

McKinney-Vento Education for Homeless Children and Youth (EHCY) Program Changes Under the *Every Student Succeeds Act* (ESSA)

Under Every Student Succeeds Act (ESSA), the McKinney-Vento Education for Homeless Children and Youth (EHCY) program is now Title IX, Part A. The amendments became effective **October 1, 2016**. Many of the changes codify what has been best practice and already occurring in Virginia. Some changes are more significant and will require adjustments to state and local practices. Current resources, including a webinar recorded in May 2016 that addressed the changes in ESSA and how they were likely to affect Virginia can be found at:

<http://education.wm.edu/centers/hope/legislative/ESSAtransition/index.php>

The following table highlights the changes and the current status of implementation in Virginia.

Change in McKinney-Vento EHCY Program	Status in Virginia
State Coordinator	
Every state must designate a State Coordinator <i>who can sufficiently carry out their duties</i> . [§722(d)(3)]	Virginia has had a dedicated office and staff since the 1990s.
The state coordinator must:	
Monitor local education agencies (school divisions). [§722(f)(5)]	Monitoring of all school divisions has been conducted for more than ten years.
Post on the SEA website, and annually update, a list of liaisons' contact information and duties, and data on student homelessness. [§722(f)(1) and §722(g)(6)(B)]	Liaisons are posted to the HOPE website and updated during the school year; counts of students identified as homeless in Virginia and by school division have been posted annually since 2010-2011.
Develop and implement professional development programs for liaisons and other LEA personnel. [§722(f)(6)]	Ongoing practice of the HOPE office; revisions are made based on identified needs and legislative changes.
Training must include information on certain specified federal definitions of homelessness. [§722(f)(6)]	Greater detail must be added to training; HOPE staff is working with state housing partners to develop.
Respond to inquiries from homeless parents and unaccompanied youth to ensure they receive the full protections of the law. [§722(f)(7)]	Ongoing practice of the HOPE office.
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, in accordance with State, local, and school policies. [§722(g)(1)(F)(ii)]	The state coordinator has begun consultation with the school counselor specialist in Student Services at VDOE; further work on transitions between block and traditional schedules and how to translate credits is needed.

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State Coordinator (continued)	
States must have procedures to eliminate barriers to academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs. [§722(g)(1)(F)(iii)]	The state coordinator has explored this issue with the HOPE Advisory Board, during regional liaison trainings, and through local monitoring. As promising practices are identified, these will be shared with liaisons through email updates, webinars, and face-to-face trainings.
Local Homeless Education Liaisons	
Every LEA must designate a McKinney-Vento liaison <i>able to carry out his/her legal duties</i> . [§722(g)(1)(J)(ii)]	This question has been part of school division monitoring and will continue to be part of the monitoring discussion. Local conversations between liaisons and supervisors regarding capacity may be needed.
Local liaisons must ensure:	
Children, youth and families have access to and receive educational services for which they are eligible, including Head Start, early intervention (IDEA, Part C) and other preschool programs. [§722(g)(6)(A)(iii)]	Preschool programs have been a focus in monitoring. Collaboration is strong at the state level and resources are available to assist liaisons.
Public notice of MV rights is disseminated in locations frequented by parents, guardians, and unaccompanied youth, in a manner and form understandable to them. [§722(g)(6)((A)(vi)]	HOPE provides posters to all liaisons each year in English and Spanish; liaisons can obtain other languages upon request; HOPE is developing samples of posters for youth.
School personnel providing McKinney-Vento services receive professional development (PD) and other support. [§722(g)(6)(A)(ix)]	Project HOPE and National Center for Homeless Education (NCHE) have materials that can be used to fulfill this requirement that are being updated to align with ESSA. The state coordinator frequently assists liaisons with PD. Monitoring protocol is revised to capture this requirement.
Unaccompanied youth are enrolled in school and that procedures are implemented to identify and remove barriers that prevent them from receiving credit for full or partial coursework satisfactorily completed at a prior school, in accordance with State, local, and school policies. [§722(g)(1)(F)(ii) and §722(g)(6)(A)(x)(II)]	See status under State Coordinator responsibilities.

