

# McKinney-Vento 101: Understanding and Implementing the Law in Wisconsin



Wisconsin Education for Homeless Children and Youth Conference

October 2022

*While we gather, please share your name, district/organization,  
and a fun fact about yourself in the chat!*



# Meet Your Presenter



**Christina Dukes**

Founder and Principal

Pearl Strategies

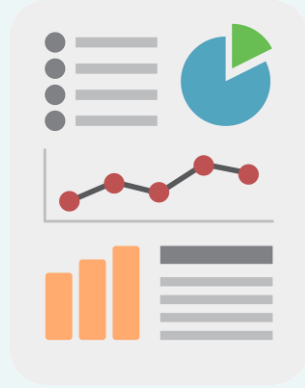
[christina@pearlstrats.com](mailto:christina@pearlstrats.com)



# Today's Roadmap

- Research on education and homelessness
- Understanding and implementing the McKinney-Vento Act
- Scenarios, Q&A, and discussion throughout

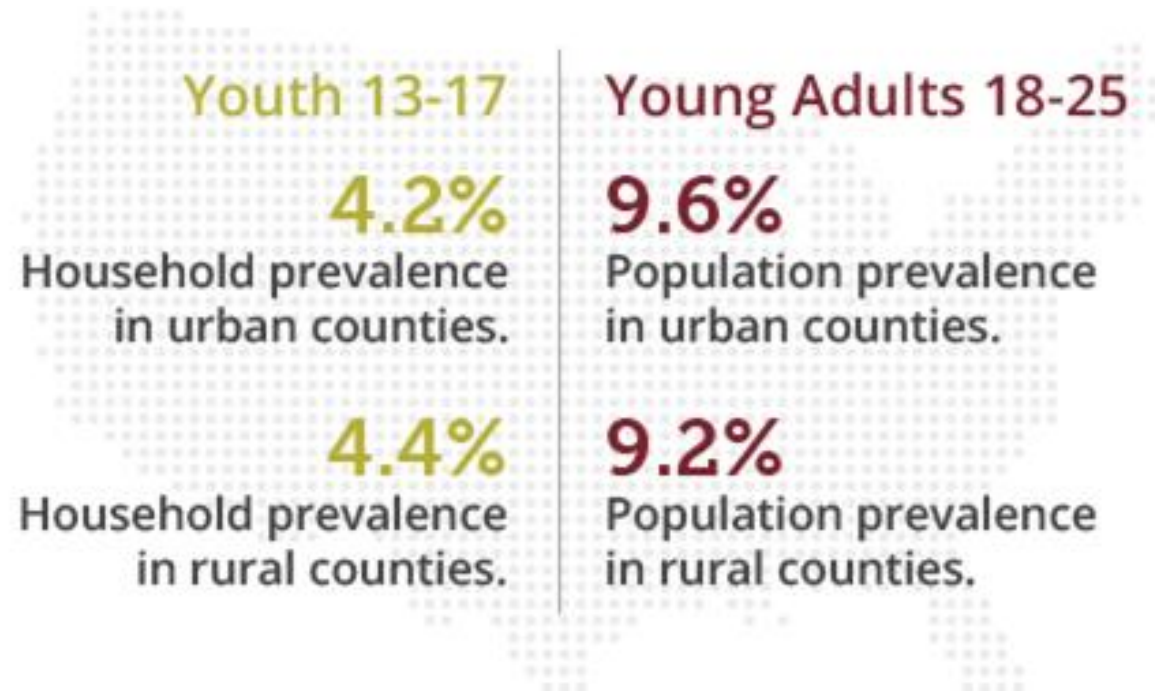




# Research on Education and Homelessness

# The Research: Rural v. Nonrural

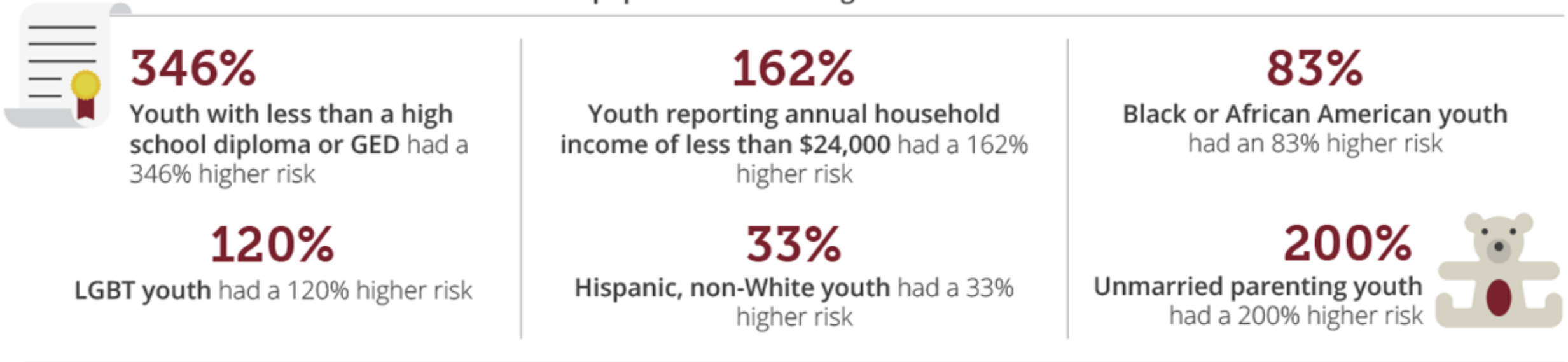
Rates of youth homelessness are statistically identical in rural and nonrural areas



