

# Homeless Children and Youth in ESEA Reauthorization



NATIONAL ASSOCIATION FOR THE EDUCATION  
OF HOMELESS CHILDREN AND YOUTH

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# Elementary and Secondary Education Act Reauthorization – Status Update

- Last ESEA reauthorization was in 2001 – No Child Left Behind Act.
- On November 19, a House-Senate Conference Committee passed a compromise ‘framework’ to reconcile the House and Senate bills.
- The compromise is called the “Every Student Succeeds Act,” (ESSA)
- The House and Senate passed ESSA by wide margins in December 2015
- President Obama signed ESSA into law on December 10, 2015.

# McKinney-Vento Act Amendments: School Stability

LEAs must :

- Make a determination about which school is in the child or youth's best interest to attend, **with a presumption that staying in the school of origin is in the child or youth's best interest.**
- Consider student-centered factors related to the child's or youth's best interest.
- Give priority to the wishes of parents, guardians, and unaccompanied youth.
- Provide a written explanation, including the right to appeal, if, after the determination, the LEA determines school of origin, or the school requested, is not in best interest.

## McKinney-Vento Act Amendments: School Stability

- The definition of school of origin includes the designated receiving school at the next grade level for all feeder schools, when a student completes the final grade level served by the school of origin. The determination of whether it is in a student's best interest to follow the feeder school pattern is subject to the same process as other best interest determinations.
- When a student obtains permanent housing, transportation to the school of origin must be provided until the end of the academic year, if it is in the student's best interest to remain in that school.

# McKinney-Vento Amendments: Academic Support and Extra-Curricular Activities

States must have procedures to:

- identify and remove barriers that prevent youth from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school.
- **ensure that homeless children and youth** who meet the relevant eligibility criteria **do not face barriers** to accessing academic and **extracurricular activities**, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs.

## McKinney-Vento Amendments: Preschool Children

- State plans must include procedures that ensure that homeless children have access to public preschool programs, administered by the SEA or LEA, as provided to other children.
- Liaisons must ensure homeless families and children can access early intervention services under IDEA Part C, if eligible.
- The definition of school of origin includes preschools.

# Turn and Talk

- What impact will the change of definition of SOO to include feeder pattern and preschool have on your district?
- What strategies will you use to implement these changes?

## McKinney-Vento Amendment: Authorized Funding Level

- The bill authorizes \$85 million for each of fiscal years 2017 through 2020.
- This represents a 21% increase over the previously authorized level of \$70 million, and a **31% increase** over the currently appropriated level of \$65 million.

## **Title I, Part A Amendments: State and Local Plans**

- State Title I plans must describe how the SEA will provide support to LEAs to ensure the identification, enrollment, attendance, and school stability of homeless children and youth.
- Local Title I plans must describe the services the LEA will provide to support the enrollment, attendance, and success of homeless children and youth, including services provided with the Title I homeless reservation, in coordination with the services the LEA provides under the McKinney-Vento Act.

# **Title I Part A Amendments: Reservation of Funds**

- All LEAs that receive Title I Part A funds must reserve funds to support homeless students.
- The amount of Title I funds reserved for homeless children and youth:
  - must be based on the total allocation and reserved prior to any allowable expenditure of transfers.
  - may be determined based on a needs assessment.
  - may be used for services not ordinarily provided by Title I, including local liaisons and transportation to the school of origin.

# **Title I Part A Amendments: State Report Cards**

State report cards must include disaggregated information on the graduation rates and academic achievement of homeless children and youth, and children and youth in foster care.

# Turn and Talk

- Assuming an increase in funding, what additional supports would you put in place for McKinney-Vento students?

# **Title I Part A Amendments: Foster Care – the Short Version**

- Creates new Title I, Part A assurances that will provide ALL children in any stage of foster care proceedings with McKinney-Vento-like rights and protections.
- LEAs are not required to provide school of origin transportation, if there are additional costs, unless they are reimbursed by the child welfare agency or agree to provide it.
- Removes awaiting foster care placement from the McKinney-Vento Act one year after enactment.

## **Title I, Part A Amendments on Foster Care: Local Title I Plans – Points of Contact**

Local Title I plans must contain an assurance that the LEA will collaborate with the state or local child welfare agency to:

- **designate a point of contact** if the corresponding child welfare agencies notifies the LEA, in writing, that it has designated a point of contact for the LEA.

# **Title I, Part A Amendments on Foster Care: Local Title I Plans – Transportation**

Local Title I plans must contain an assurance that the LEA will collaborate with the state or local child welfare agency to:

- Within one year of enactment, develop and implement procedures for how transportation to maintain foster youth in their schools of origin, when in their best interest, will be provided, arranged and funded.

# **Title I, Part A Amendments on Foster Care: Local Title I Plans – Transportation**

**Local transportation procedures must:**

- 1. Ensure that foster youth who need transportation to the school of origin promptly receive it in a cost-effective manner, and in accordance with the child welfare agency's authority to use child welfare funding available under section 475(4)(A) of Title IV-E of the Social Security Act to provide transportation.**

# Title I, Part A Amendments on Foster Care: Local Title I Plans – Transportation

Local transportation procedures must:

2. Ensure that if there are additional costs incurred in providing transportation to the school of origin, LEAs will provide it if:
  - They are reimbursed by the child welfare agency;
  - The LEA agrees to pay the costs; or
  - The LEA and the child welfare agency agree to share the costs.

# McKinney-Vento Amendment: Definitions

- One year after enactment, the phrase “awaiting foster care placement” will be deleted from the definition of homelessness in the McKinney-Vento Act.
- In states with a state law defining “awaiting foster care placement” (only Delaware and Nevada), the phrase “awaiting foster care placement” will be deleted from the definition of homelessness in the McKinney-Vento Act two years after enactment.

## Effective Dates

With the exception of the deletion of “awaiting foster care placement” from the definition of homelessness, the amendments on homelessness and foster care in Title I, Part A, and to the McKinney-Vento Act, go into effect on July 1, 2016.

# Turn and Talk

- What impact will the change in transportation for students in foster care have on your district?
- What strategies will you use to implement these changes?

# Questions and Discussion

- What questions do you still have?
- What are follow up topics for future meetings?