

HOMELESS EDUCATION PROGRAMS AND SPECIAL EDUCATION

OSEP National Technical Assistance Call
for Special Education
Thursday, February 23, 2023



Meet our team!



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Contact our program office team at HomelessEd@ed.gov!

Agenda of Topics for this Call

- Knowing ED's National Center for Homeless Education
- Overview of McKinney-Vento Education for Homeless Children and Youth (EHCY) and American Rescue Plan-HCY Programs
 - Special requirements and priorities of each program
- Definition of homeless and unaccompanied
- The process for determining eligibility by LEA liaisons
- IDEA and MVA Points of Coordination
- Questions and Answers
- Online Resources

National Center for Homeless Education (NCHE)

NCHE is the U.S. Department of Education's technical assistance center for the federal Education for Homeless Children and Youth (EHCY) Program.

- Website: <http://nche.ed.gov>
- Helpline: 800-308-2145 or homeless@serve.org
- Products: <https://nche.ed.gov/resources/>
- Webinars: <https://nche.ed.gov/group-training/>
- Listserv: <https://nche.ed.gov/resources/> (click *Listserv* tab)
- Twitter: [@NCHEducation](https://twitter.com/NCHEducation) | Facebook: facebook.com/NCHEducation



EHCY Grant Program

- Authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act
- FY 2023 Appropriation: \$129 million
- SY 2020-2021 Enrollment: 1,099,221 students; 220,599 SWDs (20%)

Access the EHCY program profile at https://nche.ed.gov/wp-content/uploads/2018/12/ehcy_profile.pdf.

U.S. DEPARTMENT OF EDUCATION
EDUCATION FOR HOMELESS
CHILDREN AND YOUTHS (EHCY) PROGRAM
CFDA 84.196

SUBTITLE VII-B OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT (42 U.S.C. 11431 ET SEQ.)

A BRIEF HISTORY OF THE MCKINNEY-VENTO ACT

1987	The Stewart B. McKinney Homeless and revise policies to ensure the im
1990	The McKinney Act is amended, requ
1994	The education portion of the Act is r
2002	The education portion of the Act is r
2015	The education portion of the Act is r

RIGHTS OF ELIGIBLE CHILD

- Right to immediate school enrollment even v
- Right to remain in the school of origin, if in th
- Right to receive transportation to and from th
- Right to receive support for academic succes

FUNDING FOR STATES AND S

The U.S. Department of Education (ED) allocates to states based on the state's proportion of the T States must subgrant funds competitively to scho used for program implementation at the district l

- States must distribute no less than 75% of its to local school districts in subgrants; a few m up to 50% of their allocation.
- Subgrants are awarded competitively based on subgrant application.

Visit <https://nche.ed.gov/mv-auth-activities/> for subgrant funds as outlined in the McKinney-Vento

* References to Title I, Part A are to Title I, Part A of the Elementary and S Student Success Act.

On March 11, 2021, President Biden signed the A the extraordinary impacts of the COVID-19 pande unprecedented \$800 million to support the speci Plan Elementary and Secondary School Emergen <https://oese.ed.gov/offices/american-rescue-pla relief-homeless-children-youth-ar-hcy/> for mor

PROGRAM A

Federal: Federal program coordinator at ED; nat State: State coordinator for homeless education (state contact information)
Local: Local homeless education liaison in each s the liaison directory)

EDUCATION FOR HOMELESS CHILD

HOMELESS STUDENT ENROLLMENT DATA

Total U.S. Homeless Student Enrollment by School Year (SY)*

Year	Total Enrolled
SY19-20	1,280,886
SY18-19	1,387,573
SY17-18	1,508,265
SY16-17	1,358,077
SY15-16	1,307,656

Homeless Student Enrollment by Nighttime Residence, SY19-20*

Number and Percentage Change in Enrolled Homeless Students by Subgroup*

Subgroup	2017-2018	2018-2019	2019-2020	% Change SY17-18 to SY19-20
Unaccompanied homeless youth	129,370	125,729	112,822	-12.79%
Migratory children/youth	16,054	16,938	15,667	-2.41%
English Learner (EL) students	261,384	226,724	217,069	-16.95%
Children with disabilities	271,464	266,737	244,737	-9.85%

*Source: Federal Data Summary School Years 2017-18 to 2019-20: Education for Homeless Children and Youth
Visit <https://nche.ed.gov/data-and-stats/> for more information on these and other data.

