (ESSA) was signed into law on Dec 10, 2015
- ESSA reauthorized the Elementary and Secondary Education Act (ESEA) and the education subtitle of the McKinney-Vento Act
- This presentation reflects the best information currently available, but may change as the U.S. Department of Education provides additional direction.

**This slide and the proceeding ones are from the Indiana Department of Education**

# MCKINNEY-VENTO SCHOOLS

- The McKinney-Vento Act applies to both public and charter schools in the same manner. There is no difference.
- The needs of foster care students are addressed separately from those students that fall under the McKinney-Vento Act.

# DEFINITIONS

- Homeless children and youth have the right to attend
  - **The school of origin**
    - The school that a child or youth attended when permanently housed, or
    - The school in which the child or youth was last enrolled
    - Includes public preschools
    - Includes receiving schools
  - **The local attendance area school**
    - Any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend

# DURATION OF RIGHTS

- Homeless children and youth have the right to attend the school of origin for the duration of homelessness
  - In any case in which a family becomes homeless between academic years or during an academic year
  - For the remainder of the academic year, if the child or youth becomes permanently housed during an academic year

# DISPUTE RESOLUTION

- If, after conducting the best interest determination, the district determines that it is not in the child's or youth's best interest to attend the school of origin or 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.

# DISPUTE RESOLUTION

- 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**

Pub. L. No. 114-95, § 9102(5), 129 Stat. 2130

- **Students must receive all services for which they are eligible until final resolution of all disputes and appeals.**

EHCY Non-Regulatory Guidance, Question K-7

# SCHOOL OF ORIGIN TRANSPORTATION

- Transportation must be provided to and from the school of origin at the request of the parent or guardian, or, in the case of an unaccompanied youth, at the request of the local liaison.
- Based on the amended definition of *school of origin* under ESSA, school of origin transportation rights extend to public preschools and receiving schools

# SCHOOL OF ORIGIN TRANSPORTATION

- ESSA removed the word “homeless” from references to school of origin transportation, resulting in transportation for the remainder of the academic year for formerly homeless students who have become permanently housed

**NCLB wording:** “If the homeless child or youth continues to live in the area served by the local educational agency in which the school of origin is located”

**ESSA wording:** “If the child or youth continues to live in the area served by the local educational agency in which the school of origin is located”

# SCHOOL OF ORIGIN TRANSPORTATION

- **Must LEAs continue to provide transportation to and from the school of origin for formerly homeless students who have become permanently housed?**

Yes. LEAs must continue to provide transportation to and from the school of origin to formerly homeless students who have become permanently housed for the remainder of the academic year during which the child or youth becomes permanently housed.

EHCY Non-Regulatory Guidance, Question J-5

# MCKINNEY/VENTO RESOURCE

Here is the Indiana Education for Homeless Children and Youth website. It contains the ESSA documents and resources that pertain to the McKinney-Vento Act.

<https://www.doe.in.gov/student-services/training>