

Series 2001-2002  
Circular Letter – C-27

TO: Superintendents of Schools

FROM: Theodore S. Sergi, Commissioner of Education

DATE: May 21, 2002

SUBJECT: McKinney-Vento Homeless Education Liaison

For several years, children and youth living in homeless situations across the country have benefited from the federal Stewart B. McKinney Homeless Assistance Act, Subtitle VII-B. The Act, now known as the McKinney-Vento Act, stemmed from an effort to protect the educational rights of children and youth experiencing homelessness. This federal law entitles children and youth who are homeless, to a free, appropriate public education and requires schools to remove barriers to their enrollment, attendance, and success in school.

*The No Child Left Behind Act of 2001* recently reauthorized Title X, Part C, Education for Homeless Children and Youths Program. In an effort to strengthen accountability at both the state and local level, every school district in the country will now be required to designate a homeless liaison. A local liaison is a local educational agency (LEA) staff person who will be responsible for working with homeless education issues in a school district.

National evaluations have found that liaisons are a common denominator for successful district efforts to address homelessness. Therefore, the law now requires every LEA to appoint a liaison for students who are homeless and specifies their legal responsibilities. The key responsibilities of the liaison will be to ensure the identification, school enrollment, attendance, and opportunities for academic success of students in homeless situations. Some of these activities may be accomplished by the liaison himself or herself, while others are accomplished by coordinating the efforts of other staff. By linking students and their families to school and community services, liaisons play a critical role in stabilizing students and promoting academic achievement at the individual, school, and district level.

As you consider who to designate as your district's liaison, Federal Programs, such as Title I, Even Start, or Migrant Education, may be good offices to support this position. This person may also be a coordinator of other federal, state or locally funded education programs, particularly those programs that serve students in high-risk situations. The Office of the State Coordinator for the Education of Homeless Children and Youth may also be able to assist you in choosing an appropriate staff person to serve as LEA homeless liaison.

Please complete the enclosed form designating a liaison, or a point of contact for the district. This information will allow us to begin forming a database through which critical information can be disseminated to school district administrators and staff. Please submit your completed form by June 21, 2002, to Louis Tallarita, Education Services Specialist, at the address listed on the enclosed form.

Thank you for your assistance in gathering this information. In the near future your designated liaison will begin to receive program guidance, publications, print information and announcements for training opportunities related to the education of homeless children and youth. We look forward to working with you to ensure that *No Child is Left Behind* in Connecticut.

If you have any questions related to the completion of the enclosed form or the McKinney-Vento Education of Homeless Children and Youth program, please contact Louis Tallarita at (860) 807-2058 or e-mail [louis.tallarita@po.state.ct.us](mailto:louis.tallarita@po.state.ct.us).

TSS:lbt

Enclosures



# Connecticut State Department of Education

District Name		
Address		
Homeless Education Liaison/Contact	Title	
E-mail	Telephone	Fax

Will the person listed above serve as a district liaison for homeless children and youth (assist homeless families with student enrollment, ect.) or simply serve as a temporary point of contact between SDE and your district?

- Liaison
- Temporary Contact

Is the person listed above familiar with the federal McKinney-Vento Act for the Education of Homeless Children and Youth? (This information will assist us in providing appropriate materials and information to the district liaison/contacts.)

- Yes
- No

Please return this completed form by June 15, 2002, or simply e-mail the information requested on this form to:

Louis Tallarita, Education Services Specialist  
 Education of Homeless Children and Youth  
 Division of Educational Programs and Services  
 25 Industrial Park Road  
 Middletown, CT 06407  
 P(860)807-2058 F(860)807-2084  
 E-mail [louis.tallarita@po.state.ct.us](mailto:louis.tallarita@po.state.ct.us)