INTERAGENCY COLLABORATION

ED's EHCY Program collaborates with a variety of federal partners to serve children, youth, and families experiencing homelessness. The EHCY Program collaborates with other ED programs and offices, including the Title I, Part A Program; the Office of Special Education Programs; the Office of Migrant Education; the Office of Federal Student Aid; and programs in the Office of Postsecondary Education.

The EHCY Program also partners with other federal agencies through the U.S. Interagency Council on Homelessness (USICH). USICH coordinates the federal response to homelessness, working in close partnership with Cabinet Secretaries and other senior leaders across its 19 federal member agencies. Key federal partners of the EHCY Program include the U.S. Department of Health and Human Services, the U.S. Department of Housing and Urban Development, and the U.S. Department of Labor.

PROGRAM CONTACT INFORMATION

<p>Federal Program Office</p> <p>Education for Homeless Children and Youths Program U.S. Department of Education HomelessEd@ed.gov https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/education-for-homeless-children-and-youths-grants-for-state-and-local-activities/</p>	<p>National Technical Assistance Center</p> <p>The National Center for Homeless Education (NCHE) has been ED's homeless education technical assistance provider since 1998. Housed at the University of North Carolina at Greensboro, NCHE provides a toll-free helpline, a comprehensive website, online and face-to-face trainings, and informational resources. 800.308.2145 homeless@serve.org https://nche.ed.gov</p>
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EDUCATION FOR HOMELESS CHILDREN AND YOUTHS (EHCY) PROGRAM PROFILE - JUNE 2022

ARP-HCY Grant Program

Through the **ARP Elementary and Secondary School Emergency Relief – Homeless Children and Youth (ARP-HCY) fund** Congress appropriated **\$800 million** to address the specific and unique impacts of the COVID-19 pandemic on children and youth experiencing homelessness.

TITLE II—COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Subtitle A—Education Matters

PART 1—DEPARTMENT OF EDUCATION

SEC. 2001. ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND.

(a) IN GENERAL.—In addition to amounts otherwise available through the Education Stabilization Fund, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$122,774,800,000, to remain available through September 30, 2023, to carry out this section.

(b) GRANTS.—From funds provided under subsection (a), the Secretary shall—

(1) use \$800,000,000 for the purposes of identifying homeless children and youth and providing homeless children and youth with—

(A) wrap-around services in light of the challenges of COVID-19; and

(B) assistance needed to enable homeless children and youth to attend school and participate fully in school activities; and

(2) from the remaining amounts, make grants to each State educational agency in accordance with this section.

(c) ALLOCATIONS TO STATES.—The amount of each grant under

Section 2001(b)(1) of the American Rescue Plan Act of 2021

ARP-HCY State Plan Template

Prompt #7: Identifying and serving students from historically underserved populations

- The extent to which the SEA will use its State-level activities funds to award subgrants or contracts to community-based organizations that are well-positioned to identify children and youth experiencing homelessness in historically underserved populations such as rural children and youth, Tribal children and youth, students of color, **children and youth with disabilities**, English learners, LGBTQ+ youth, and pregnant, parenting, or caregiving students experiencing homelessness, and connect them to educationally related support and wraparound services.

