

# Every Student Succeeds Act

*Under the Every Student Succeeds Act (ESSA), Indiana will create a plan to better align our local, state and federal programs to help all students be successful.*

*The Indiana Department of Education is committed to meaningfully engaging a diverse group of stakeholders through a variety of methods and opportunities to solicit thoughts, opinions and recommendations concerning provisions in Indiana's state plan.*

***In general, SEAs and LEAs must begin implementing the new McKinney-Vento Act requirements by October 1, 2016. As noted above, however, the ESSA amended section 725 of the McKinney Vento Act, removing "awaiting foster care" from the definition of "homeless children and youths." This change is effective on December 10, 2016, for most States. In addition, the ESSA removes "awaiting foster care placement" from the definition of "homeless children and youths."***

## THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

### WHO IS HOMELESS?

Homeless students are those who lack a fixed, regular, adequate nighttime residence. This includes students who are sharing the housing of other persons due to loss of housing, economic hardship or similar reason; are living in motels, hotels, trailer parks, or campgrounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals.

The definition includes migratory students who live in the aforementioned situations. Beginning Dec. 10, 2016, "those awaiting foster care placement" are not included in the definition.

### Local Liaisons

Districts and community schools must designate an appropriate staff person as a local liaison to carry out duties for homeless students. The duties of the local homeless liaison have been expanded under ESSA.

- The liaison must have the time and authority to carry out his/her legal duties.
- The liaison must have opportunities to participate in professional development activities that support the needs of fulfilling this role with excellence.
- The liaison must post a public notice in the district, as well as places that homeless populations frequent, such as shelters, soup kitchens and libraries.
- The liaison must make sure:
  - 1) Homeless youth enroll in and have a full and equal opportunity to succeed in school;
  - 2) Homeless youth receive credit for full or partial schoolwork;
  - 3) Youth have information about higher education opportunities, including independent status for financial aid purposes;
  - 4) Families have access to early intervention services, including IDEA Part C (birth-age 3) and preschool programs;
  - 5) Families receive referrals to health care services, dental services, mental health services, substance abuse services, housing services and other appropriate services;

- 6) Parents or guardians of homeless children receive information about the educational and related opportunities available to their children and about meaningful opportunities to participate in their child's education;
- 7) Parents or guardians of homeless children receive complete information about all transportation services, including transportation to the school of origin. This also includes assistance in accessing transportation to the school that the child has a right to attend;
- 8) Disputes are resolved, while the student remains enrolled throughout the process;
- 9) Unaccompanied youth are informed of their status as independent students and may obtain assistance from the liaison to receive verification of that status; and
- 10) Local liaisons are authorized to affirm that students meet the U.S. Department of Housing and Urban Development (HUD) definition of homelessness, to qualify for HUD homeless assistance programs.

## SCHOOL ENROLLMENT

### **Enrollment of Youth Experiencing Homelessness**

A student who experiences homelessness may stay in the school of origin for the duration of the time of homelessness. School of origin is defined as the school a student attended when permanently housed or the school in which the student was last enrolled in, including a preschool. It also includes the designated receiving school at the next grade level for feeder school patterns, when the student completes the final grade level served by the school of origin.

If staying in the school of origin is not in the best interest of the student, the student should be immediately enrolled in the attendance area school. Students who are homeless should be immediately enrolled even if they do not have required documents, such as school records, records of immunizations, proof of residency, guardianship or other documents. Students who have missed application or enrollment deadlines during any period of homelessness also should be immediately enrolled. The district's local liaison should assist the student with obtaining necessary documents. Districts must develop, review and revise policies to remove barriers to the identification, enrollment and retention of children and youth in homeless situations, including barriers due to outstanding fees, fines or absences. Enrolling schools must obtain school records from the previous school, and students must be enrolled in school while records are obtained.

### Enrollment of Unaccompanied Youth

For unaccompanied youth, immediate enrollment also applies, even without a parent or guardian. A liaison must help an unaccompanied youth choose and enroll in school, give priority to the youth's wishes and inform the youth of his or her right to appeal. School personnel (administrators, teachers, attendance officers, enrollment personnel) must be made aware of specific needs of runaway and homeless youth. Liaisons must ensure unaccompanied youth are informed of their status as independent students and provide assistance to receive verification of that status.

## BEST INTEREST CONSIDERATION/SCHOOL STABILITY

In determining best interest, the district should presume that keeping the student in the school of origin is in the student's best interest unless it is contrary to the request of the parent, guardian or unaccompanied youth. Student-centered factors including the impact of mobility on achievement, education health and safety should be considered by the district in determining best interest. The district should give priority to the parent's, guardian's or youth's (in the case of an unaccompanied youth) request.

Districts are required to have a school board of education-adopted homeless policy. It is highly recommended that the district include a dispute resolution procedure within this policy.

If a district determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent, guardian or youth, the district will provide a written explanation of the reasons regarding the determination, in a manner and form understandable to such parent, guardian or unaccompanied youth, including information regarding the right to appeal.

### **TRANSPORTATION**

To eliminate barriers to the retention of students, districts must provide transportation to and from the school of origin. The transportation provision is now required to be upheld even when the family secures permanent housing during the year. If the student is staying in the same district, that district must provide or arrange transportation to the school of origin. If crossing district lines, both districts will determine how to divide the responsibility and share the cost, or they will share the cost equally. Districts must also provide students in a homeless situation with transportation services for extracurricular activities comparable to those provided to other students.

### **SUPPORT FOR ACADEMIC SUCCESS**

All McKinney-Vento youth should have access to all district and school activities, including before- and after-school activities, to support their academic success. Youth should receive assistance from counselors to prepare for and improve upon college and career readiness. Districts must coordinate McKinney-Vento and special education services within the district and with other involved districts. McKinney-Vento students are categorically eligible for free school meals. The U.S. Department of Agriculture policy permits liaisons and shelter directors to obtain free school meals for students immediately by providing a list of names of students experiencing homelessness with effective dates (see resources below).

All districts are required to conduct an awareness training to ensure that **ALL** personnel know the McKinney-Vento law and to refer questions or concerns to the local liaison.

### **RESOURCES**

Please refer to the Indiana Department of Education's website: <http://www.doe.in.gov/student-services/indiana-education-homeless-children-youth-inehcy> for additional information on serving homeless students.

Please visit [this website: http://www.doe.in.gov/essa](http://www.doe.in.gov/essa) for the latest information on ESSA, including details about additional webinars and regional meetings.

**Other helpful links from the National Center for Homeless Education include:**

- [Local Homeless Education Liaisons](#)
- [Confirming Eligibility for McKinney-Vento Services: Do's and Don'ts for Local Liaisons](#)
- [Confirming Eligibility for McKinney-Vento Services: Do's and Don'ts for School Districts](#)
- [Determining Eligibility for Rights and Services Under the McKinney-Vento Act](#)
- [Liaison Tool Kit](#)
- [Videos: Awareness Videos on Homelessness and Homeless Education](#)
- [National Association for the Education of Homeless Children and Youth](#)
- [National Center for Homeless Education: Local Liaison Corner](#)
- [Who is Homeless?](#)
- [Frequently Asked Questions](#)

### **STATE HOMELESS EDUCATION COORDINATOR**

Deepali Jani is the Indiana Department of Education's state homeless education coordinator. She is available to assist with homeless student issues throughout the year. Deepali can be reached at [djani@doe.in.gov](mailto:djani@doe.in.gov) or (317) 233-3372 (317)460-1340 text/direct.