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## Every Student Succeeds Act and the McKinney-Vento Act

New York State Board of Regents, October 17, 2016

# Topics

**School Year 2015-16 Data**

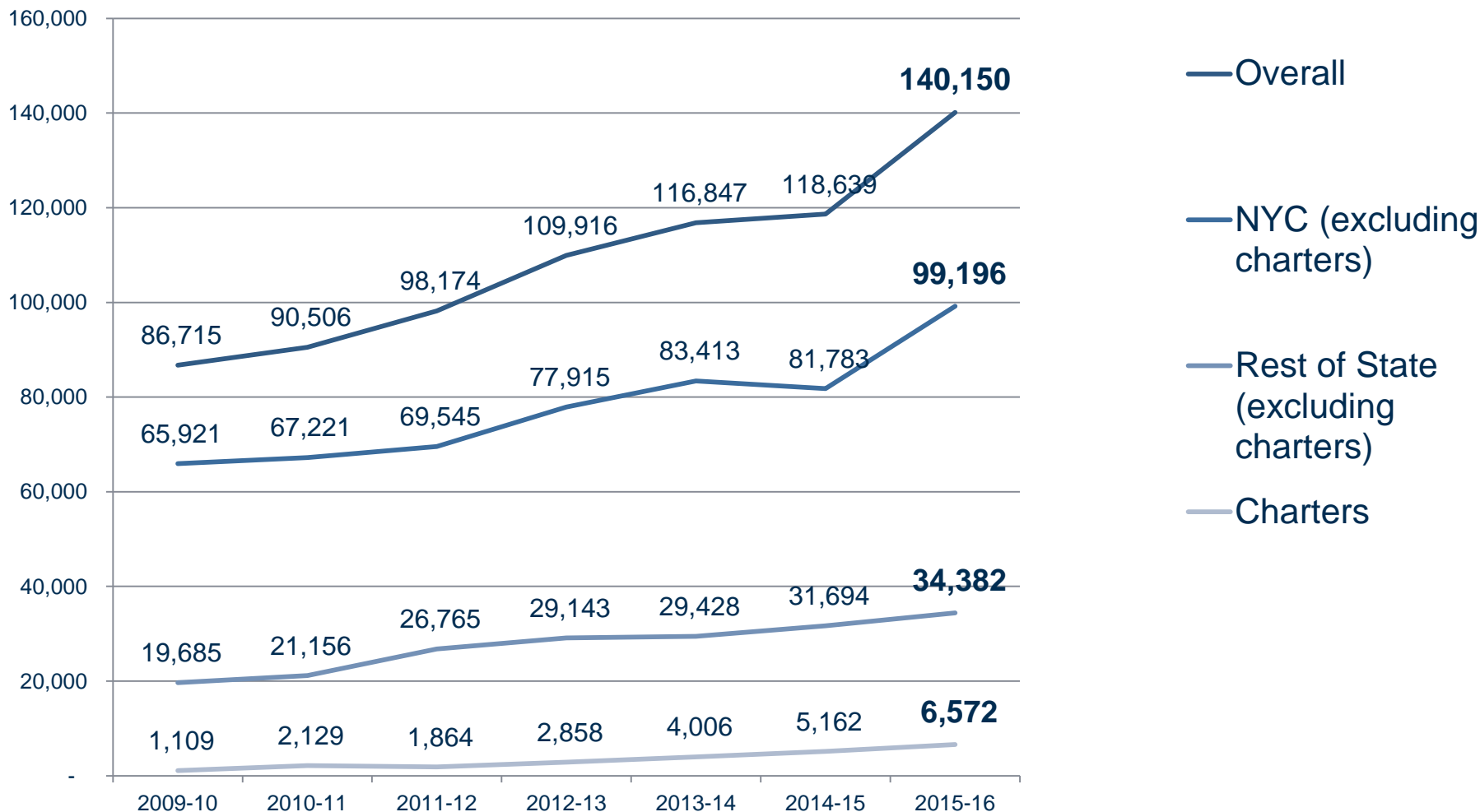
**McKinney-Vento**

**Key Changes**

**Guidance and Professional Development**

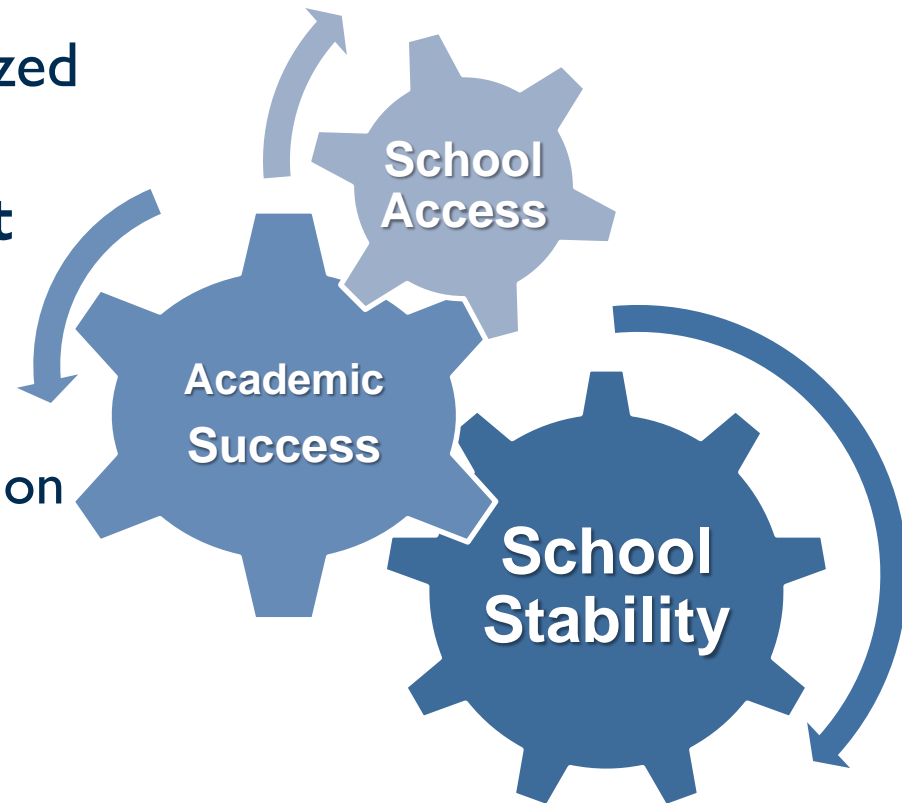
**Next Steps**

# Students in Temporary Housing in NYS, SY 2015-16



# McKinney-Vento Homeless Assistance Act

- First enacted in 1987 and reauthorized in 2015 as a part of Every Student Succeeds Act. **Amendments went into effect October 1, 2016**
- Key protections:
  - Continued enrollment & transportation to school of origin
  - Immediate enrollment in local school
  - Free school meals
  - Title I services
  - McKinney-Vento liaison in every LEA



# Key Changes

1. **School of Origin:** Definition of school of origin expanded to include preschool and feeder schools.
2. **School Selection and Best Interest Determinations:** LEAs must presume that keeping the student in the school of origin is in the student's best interest unless it is contrary to the wishes of the parent or youth (in the case of an unaccompanied youth).
3. **Awaiting Foster Care Placement:** “*Awaiting foster care placement*” will be eliminated from the definition of homeless as of Dec. 10, 2016.
4. **Enrollment Deadlines:** LEAs must immediately enroll children and youth who are homeless even if they have missed application or enrollment deadlines during any period of homelessness.
5. **Dispute Resolution:** LEAs must continue enrollment and transportation during any dispute involving eligibility, school selection, or enrollment pending final resolution of all available appeals.
6. **Award Full or Partial Credit for Completed Coursework:** LEAs must remove barriers that prevent homeless youth from receiving appropriate full or partial credit for coursework completed while attending a prior school

# Key Changes

- 7. Ensure Access to Academic and Extra-Curricular Activities:** LEAs must ensure that students who are homeless and *meet the relevant eligibility criteria* do not face barriers to accessing academic and extra-curricular activities, including magnet schools, summer school, career and technical education, advanced placement courses, online learning and charter schools.
- 8. Eliminate Barriers Related to Outstanding Fees, Fines, or Absences:** LEAs must review and revise policies to remove barriers to identification, enrollment, and retention of children and youth who are homeless, including barriers to enrollment and retention due to outstanding fees or fines or absences.
- 9. Provide Transportation for the Remainder of the School Year:** LEAs must provide transportation to the school of origin through the remainder of the school year in which the student becomes permanently housed.
- 10. College Readiness:** LEAs must provide youth who are homeless with assistance from counselors to advise such youth and improve their readiness for college.