From: https://oese.ed.gov/files/2021/07/ARP-HCY-Application_FINAL_07-06-2021.docx

Program Overview

- The McKinney-Vento Act establishes the definition of “homeless children and youth” for the purposes of determining eligibility under the EHCY and ARP-HCY programs.
- The programs are designed to address the challenges that students experiencing homelessness have in enrolling, attending, and succeeding in school.
- Under the programs, eligible students retain the following rights:
 - Right to **immediate school enrollment**, even when records typically required for enrollment are not available;
 - Right to **remain at the school of origin**, if in the student’s best interest;
 - Right to **receive transportation** to and from the school of origin; and
 - Right to **receive support for academic success**.

Defining “Homeless Children and Youth”

Individuals lacking a fixed, regular, and adequate nighttime residence, including children and youth:

- Sharing housing due to a loss of housing, economic hardship, or a similar reason;
- Living in motels, hotels, trailer parks, or campgrounds due to a lack of alternative adequate accommodations;
- Living in emergency or transitional shelters;
- Living in public or private spaces not designed for or ordinarily used as regular sleeping accommodations for human beings;
- Living in cars, parks, public spaces, abandoned buildings, bus/train stations, or similar situations; and
- Who are migratory and living in one of the above situations.

McKinney-Vento Act section 725(2)



Program eligibility determinations are context-specific and should be made on a case-by-case basis.

Defining “Unaccompanied Homeless Youth”

- An unaccompanied homeless youth (UHY) is “a homeless child or youth not in the physical custody of a parent or guardian” (McKinney-Vento Act section 725(6)).
- UHY have specific rights under the McKinney-Vento Act, including the right to immediate school enrollment without a guardian’s signature and the right to be informed of his/her rights under the statute.



Learn more about strategies to identify and support UHY on NCHE’s topical webpage: <https://nche.ed.gov/unaccompanied-youth/>.

Process for Determining Eligibility

- School districts must designate a local liaison for homeless education. Local liaison interviews student and/or parent/guardian to determine homeless status.
 - Many States and LEAs use a student residency questionnaire.
- LEA makes a best interest determination and if the school placement is other than the one requested, informs the parent/guardian or youth in writing and explains the dispute resolution procedure.
- If the parent/youth is unsatisfied with LEA enrollment dispute decision, they can appeal to the SEA.
- There is only a Federal complaint procedure and ED provides technical assistance to SEAs directly or through its National Center for Homeless Education.

Resources – Eligibility Determinations



National Center for Homeless Education
Supporting the Education of Children
and Youth Experiencing Homelessness
<http://nche.ed.gov>



BEST PRACTICES IN HOMELESS EDUCATION BRIEF SERIES

Determining Eligibility for McKinney-Vento Rights and Services

This NCHE brief

- explores in detail the definition of *homeless* included in Subtitle VII-B of the McKinney-Vento Homeless Assistance Act, and
- provides a step-by-step guide for making determinations of McKinney-Vento eligibility on a case-by-case basis.

INTRODUCTION

Children and youth experiencing homelessness face unique challenges in accessing and succeeding in school. Subtitle VII-B of the McKinney-Vento Homeless Assistance Act, reauthorized in 2015 by Title IX, Part A of the Every Student Succeeds Act (42 U.S.C. § 11431 et seq.; hereafter *the McKinney-Vento Act*), establishes the definition of *homeless* used by U.S. public schools, and the educational rights to which children and youth experiencing homelessness are entitled. For schools to be able to provide services to students in homeless situations, they first must be able to identify these students. To this end, an effective understanding of the McKinney-Vento definition of *homeless* is a key first step to ensuring the delivery of needed supports to some of our nation's most vulnerable students.