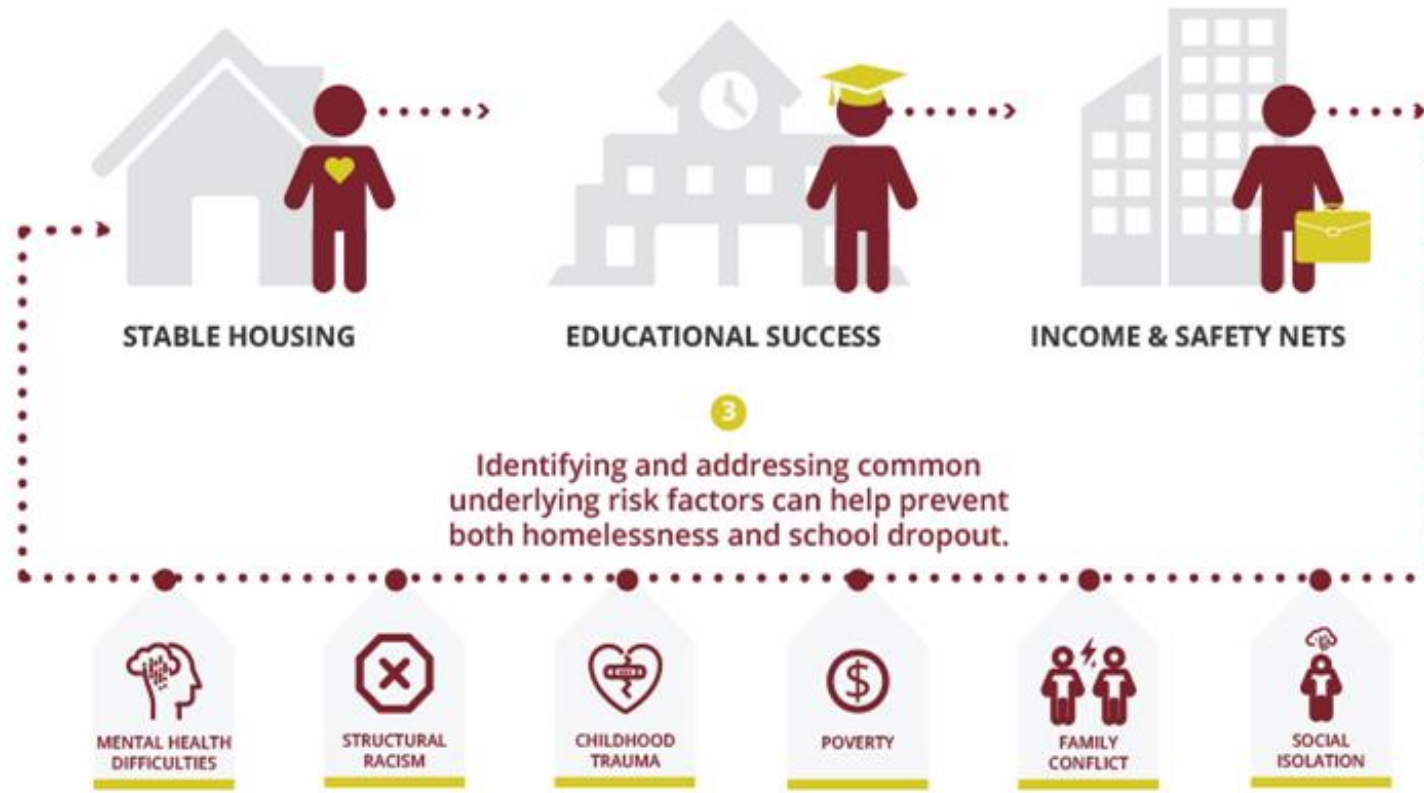
# The Research: Risk Factors

Lack of a high school credential is the single largest factor placing youth at risk of experiencing homelessness

Particular subpopulations are at higher risk for homelessness



# The Research: A Bidirectional Relationship



Source: Chapin Hall, *Missed Opportunities: Education Among Youth Experiencing Homelessness in America*



**Questions?**  
**Comments?**





# Understanding and Implementing the McKinney-Vento Act

# McKinney-Vento Basics

- Subtitle VII-B of the McKinney-Vento Homeless Assistance Act
  - Was reauthorized by Title IX, Part A of the Every Student Succeeds Act
  - Addresses the unique educational barriers and challenges faced by students experiencing homelessness
  - Requires state education departments to designate a State Coordinator for Homeless Education and school districts to designate a local homeless education liaison



# Role of the Local Liaison

## Duties of the local liaison include

- Ensuring the **identification** and school **enrollment** of students experiencing homelessness
- Connecting families experiencing homelessness to **early childhood services**
- Referring families experiencing homelessness to **outside agencies** (housing, health and mental health care, etc)
- Supporting the informed engagement of **parents**
- Disseminating **public notice** of McKinney-Vento rights and services
- Providing **professional development** to school personnel
- Supporting **unaccompanied homeless youth**

# McKinney-Vento Basics: Breaking it Down

- State education departments and school districts must
  - Review and revise laws, regulations, practices, or policies
  - that may act as a barrier
  - to the identification of,
  - or the enrollment, attendance, or success in school
  - of children and youth experiencing homelessness

42 U.S.C. §11431(2)



# What Do You Think?

**Please share in the chat:**

What are some of the educational barriers and challenges children and youth experiencing homelessness might face?



