Students Experiencing Homelessness: Their Rights Under ESSA and How to Support Them

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Webinar Presenters

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CENTER FOR EDUCATION EQUITY (CEE)

CEE is a project of MAEC, Inc., in partnership with WestEd and the American Institutes for Research (AIR).

CEE is one of four regional equity assistance centers funded by the U.S. Department of Education under Title IV of the Civil Rights Act of 1964.

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CENTER FOR EDUCATION EQUITY

CEE’s goals are to:

• Improve and sustain the systemic capacity of public education systems to address problems caused by segregation and inequities.

• Increase equitable educational opportunities for all students regardless of race, gender, religion, and national origin (English Learners).

Whom we serve:

• CEE provides technical assistance and training to states, districts, schools, and community-based organizations within Region I at the request of school boards and other responsible governmental agencies.
Overview of Presentation

Presenters will:

- Provide an overview of the problem of student homelessness.
- Discuss the laws & policies that address homelessness (McKinney Vento) and the laws that address how schools should support students experiencing homelessness (ESSA), including & especially the most recent changes to ESSA.
- Discuss the challenges students face when trying to navigate the school system while homeless.
- Provide educators and school administrators advice, tools and/or strategies for how they can support students who are experiencing homelessness.
Webinar Etiquette

• Use the **Q&A box** if you have any questions.

• Use the **comment box** to share your comments or to engage other participants during the webinar.

• Complete a **brief survey** after the webinar.

• **Closed captioning** services can be accessed using the link and event ID number that is listed below and posted in the chat box.

**Closed Captioning**
Event ID: 3560810
Overview of the Educational Rights of Students Experiencing Homelessness

Jennifer Pringle, J.D.
Project Director, NYS-TEACHS
About NYS-TEACHS

• NYS-TEACHS: New York State Technical and Education Assistance Center for Homeless Students
• Funded by the New York State Education Department and housed at Advocates for Children of New York
• Provide technical assistance on homeless education issues. Our services include:
  - Hotline (800-388-2014)
  - Website (www.nysteachs.org)
  - Webinars, Annual Workshops, and On-Site Trainings
  - Outreach Materials

NYS-TEACHS - (800) 388-2014
Poll Question

How familiar are you with the McKinney-Vento Act?

- Very familiar
- I’ve heard of it but I’m not really sure what the law says
- Never heard of it

Please enter your response to the poll question on the right hand-side panel.
“My school continued to motivate me even though I was going through a VERY difficult time in my life with constant reassurance that they (staff and teachers) were there to support me no matter what happened.”

- Youth, from Hidden in Plain Sight (full report)
At a Glance: Homelessness in the United States

U.S. Number of Homeless Children/Youth Enrolled in Public School by Year

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013-14</td>
<td>1,298,450</td>
</tr>
<tr>
<td>2014-15</td>
<td>1,260,491</td>
</tr>
<tr>
<td>2015-16</td>
<td>1,304,446</td>
</tr>
</tbody>
</table>

Percentage of Homeless Children/Youth Enrolled in Public Schools by Type of Primary Nighttime Residence, 2015-16

- Shelters, Transitional Housing, Awaiting Foster Care: 14%
- Hotels/Motels: 7%
- Unsheltered: 3%
- Children with disabilities (IDEA): 18%
- Limited English Proficient (LEP) students: 15%
- Homeless Unaccompanied Youth: 9%
- Migratory children: 1%

Sources:
EdFacts data via NCHE:
EdFacts data via Ed Data Express: https://eddataexpress.ed.gov/
Potential Causes of Homelessness

- Low wages
- Poverty
- Unemployment
- Lack of affordable housing
- Domestic violence
- Natural disasters
- Mental and/or physical illness
- Family rejection and/or conflict

Homelessness
Individuals and families who are minorities make up a disproportionate percentage of people experiencing homelessness in shelters\(^1\)

Why might this be? Some factors include:

- **Housing Discrimination:** People of color shown fewer rental units, are more often denied leases based on credit history than white renters.\(^2\)
- **Employment Discrimination:** Studies have found that applicants with stereotypically black names receive fewer callbacks for job interviews than candidates with stereotypically white names.\(^3\)

➢ **Keep in Mind:** A 2013 survey by the Homeless Youth Project found that African American youth were less likely to identify themselves as homeless. White youth surveyed were more likely to self-identify, and to access services for the homeless, such as shelters and food banks.\(^1\)

Sources:
3: Statistic from Bertrand & Mullainathan, 2004, cited by Center for Social Innovation (same as above link)
Youth identifying as LGBTQ are disproportionately represented among homeless unaccompanied youth.¹

Why might this be? Some factors include:

- Many lesbian, gay, bisexual, transgender, and queer/questioning (LGBTQ) youth become homeless due to family violence and rejection.²
- With more limited social support networks, LGBTQ youth must often find ways to support themselves, and social services may be hostile or discriminatory.³

➤ Keep in Mind: In GLSEN’s 2015 National School Climate Survey, 32% of LGBTQ students missed at least one entire day of school in the past month because they felt unsafe or uncomfortable. 64% of LGBTQ students who reported harassment or assault at school said that the school staff did nothing in response or told the student to ignore it.⁴

Sources:
3: Ibid.
The McKinney-Vento Act

- Federal law
- Enacted in 1987
- Reauthorized in 2015 as part of Every Student Succeeds Act (ESSA)

McKinney-Vento Act, 42 USC 11431 et seq.
Outcomes for Students in Temporary Housing

School Transfers are associated with:

• Negative Academic Outcomes:
  – Lower test scores
  – More likely to repeat a grade
  – Higher drop-out rate

• Negative Social/Emotional Outcomes:
  – Loss of supportive relationships
  – Decreased engagement (high absenteeism)
  – Increase in negative behaviors and disciplinary actions
Poll Question

A student cannot be identified as homeless under McKinney-Vento if they are staying at a private residence.

- True
- False

Please enter your response to the poll question on the right hand-side panel.
Who is covered by the McKinney-Vento Act?

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

- Sharing the housing with others due to loss of housing, economic hardship or a similar reason
- Living in emergency or transitional shelters
- Living in motels, hotels, trailer parks, camping grounds due to the lack of alternative adequate accommodations
- Abandoned in hospitals
- Living in a public or private place not designed for sleeping
- Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, etc.
- Migratory living in circumstances described above

*Awaiting foster care removed from definition as of 12/10/16.*
Questions

Please type your questions in the Q&A box on the right hand-side panel.
Unaccompanied Youth

**Definition**

✓ meets the McKinney-Vento definition of homeless **AND**

✓ is **not in the physical custody of a parent or guardian.**

42 USC §11434A(6)); U.S. DOE’s Non-Regulatory Guidance, Section P

**School Selection**

The district must take into account the wishes of the unaccompanied youth when making a best interests determination about staying in the same school or transferring.

42 U.S.C. §11432 (g)(3)(B)

**Enrollment**

Districts may use forms such as a Caregiver Authorization form or Person in Parental Relation form, but cannot require such documentation to enroll.

42 U.S.C. §11432 (g)(3)(C)
Identification Challenges

“There was nothing the education system could do because I was too embarrassed to tell them about my homeless situation at the time.”

– Youth Interview

“We have students who live with other families that should be identified as homeless, but are not because we do not know about their situations until a crisis occurs.”

– Local Liaison

Quotes are from Hidden in Plain Sight (http://www.americaspromise.org/report/hidden-plain-sight, from full report)
Addressing Common Identification Challenges

• Parents/youth hide their homelessness because of embarrassment or fear.
  - Do not use the word “homeless;” use “students in temporary housing” or similar language.

