

Indiana Education for Homeless Children & Youth (INEHCY) McKinney-Vento Homeless Education Program

ESSA McKinney-Vento & Summer School

Summer school offers an especially valuable opportunity for students to make up for lost time, re-take failed courses, gain extra credits and work toward timely graduation. As the end of the school year approaches, and as your Local Educational Agency (LEA) begins planning for summer school, it is of the utmost importance to consider the summer school needs of children and youth experiencing homelessness.

Provisions went into effect as a result of the Every Student Succeeds Act of 2015 and modifications to Indiana Department of Education State Plan that clarify the rights of students in temporary housing, and the responsibilities of LEAs to support such students in accessing summer school (42 U.S.C. § 11432[g][1][F][iii]).

The McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 et seq., “McKinney-Vento”) applies to students in a wide range of temporary living situations, including shelters and emergency or transitional housing; students living in hotels, motels, trailer parks, or camp grounds due to lack of alternative adequate housing; and also to students who are “doubled up” with friends or relatives due to loss of housing, economic hardship, or similar reason. Unaccompanied youth who live in these types of arrangements are also included under the protection of the law. Students who are protected by McKinney-Vento are entitled to immediate enrollment in their school of origin or their local school, and full participation in school (42 U.S.C. §§ 11432[g][3][C] & 11434A(1)).

Access to Summer School:

Students in temporary housing have important rights related to summer school. All students who experience homelessness and who have been recommended to attend summer school must be provided the opportunity to do so. If your district does not offer a summer school program, but permanently housed students are able to attend summer school in a neighboring district for a fee, students in temporary housing must be afforded this same opportunity, and they must not be charged the fee. Instead, your district will be asked to cover the summer school fee for such students. The recent changes to federal law make clear that LEAs, “must ensure that homeless children and youths who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including...summer school” (42 U.S.C. § 11432[g][1][F][iii]).

In addition, Indiana Department of Education Law echoes the federal law provisions and requires that: “[w]here the designated school district of attendance has recommended that the homeless child attend a summer educational program and the lack of transportation poses a barrier to such child's participation in the summer educational program, the designated school district of attendance shall provide transportation”. In other words, if a district recommends that a student who is homeless

participate in summer school and the student can't participate without transportation, the district where the student is enrolled is responsible for arranging transportation.

Title I set-aside funds may be used to pay for any fee associated with summer school and to provide summer school transportation for students who are homeless. All public schools and districts receiving federal funds must ensure that services are provided to children and youth who are experiencing homelessness. To assist with these services, the law requires that school districts with non-Title I schools to set aside Title I funds to provide services comparable to those that are provided to children in Title I, Part A funded schools. These funds can also support educationally related services to children in shelters and other locations where homeless children may live. The services provided with these funds should support homeless students to succeed in school and to meet the academic achievement standards.

To the extent that an LEA has a summer school policy that limits participation based on a student's attendance during the regular school year, the LEA must revise such policy to make an exception for students experiencing homelessness. The McKinney-Vento Act requires that LEAs "develop review and revise, policies to remove...barriers to enrollment and retention due to outstanding fees or fines, or absences" (42 U.S.C. § 11432[g][1][I]). A loss of housing or unstable housing can often lead to school absences. Students experiencing homelessness must not be prevented from making up valuable classroom time during the summer because of absences during the school year.

If the student becomes permanently housed before June 30, the student should transfer to the new district of residence and participate in that district's summer school program. If the student becomes permanently housed before June 30 and the student will be entering their terminal grade in school (e.g., 8th grade or 12th grade) next fall, the student may continue enrollment in the same district for summer school and the terminal grade.

Appointing a McKinney-Vento Liaison:

All LEAs must ensure that there is a McKinney-Vento liaison available year-round. Due to summer vacation schedules, many LEAs may need to appoint a special interim McKinney-Vento liaison for the summer months if the liaison for the academic year is unavailable. LEAs should provide the summer liaison's contact information to the State Education Department's—Indiana Education for Homeless Children & Youth's State Coordinator, <https://www.doe.in.gov/student-services/mckinney-vento-liaison>.

Resources:

For further information about McKinney-Vento, the rights of students in temporary housing, and strategies that schools can implement to meet such students' needs, please contact <https://www.doe.in.gov/student-services/indiana-education-homeless-children-youth-inehcy> or Deepali Jani, the State McKinney-Vento Coordinator at 317-233-3372 or 317-460-1340 Text/Direct or by email djani@doe.in.gov.