## Short Summary of McKinney-Vento Amendments

### McKinney-Vento 2001 Reauthorization - At a Glance

<p><b>Who is Homeless?</b></p> <p>According to the McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11435(2).</p> <p>"Sec. 725. Definitions - For purposes of this subtitle –</p> <p>...(2) The term 'homeless children and youths' -</p> <p>(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and</p> <p>(B) includes-</p> <p>(i) 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; are abandoned in hospitals; or are awaiting foster care placement;</p> <p>(ii) 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 (within the meaning of section 103(a)(2)(C));</p> <p>(iii) children and youths</p>	<p>The McKinney-Vento Homeless Assistance Act, reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This summary provides a brief overview of key provisions of the reauthorized Act.</p> <p><u>Definitions*</u></p> <ul style="list-style-type: none"> <li>• The 2001 reauthorization includes definitions of who is considered homeless for the purposes of this subtitle of the McKinney-Vento Act, and therefore who is eligible for the rights and protections it provides. These definitions include children and youth who are living with a friend, relative or someone else because they lost their home or can't afford housing; children and youth who are staying in a motel or hotel due to lack of adequate alternative accommodations; children and youth who are living in an emergency or transitional shelter or a domestic violence shelter, and many other situations (see side panel for full definition).</li> </ul> <p><u>Academic Achievement</u></p> <ul style="list-style-type: none"> <li>• States must describe in their state McKinney-Vento plan how students in homeless situations are or will be given the opportunity to meet the same challenging State academic achievement standards all students are expected to meet.</li> <li>• It is the policy of Congress that students in homeless situations should have access to the education and other services they need to ensure that they have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.</li> </ul> <p><u>School Selection*</u></p> <ul style="list-style-type: none"> <li>• Local Educational Agencies (LEAs) must, to the extent feasible, keep students in homeless situations in their school of origin (defined as the school attended when permanently housed, or the school in which they were last enrolled), unless it is against the parent's or guardian's wishes. (See Transportation, below, for information on transportation to the school of origin.)</li> <li>• Students can stay in their school of origin the entire time they are homeless, and until the end of any academic year in which they move into permanent housing.</li> <li>• Students may also choose to enroll in any public school that students living in the same attendance area are eligible to attend. (See Enrollment, below).</li> <li>• If a student is sent to a school other than the school of origin or the school requested by a parent/guardian, the LEA must provide a written explanation of its decision and the right to appeal, whether or not the parent/guardian disputes the placement. (See Dispute Resolution, below.)</li> <li>• Homeless liaisons must help unaccompanied youth (youth who are not in the physical custody of a parent or guardian) choose and enroll in a school, after considering the youth's wishes, and provide youth with notice of their right to appeal an enrollment choice that goes against their wishes. (See Liaisons, below, for the appointment and duties of</li> </ul>
---	---

who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii)."

#### Enrollment\*

- LEAs must immediately enroll students in homeless situations, even if they do not have required documents, such as school records, medical records, proof of residency, or other documents. The term "enroll" is defined as attending classes and participating fully in school activities.
- Enrolling schools must obtain school records from the previous school, and students must be enrolled in school while records are obtained.
- If a student does not have immunizations or immunization or medical records, the liaison must immediately assist in obtaining them, and the student must be enrolled in school in the interim.
- Schools must maintain records for students who are homeless so they are available quickly.
- States must address problems resulting from enrollment delays caused by immunization and medical records requirements, residency requirements, lack of birth certificates, school records or other documentation, guardianship issues, or uniform or dress code requirements.
- States and LEAs must develop, review and revise their policies to remove barriers to the enrollment and retention of children and youth in homeless situations.

#### Dispute Resolution\*

- Every state must establish procedures to promptly resolve disputes regarding the educational placement of homeless students.
- Whenever a dispute arises, the student must be immediately admitted to the school of choice while the dispute is being resolved.
- A written explanation of the school's decision must be provided if a parent, guardian or unaccompanied youth disputes a school placement or enrollment decision.
- The school must refer the student, parent or guardian to the local liaison to carry out the dispute resolution process as expeditiously as possible (see Liaisons for the duties of liaisons).
- Liaisons must ensure that this provision is followed for unaccompanied youth.

#### Transportation\*

- At a parent's or guardian's request, homeless students must be provided with transportation to and from their school of origin.
- For unaccompanied youth, transportation to and from the school of origin must be provided at the liaison's request.
- If the student's temporary residence and the school of origin are in the same LEA, that LEA must provide transportation. If the student is living outside the school of origin's LEA, the LEA where the student is living and the school of origin's LEA must determine how to divide the responsibility and cost of providing transportation, or they must share the responsibility and cost equally.
- In addition to providing transportation to the school of origin, LEAs must provide students in homeless situations with transportation services comparable to those provided to other students.

#### Liaisons\*

- Every LEA must designate an appropriate staff person as a local educational

agency liaison for students in homeless situations.