• Parents/youth do not know that their living situation may entitle their child/them to certain protections.
  - Be transparent about questions and explain the protections and services available to children who are experiencing homelessness (e.g., eligibility, priority enrollment).
  - Use language to describe homelessness that reflects the living arrangement, e.g. “doubled-up” or “staying at a shelter.”

• Parents/youth don’t want everybody to know about their circumstances and are worried that that information might be used to negatively stereotype their child/them.
  - Discuss living situation in an office where other parents, staff, and students can’t overhear.
  - Share how the information will be used (e.g., it will only be shared with staff on a need-to-know basis; program is required to report data on temporary housing).
  - Provide internal trainings to staff to increase awareness and sensitivity.

• What other challenges might there be and how would you address them?
Other Identification Strategies

- **Provide awareness activities for school staff** (registrars, secretaries, counselors, nurses, teachers, tutors, bus drivers, security officers, drop out prevention specialists, attendance officers, administrators, etc.).

- **Administer a Housing Questionnaire** for all students seeking enrollment in the district and for all enrolled students who seek a change of address:
  - NYS Example: [www.nysteache.org/media/INF_SED_HousingQuest.docx](http://www.nysteache.org/media/INF_SED_HousingQuest.docx)

- **Post outreach materials** and posters in all schools and where there is a frequent influx of low-income families and youth in high-risk situations, including motels, campgrounds, libraries, health center, youth services.
  - Free outreach materials available for download: [https://nche.ed.gov/pr/er_poster.php](https://nche.ed.gov/pr/er_poster.php)
Other Identification Strategies cont.

- **Coordinate with community service agencies**, such as shelters, food pantries, law enforcement, legal aid, public assistance and housing agencies, mental health agencies and public health departments.

- **Coordinate with youth-serving agencies**, such as drop-in centers, street outreach, child welfare, juvenile courts, teen parent programs, LGBTQ youth organizations.

- **Use available data to inform outreach** – district and regional homeless identification, poverty data, primary nighttime residence data.

- Use definitions and sample questions from NCHE’s [Determining Eligibility Issue Brief](https://nche.ed.gov/downloads/briefs/det_elig.pdf)
McKinney-Vento Services

- Transportation to School of Origin
- Immediate Enrollment
- Free Meals
- Title I Services (access to school-wide, targeted assistance, and set-aside)
- MV Liaison in all LEAs (school districts, charters, and regional ed centers)
School Enrollment While Experiencing Homelessness

School Selection:
- Maintain enrollment in the school of origin OR immediately enroll in school serving area where student is temporarily living.
- Based on best interest determination, with presumption that staying in the school origin is in the best interest of the student except when contrary to wishes of the parent/guardian/unaccompanied youth.

School of origin:
- Definition
  - school attended when last permanently housed or
  - school most recently attended
- Includes public preschool
- Transportation to school of origin required, even if not offered to students who are permanently housed

Immediate enrollment: if the student transfers schools, they are entitled to immediate enrollment even if they don’t have the records normally needed.
McKinney-Vento Liaison: Point Person for Families and District Staff
Liaisons must ensure that:

1. Children and youths who are homeless are identified by school personnel through outreach and coordination activities with other entities and agencies;

2. Children and youths who are homeless are enrolled in, and have full and equal opportunity to succeed in, the school or schools of the LEA;

3. Families, children, and youths who are homeless have access to and receive educational services for which such families, children, and youths are eligible, including services through Head Start programs (including Early Head Start programs), early intervention services under Part C of the IDEA, and other preschool programs administered by the LEA;
Liaisons must ensure that:

4. **Families, children, and youths who are homeless** receive referrals to health, dental, mental health, and **substance abuse services**, **housing services**, and other appropriate services;

5. Parents or guardians of children and youths who are homeless are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

6. Public notice of the educational rights of students who are homeless is disseminated in locations frequented by parents and guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, **in a manner and form understandable to the parents and guardians and unaccompanied youths**;
Liaisons must ensure that:

7. Enrollment disputes are mediated in accordance with the requirements of the McKinney-Vento Act;

8. Parents and guardians and unaccompanied youths are fully informed of all transportation services, including transportation to and from the school of origin and are assisted in accessing transportation services;

9. **School personnel receive professional development and other support;** and

10. Unaccompanied youths are enrolled in school, have opportunities to meet the same challenging State academic standards as the State establishes for other children and youths, including identifying and removing barriers to receiving credit for full or partial coursework completed; are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (HEA) (20 U.S.C. 1087vv), and their right to receive verification of this status from the local liaison.
"Individual teachers and faculty played an important role as mentors, safety nets, and supports. I would not have known how to survive without them in my life."

- Youth, from Hidden in Plain Sight (full report)
ESSA & Supports for Students Who are Homeless

1. Including preschool and receiving schools as “schools of origin”
2. Removal of “awaiting foster care placement” from definition of homeless as of December 10, 2016
3. Expansion of McKinney-Vento Liaison responsibilities
4. Improving college readiness
5. Improve identification of students experiencing homelessness
6. Expansion of privacy protections
7. Removing barriers to enrollment and participation in school
8. Coordinate special education services
9. Transportation to the school of origin, including preschool, and through the remainder of the year in which the student becomes permanently housed
10. Modifying factors used in best interest decision-making for school selection
11. Continued enrollment pending final resolution of disputes
12. Title I, Part A set-aside to serve students who are homeless required of all districts & charter schools that receive Title I funds (SY 2017-18)
Key Takeaways

1. **School stability is a protective factor** for children and youth in temporary housing.

2. Students who **lack housing that is fixed, regular, and adequate** are covered by the McKinney-Vento Act, which promotes school stability.

3. **Unaccompanied youth** are students who are experiencing homelessness according to the McKinney-Vento definition (lack fixed, regular, and adequate housing) and who are not in the physical custody of a parent or guardian.

4. Students in temporary housing are entitled to **immediate enrollment**, even if they don’t have the records typically required for enrollment.

5. Students who are homeless are entitled to **transportation to their school of origin, including preschool**, and students who move into permanent housing are entitled to continued transportation to their school of origin through the remainder of the school year.

6. Students in temporary housing are **categorically eligible for free meals and services under Title I, Part A**.
Resources

Laws and Policies

  <http://nysteachs.org/media/INF_LP_Fed_MV.pdf>

• **Non-Regulatory Guidance** from the U.S. Department of Education’s Education for Homeless Children and Youths Program

Where to go for help

• **McKinney-Vento State Coordinators**: https://nche.ed.gov/states/state_resources.php#map

• **National Center for Homeless Education**: https://nche.ed.gov/

• **SchoolHouse Connection**: https://www.schoolhouseconnection.org/
Questions

Please type your questions in the **Q&A box** on the right hand-side panel.
Addressing Student Homelessness: A School District’s Perspective

April C. Anderson
McKinney-Vento District Liaison
Red Clay Consolidated School District
Wilmington, DE
About Red Clay Consolidated School District

- Red Clay SD formed in July 1981 as part of redistricting in New Castle Co.
- Northwestern part of City of Wilmington & its suburbs all the way up to the PA line
- Red Clay is the largest public school system in the state serving over 16,000 students (15 ES 6 MS, 5 HS and 3 Special Education schools)
- SY16/17 identified 400 + MV students from grades k-12
- Multiple services provided: transportation, housing, special education accommodations, transition to college support (financial aid, applications, graduation credits)
Challenges For Families Experiencing Homelessness in Delaware

- Limited resources for families (vouchers, shelters, transportation, family support)
- Limited basic needs-food, clothing, medical
- Multiple transitions in short periods of time
  - Truancy
  - Lack of stability
  - Disconnected from school
  - Limited access to activities that support school success
    - Athletics
    - Tutoring
    - Clubs, Community Programming etc...
Challenges for Students Experiencing Homelessness