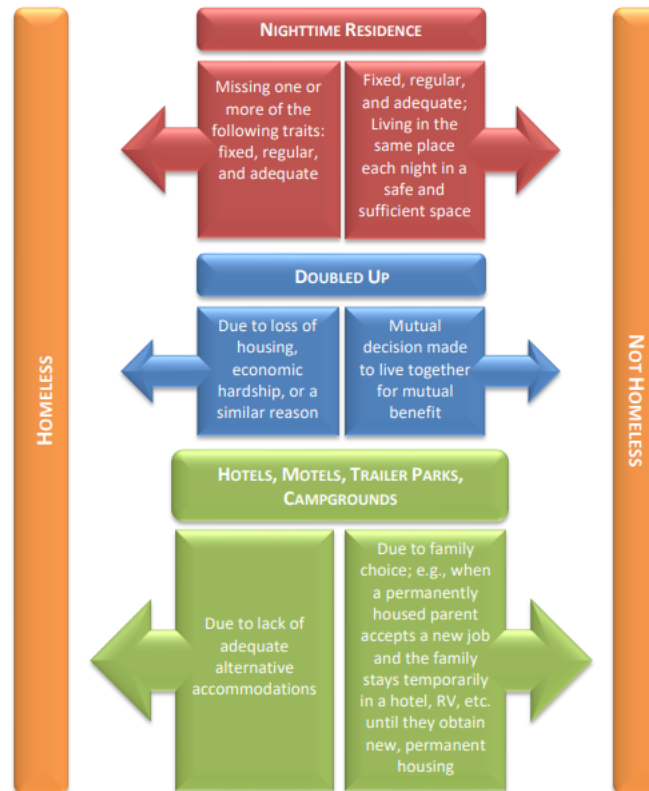
McKINNEY-VENTO DEFINITION OF HOMELESS 42 U.S.C. § 11434a(2)

The term "homeless children and youth"—

- A. means individuals who lack a fixed, regular, and adequate nighttime residence...; and
- B. includes —
- children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
 - children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings...;
 - children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - migratory children...who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

Flowchart for McKinney-Vento Eligibility Determinations

This flowchart is meant to aid you in making decisions about a student's eligibility as homeless under the McKinney-Vento Act (42 U.S.C. 11431 et seq.), but it may not capture every housing situation. For the complete definition of *homeless*, visit <https://nche.ed.gov/mckinney-vento-definition/>. For more information on making determinations, see the related issue brief from the National Center for Homeless Education at https://nche.ed.gov/wp-content/uploads/2018/10/det_elig.pdf.



Access the National Center for Homeless Education's resources related to program eligibility at <https://nche.ed.gov/determining-eligibility/>.

MVA-IDEA Points of Coordination

- Child Find prioritizing children and youth who are homeless (20 U.S.C. § 1412(a)(3)(A))
- SICC's having McKinney-Vento State Coordinators as members (20 U.S.C. §§ 1441(b)(1)(K-L)).
- SEAPs/SEACs including members with homeless education expertise (20 U.S.C. § 1412(a)(21))
- Local liaisons referring young homeless children for Head Start and early intervention services' screenings (42 U.S.C. § 11432(g)(6)(A)(iii))
 - State Coordinators serving on SACs and providing input to CCDF State plans
- Local liaisons coordinating with IEP teams for homeless student best interest determinations, school of origin transportation and dispute resolution procedures (see NCHE's [disabilities-brief.pdf \(ed.gov\)](#))

MVA-IDEA Additional Considerations

- Balancing LRE and school stability
 - In MV best interest determinations
 - In IEP meetings
- SWD remaining in their schools of origin in another LEA
 - Which LEA is responsible for FAPE?
 - How will transportation responsibility be assigned (IDEA or MV or both)?
- State coordination in TA and complaints
- State and local cross training of staff
- Example: Virginia's "Intersection of McKinney-Vento and IDEA"

Additional Resources

- ED's EHCY Program Webpage
<https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/education-for-homeless-children-and-youths-grants-for-state-and-local-activities/>
- ED's ARP-HCY Program Webpage
<https://oese.ed.gov/offices/american-rescue-plan/american-rescue-plan-elementary-secondary-school-emergency-relief-homeless-children-youth-arp-hcy/>
- Contact us!
HomelessEd@ed.gov
- National Center for Homeless Education
<https://nche.ed.gov/> and homeless@serve.org
- Project Hope-Virginia, School of Education, College of William and Mary
<https://education.wm.edu/centers/hope/> and homlss@wm.edu