# Homelessness: Challenges and Effects

## Challenges

- Due to homelessness, students may
  - Be unable to meet school enrollment requirements
  - Move around and change schools a lot
  - Be hungry, tired, and anxious
  - Not have school supplies or a quiet place to study
  - Not have access to reliable transportation
  - Not have a parent or guardian to help them

## Effects

- As a result, students experiencing homelessness are more likely to
  - Be chronically absent from school
  - Get lower grades
  - Have special education needs
  - Score poorly on assessment tests
  - Drop out of school

# Determining McKinney-Vento Eligibility

- Determining eligibility is
  - the process of considering whether a student would be eligible for McKinney-Vento rights and services
  - based on whether the student's primary nighttime living arrangement meets the McKinney-Vento definition of homeless



# McKinney-Vento Definition of Homeless

Children and youth who **lack a fixed, regular, and adequate nighttime residence**, including

- Sharing the housing of other persons, *due to loss of housing, economic hardship, or a similar reason*
- Living in motels, hotels, trailer parks, camping grounds *due to the lack of alternative adequate accommodations*
- Living in emergency or transitional shelters, or abandoned in hospitals
- Living in a public or private place not designed for or ordinarily used as a regular sleeping accommodation
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- Migratory children living in the above circumstances



# Unaccompanied Homeless Youth

- The term “unaccompanied youth” includes a homeless child or youth not in the physical custody of a parent or guardian

42 U.S.C. §11434a(6)

- For a student to be an unaccompanied homeless youth, they must be
  1. Experiencing homelessness (in a living arrangement that meets the definition of homeless)