- 11. Student Privacy/FERPA:** LEAs may not disclose the address where the student is temporarily living or the temporary housing status of a student who is homeless to a third party without the consent of the parent.

# Key Changes

- 12. McKinney-Vento Liaison Responsibilities:** Liaison responsibilities expanded to include connecting young children to additional early care and education programs such as Head Start and Early Intervention; posting public notice of the educational rights of students who are homeless in a manner and form that is understandable; training other school district staff on McKinney-Vento; and ensuring that unaccompanied youth are enrolled in school and are informed of their independent status and receive verification of such status from the liaison for the Free Application for Federal Student Aid (FAFSA).
- 13. Affirm Eligibility for HUD Homeless Assistance:** McKinney-Vento liaisons who have received training on the HUD definition of homeless may affirm eligibility for students and their families for homeless assistance programs funded by HUD if the liaison has determined that they are homeless under HUD's definition
- 14. Coordinate Special Education Services:** LEAs must coordinate special education services for students protected under MV and the IDEA
- 15. Collect Data:** LEAs must collect and provide data to the Department on students experiencing homelessness
- 16. Improve Identification of Children Experiencing Homelessness:** LEAs must review and revise policies that may act as barriers to the identification and enrollment of children and youth experiencing homelessness and give special attention to ensure the identification and enrollment of children and youth experiencing homelessness who are not currently attending school.

# Support to the field

- **Field Memo dated September 29**  
<http://www.p12.nysed.gov/accountability/homeless/guidancememos.html>.
- **Professional development by SED and NYS-TEACHERS:**
  - webinar on the ESSA amendments to McKinney-Vento on September 20;
  - webinars on transportation under McKinney-Vento as amended by ESSA on September 27 and 29;
  - webinars on McKinney-Vento 101 with ESSA updates on October 25 and 27;
  - on-site trainings at Nassau BOCES on October 17, Eastern Suffolk BOCES on October 26, and the NYC Charter School Center on January 10; and
  - Workshops in Rochester on November 17, in Albany on November 29, and in New York City on December 7, 12, and 16.
- Forms for appealing a district's MV determination have been updated to clarify that students must be enrolled and transported during appeal process.



# Next Steps

- **Fall 2017:** Continue to update field guidance.
- **Winter 2017:** Examine potential changes to the Education Law and Commissioner's regulations to conform to the recent changes to McKinney-Vento.
- **Spring 2017:** Make necessary changes to State's Title I Plan and Consolidated Application for LEAs.