- Liaisons must ensure that:
- Children and youth in homeless situations are identified by school personnel and through coordination activities with other entities and agencies\*
- Children and youth enroll in, and have full and equal opportunity to succeed in, the schools of the LEA
- Families, children, and youth receive educational services for which they are eligible, including Head Start, Even Start, and pre-school programs administered by the LEA, and referrals to health, mental health, dental, and other appropriate services
- Parents or guardians 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
- Public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services under the Act (such as schools, family shelters, and soup kitchens)
- Enrollment disputes are mediated in accordance with the Enrollment Disputes section (see Dispute Resolution, above)
- Parents and guardians, and unaccompanied youth, are fully informed of all transportation services, including to the school of origin, and are assisted in accessing transportation services.
- Liaisons must collaborate and coordinate with state coordinators and community and school personnel responsible for the provision of education and related services to children and youth in homeless situations.
- State coordinators and LEAs must inform school personnel, service providers, and advocates who work with families in homeless situations of the duties of the liaison.

#### Segregation\*

- It is the policy of the Congress that homelessness alone is not sufficient reason to separate students from the mainstream school environment.
- States that receive McKinney-Vento Act assistance are prohibited from segregating homeless students in separate schools, separate programs within schools, or separate settings within schools, except:
- States that have separate schools operated in FY2000 in a "covered county" are excluded from the prohibition, and are eligible to receive McKinney funds, providing that the covered schools, and the LEAs that the homeless children enrolled in the covered schools are eligible to attend, meet the requirements specified for them in the Act (Covered counties are Orange County, CA; San Diego County, CA; San Joaquin County, CA; and Maricopa County, AZ).
- If McKinney-Vento services are provided on school grounds, schools must not provide services in settings within a school that segregate homeless children and youth from other children and youth, except as is necessary for short periods of time for health and safety emergencies, or to provide temporary, special, and supplementary services.
- SEAs and LEAs must adopt policies and practices to ensure that homeless children and youth are not segregated on the basis of their status as homeless, or stigmatized.
- Services provided with McKinney-Vento Act funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the school's regular academic program.

#### Local Subgrants

- States are required to award competitive subgrants to LEAs based on need and quality of the application submitted.

- In determining quality of applications, states must consider the applicant's needs assessment; the types, intensity, and coordination of services; the involvement of parents or guardians; the extent to which children and youth are integrated into regular education programs; the quality of the applicant's evaluation plan; the extent to which McKinney-Vento services will be coordinated with other available services; and such other measures as the State considers indicative of a high quality program

#### Statewide Activities

- The Office of State Coordinator must provide technical assistance, in coordination with local liaisons, to all LEAs in order to ensure compliance with the following LEA requirements: school choice/placement; best interest determination; enrollment; enrollment disputes; records; comparable services; coordination; local liaison duties; review and revision of policies; and the prohibition on segregation
- States must distribute at least 75% of their McKinney-Vento allocation to LEAs, except that states funded at the minimum level must distribute at least 50% of their McKinney-Vento Act allocations to LEAs.

#### Federal Activities

- Not later than 60 days after the date of enactment, the U.S. Department of Education must publish school enrollment guidelines in the Federal Register which describe successful ways in which a State may assist school districts to immediately enroll students who are homeless, and how States can review and revise State requirements on immunization, school, or medical records.
- Before the next school year that begins after the date of enactment, the U.S. Department of Education must create a public notice of the educational rights of children and youth in homeless situations and disseminate such notice nationwide and to other Federal agencies, programs, and grantees, including Head Start grantees, health care for the homeless projects, emergency food and shelter grantees, and homeless assistance programs administered by the Department of Housing and Urban Development.
- The U.S. Department of Education must periodically collect and disseminate data and information on the number and location of children and youth in homeless situations; the educational services they receive; the extent to which their educational needs are being met; and such other data and information as is determined to be necessary and relevant. The Department is required to coordinate data collection and dissemination with the agencies and entities that receive McKinney-Vento funds and administer McKinney-Vento programs.

A copy of the legislation is available at <http://www.ed.gov/legislation/ESEA02/pg116.html>. Guidelines for state and local educational agencies published in the *Federal Register* on March 8, 2002 can be found at <http://www.ed.gov/legislation/FedRegister/other/2002-1/030802a.html>.