• Stereotypes and lack of awareness
• High mobility resulting in lack of school stability and educational continuity
• Enrollment requirements (school records, health records, proof of residence, guardianship)
• Poor health, fatigue, hunger
• Emotional trauma, depression, anxiety
• Lack of transportation
• Lack of school supplies, clothing, etc
Educational Impacts Related to Homelessness

• Higher incidences of acute and chronic illnesses, depression and anxiety
• Homelessness in early childhood is associated with poor classroom engagement and poor social skills in early elementary school
• Achievement gaps
• Dropping out
Challenges with Determining Eligibility

- Case-by-case determination
- Get as much information as possible (with sensitivity and discretion)
- Look at the MV definition (specific examples in the definition first, then overall definition).
- Considerations for families/youth who are staying with other people:
  - Where would you go if you couldn’t stay here?
  - What led you to move in to this situation?
  - Do you have a legal right to stay here?
The 3 T’s: The Trouble with Transportation
Transportation

- LEAs (local education agencies) also must provide students in homeless situations with transportation services to their school of origin. - 11432(g)(4)(A)

- Transportation must be arranged *promptly* to ensure immediate enrollment and not create barriers to attendance, retention or success. - Guidance J1

  - **Top challenges**-
    - Multiple days absent due to delays in transportation (academic catch up)
    - After school activities for MV students (barriers due to inconsistency)
    - Families that have multiple residences in one School Year (more days missed)
Enrollment Challenges for Unaccompanied Youth
Unaccompanied Youth Challenges

- Immediate enrollment applies, even without parent or guardian. - 11432(g)(1)(H)(iv)
- Youth self-enrollment; Caregiver forms
- Liaisons must help unaccompanied youth choose and enroll in a school, give priority to the youth’s wishes, and inform the youth of his or her appeal rights.
  - **Top challenges:**
    - Students are unaware of resources available & may not have a connection w/ school staff
    - Multiple transitions can cause a student to “fall between the cracks”
    - Limited access to basic necessities can lead to despair (parental conflict)
Challenges District to District

• Collaboration between districts
• Lack of consistency (enrollment policies, required documents, alternative placement)
  - Landlord Affidavits (requirement in some districts)
  - Students with disabilities (Varying special education programs or schools)
    - Can depend on size of district or resources available
  - Students with high behavior challenges (who will accept the student)
  - School choice vs. Homelessness (parents vs. schools of origin)
Something to Ponder….

“Empathy is about connection, sympathy is about separation.”

-Brene Brown
What is Your School’s Climate?

- Empathy vs Sympathy
  - Brene Brown on Empathy [https://youtu.be/1Evwgu369Jw](https://youtu.be/1Evwgu369Jw)
  - “I have to connect with something within myself that understands that feeling…rarely can a response make something better…what makes something better is connection.” - Brene Brown
  - Create school climates that are inclusive and welcoming from the FRONT DOOR
    - Front office staff (general customer service)
    - Training on the importance of empathy
    - April’s Article on Empathy
How Can Educators Support Students Experiencing Homelessness?

- Pay attention to subtle changes in student appearance, behavior, or conversation
  - Disheveled
  - Hungry
  - Withdrawn in conversation
- Know who to go to in your school & district for support (teachers have the most access to students in need)
- Can you be a caring adult for at least 1 child in your school?
What Can Parents and Community Members Do?

• Transparency with identified staff tasked to help families in need
• Advocate (absences, opportunities to make up work, afterschool programming anything to maintain school connectedness)
• Ask questions – what’s next, what are my options
• Follow up (District Liaisons have multiple duties that can lead to delays in services)
• Parent programs to support family success (Does your district offer them?)
• Special programs & schools (Don’t allow circumstances to limit your child’s options)
  – School choice, Charter School, Magnet programs (Should your child apply? YES!!!)
  – Community Members: Partner, Partner, Partner
Questions

Please type your questions in the Q&A box on the right hand-side panel.
CONTACT INFORMATION

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