**AND**

2. Unaccompanied (not in the physical custody of a parent or guardian)



# Eligibility Reminders



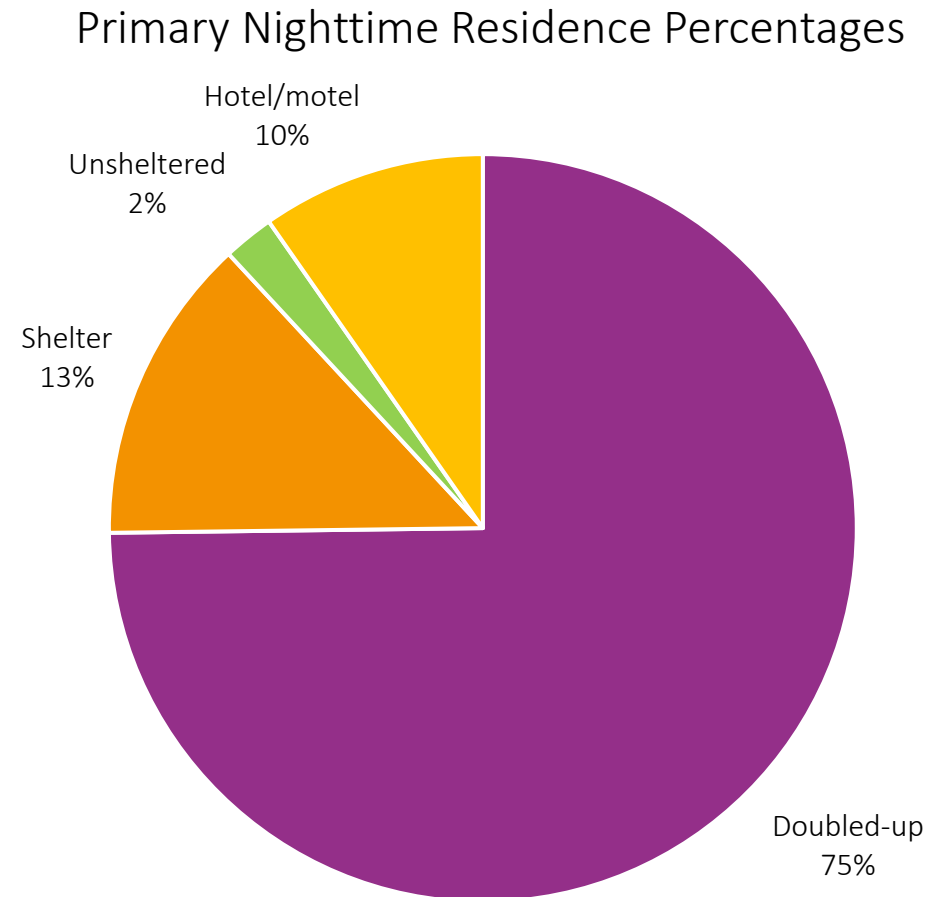
- The **local liaison** has the authority and responsibility to ensure that eligible students are identified
- Eligibility determinations should be made on a **case-by-case basis**, considering the circumstances of each student
- Pay close attention to the **legislative wording**, as it may provide needed clarity
- Download NCHE's [\*Determining Eligibility for McKinney-Vento Rights and Services\*](#) brief for more information

# WI Homeless Education Data

2020-2021 School Year

- WI public schools enrolled 13,450 children and youth experiencing homelessness, including 1,522 unaccompanied homeless youth

Source: [NCHE Wisconsin State Data Profile](#)



# Youth Risk Behavior Survey (YRBS): Prevalence of Homelessness in High School



Survey results show:

**5.8% OF HIGH SCHOOL STUDENTS INDICATED THEY HAD EXPERIENCED HOMELESSNESS IN THE 2018-2019 SCHOOL YEAR**

Based on YRBS homelessness data, public schools are identifying slightly **less than half** of high school students experiencing homelessness.

For every 17.3 high school students, 1 has experienced homelessness.



YRBS prevalence: 5.8%

Public schools prevalence: 2.27%

Data: SchoolHouse Connection's analysis of 2019 YRBS data from 27 states (AK, AR, CA, CO, CT, DE, HI, ID, IL, KS, KY, LA, ME, MD, MI, MT, NH, NM, NC, ND, PA, RI, SC, SD, VT, VA, WI)

Source: SchoolHouse Connection, *Student Homelessness: Lessons from the Youth Risk Behavior Survey (YRBS)*

# Meet the Carters

Alexa Carter has been working as a server at a local restaurant for 3 years. The restaurant struggled to maintain business during the pandemic. Alexa's hours had been cut to the point where she could no longer afford the apartment where she and her 12-year-old daughter, Krystle, had been living. Alexa asked her manager, Sharon, if she and Krystle could stay in her spare bedroom. Sharon said they could stay there until her son comes home from college for winter break.

**Please share in the chat:**

Would you deem Krystle eligible for McKinney-Vento services?  
Why or why not?

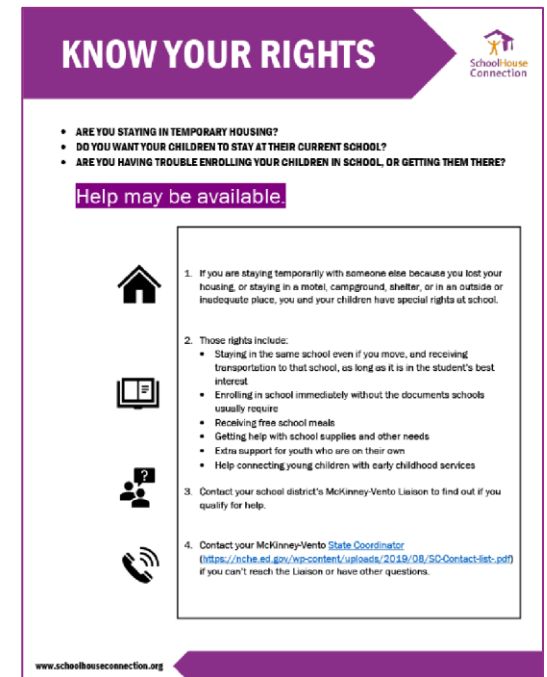




**Questions?  
Comments?**

# Identification

- **Identification is the first step** to ensuring educational access and success for students experiencing homelessness
- Liaisons must ensure that homeless children and youth are **identified** by school personnel through outreach and coordination with other entities and agencies [42 U.S.C. § 11432(g)(6)(A)(i)]
- Liaisons must ensure that **public notice of homeless students' rights** is posted in an understandable manner in locations frequented by parents, guardians, and unaccompanied homeless youth [42 U.S.C. § 11432(g)(6)(A)(vi)]
- Resources: [NCHE educational rights posters](#) | [SchoolHouse Connection educational rights posters](#)







**KNOW YOUR RIGHTS**

SchoolHouse Connection

- ARE YOU STAYING IN TEMPORARY HOUSING?
- DO YOU WANT YOUR CHILDREN TO STAY AT THEIR CURRENT SCHOOL?
- ARE YOU HAVING TROUBLE ENROLLING YOUR CHILDREN IN SCHOOL, OR GETTING THEM THERE?

Help may be available.

1. If you are staying temporarily with someone else because you lost your housing, or staying in a motel, campground, shelter, or in an outside or inadequate place, you and your children have special rights at school.
2. Those rights include:
  - Staying in the same school even if you move, and receiving transportation to that school, as long as it is in the student's best interest.
  - Enrolling in school immediately without the documents schools usually require.
  - Receiving free school meals.
  - Getting help with school supplies and other needs.
  - Extra support for youth who are on their own.
  - Help connecting young children with early childhood services.
3. Contact your school district's McKinney-Vento Liaison to find out if you qualify for help.
4. Contact your McKinney-Vento State Coordinator (<https://ncche.ed.gov/wp-content/uploads/2019/08/SC-Contact-list.pdf>) if you can't reach the Liaison or have other questions.

www.schoolhouseconnection.org

# Immediate Enrollment



- Children and youth experiencing homelessness have the right to **immediate school enrollment** [42 U.S.C. § 11432(g)(3)(C)(i)]
  - even if lacking paperwork normally required for enrollment (birth certificate, proof of residence, previous school records, immunization/health records, etc.)
  - even if they do not have a parent or legal guardian present
- ***Enrollment*** is defined as “attending classes and participating fully in school activities” [42 U.S.C. § 11434a(1)]



# School Selection and Transportation

- Children and youth experiencing homelessness have the right to attend
  - **The school of origin** [42 U.S.C. § 11432(g)(3)(I)(i)]
    - The school that a child or youth attended when permanently housed, or the school in which the child or youth was last enrolled
  - **The local attendance area school** [42 U.S.C. § 11432(g)(3)(A)(ii)]
    - Any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend
- **School of origin transportation** must be provided at the request of the parent or guardian, or, in the case of an unaccompanied homeless youth, at the request of the local liaison [42 U.S.C. §11432(g)(1)(J)(iii)]

# Determining Best Interest



- In determining best interest, the school district shall
  - **Presume** that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the parent, guardian, or unaccompanied homeless youth
  - **Consider student-centered factors** related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the parent, guardian, or unaccompanied homeless youth

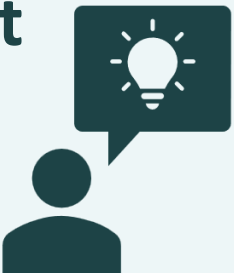
42 U.S.C. §11432(g)(3)(B)

# Krystle's School Selection

Remember Alexa and Krystle Carter? After learning more about their situation, you deemed Krystle McKinney-Vento eligible. They're staying with Alexa's manager, who lives in an area zoned for a different middle school than the one Krystle was attending.

**Please share in the chat:**

**Does Krystle have the right to continue attending her middle school?  
How do you go about determining which school is in Krystle's best interest?**



# What if We Disagree?

- If the district determines that it is not in the student's best interest to attend the school requested by the parent, guardian, or unaccompanied homeless youth
  - The district must provide the parent, guardian, or unaccompanied homeless youth with a **written explanation** of the reasons for its determination...
  - in a **manner and form understandable** to the parent, guardian, or unaccompanied homeless youth...
  - including information regarding the **right to appeal** [42 U.S.C. §11432(g)(3)(B)]
- The student shall be **immediately enrolled** in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals [42 U.S.C. § 11432(g)(3)(E)(i)]

# Barriers: A Deeper Dive



- In addressing educational barriers, school districts must
  - Address barriers related to **outstanding fees or fines, or absences** [42 U.S.C. § 11432(g)(1)(I)]
  - Ensure students receive appropriate **credit for full or partial coursework** satisfactorily completed at a prior school [42 U.S.C. § 11432(g)(1)(F)(ii)]  
Resource: [Wisconsin partial credit guidance documents](#)
  - Address barriers to accessing **academic and extracurricular activities**, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs [42 U.S.C. § 11432(g)(1)(F)(iii)]

# Higher Education



- School counselors must assist students experiencing homelessness with **college preparation and readiness** [42 U.S.C. § 11432(g)(1)(K)]
- Local liaisons must inform unaccompanied homeless youth about their **independent student status** on the Free Application for Federal Student Aid (FAFSA) and assist with verification of this status [42 U.S.C. § 11432(g)(6)(A)(x)(III)]

# Removing Barriers for Krystle

Summer is approaching. Krystle did okay in school this year but would benefit from attending her school's summer reading enrichment program. The school says she can't enroll in the program until she pays a fine related to a lost internet hot spot that was issued to help with remote learning during the pandemic. Krystle's mom, Alexa, says she's looked all over for the hotspot, but it must've gotten lost or left behind when they got evicted. She doesn't have the money to pay the fine but doesn't want Krystle to miss out on the reading assistance.

**Please share in the chat:**

**How would you address the issue of the hotspot fine?**





**Questions?  
Comments?**



# **Takeaways and Next Steps**

# Takeaways and Next Steps

**Please share in the chat:**

**What is one thing you learned today or one next step you'll take as a result of today's session?**



# For More Information

- [Wisconsin Education for Homeless Children and Youth program webpage](#)
  - [Guidance](#) (organized by topic)
  - [Training resources](#)
  - [Example forms and documentation](#)
- [SchoolHouse Connection website](#)
- [National Center for Homeless Education website](#)
- [U.S. Department of Education EHCY Program Non-Regulatory Guidance](#)
- [U.S. Department of Education ARP-HCY webpage](#)



# Thanks for Joining!



**Christina Dukes**

Founder and Principal

Pearl Strategies

[christina@pearlstrats.com](mailto:christina@pearlstrats.com)