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Local Homeless Education Liaisons (continued)	
Unaccompanied youth are informed of their status as independent students for the FAFSA and may obtain assistance from the liaison to receive verification of that status. [§722(g)(6)(A)(x)(III)]	Liaisons have a verification template. Liaisons will need to develop a process to document that students are informed.
All McKinney-Vento youth must be able to receive assistance from counselors to advise such youths, and prepare and improve the readiness of such youths for college. [§722(g)(1)(K)]	State and local efforts to include school counselors in our work is needed; there are efforts under the HOPE Higher Education Network, the Interagency Partnership to Prevent and End Youth Homelessness, and the State Council of Higher Education in Virginia (SCHEV) GEAR UP pilot that will support this requirement.
Local liaisons are authorized to affirm that students meet the Department of Housing and Urban Development (HUD) definition of homelessness, to qualify them for HUD homeless assistance programs. [§722(g)(6)(D)]	Guidance from the state will be needed; liaisons are encouraged to work with their local continuum of care (CoC) to gain an understanding of local processes and partners.
Liaisons must participate in professional development and technical assistance as determined appropriate by the State Coordinator. [§722(g)(1)(J)(iv)]	Based on the HOPE Advisory Board recommendation and consultation with other liaisons during Fall 2016 regional trainings, the following requirements are established: within 1 month of designation, a liaison must participate in online Virginia training (to be developed) or Virginia regional liaison training or statewide homeless education conference; annually thereafter, liaisons must participate in at least one: webinar, regional training, or state or national conference (HOPE, NCHE and NAEHCY events will meet this requirement); a new online liaison certification program has been purchased and will be available later this year. Tracking of liaison compliance will be completed by Project HOPE-Virginia.

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School Stability	
School of origin (SOO) is defined as: <ul style="list-style-type: none"> • the school attended when permanently housed or school in which last enrolled, <i>including a preschool.</i> [§722(g)(3)(I)(i)] • <i>the designated receiving school at the next grade level for feeder school patterns, when the student completes the final grade level served by the SOO.</i> [§722(g)(3)(I)(ii)] 	This change has been shared with liaisons through written correspondence, training, and technical assistance. The state coordinator has shared this information with early childhood programs through state-level collaborations. A session is scheduled at the Virginia Association of Pupil Transportation (VAPT) Conference in June 2017 to share these changes directly with pupil transportation staff.
The decision to remain in the school of origin should be based on a best interest determination (feasibility was deleted) with presumption that school of origin is in the student’s best interest unless contrary to parent/guardian or unaccompanied youth’s best interest. [§722(g)(3)(B)]	With the assistance of the HOPE Advisory Board, the “Determining Feasibility for Placement in School of Origin” has been revised as a Best Interest Determination Form. This form, along with revised written notice and dispute resolution processes will be provided in a future Superintendent’s Memo.
If remaining in the school of origin to the end of the school year in which the student obtains permanent housing is determined to be the student’s best interest, <i>transportation must be provided.</i> [§722(g)(1)(J)(iii)(I)]	See school of origin above. In addition, liaisons are encouraged to use a transportation contract. Continued state and local conversations with departments of transportation are needed.
In addition to enrollment and school selection, eligibility can be disputed. [§722(g)(3)(E)]	With the assistance of the HOPE Advisory Board, a revised dispute resolution process has been developed and will be provided in a future Superintendent’s Memo.

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Additional EHCY Changes	
Information about a McKinney-Vento student’s living situation is a student education record subject to FERPA. [§722(g)(3)(G)]	This is consistent with current guidance provided by Project HOPE-VA. The address of a student experiencing homelessness is NOT directory information and cannot be shared or published without written permission of the parent/guardian or unaccompanied youth. Without written permission, such information cannot be shared with other agencies, including housing authorities. A reminder was sent to liaisons in March 2017 with Supt. Memo #059-17.
“Awaiting foster” is removed from the definition of homeless children and youth, effective December 10, 2016. [§725(2)]	Typically, children in foster care have not been served under McKinney-Vento in Virginia, based on the 2004 USED Non-Regulatory Guidance. Virginia has current joint VDOE/Virginia Department of Social Services (VDSS) Guidance and forms for students in foster care. These resources are being revised to align with the new requirements found in Title I, Part A, for students in foster care.

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Changes in Title I, Part A, for Students Experiencing Homelessness	
State report cards must disaggregate achievement and high school graduation data for McKinney-Vento students. [Title I, Part A, §1111(h)(1)(C)]	On-time Graduate Rate (OTGR) has been reported since 2008. Monitoring has recommended local disaggregation of achievement data. Achievement data has been collected but not posted to the website. Virginia's OTGR varies from the adjusted cohort graduation rate (ACGR) required in ESSA. The state coordinator is working with EIMS to create the longitudinal data using Adjusted Cohort Graduation Rate (ACGR).
Local Title I plans must be coordinated with McKinney-Vento programs and describe the services provided to McKinney-Vento students, including with reserved funds, to support their enrollment, attendance, and success. [Title I, Part A, §1112(b)(6)]	Local plans already include a page for homeless education that requires this description. The state coordinator works with Title I when revising the local application each year. Liaisons should be included in the decision-making for the reservation and in completing the homeless education page.
<u>All</u> LEAs that receive Title I, Part A, funds must reserve the funds necessary to provide homeless children services comparable to services to those provided in Title I schools. The amount: <ul style="list-style-type: none"> • must be based on the total LEA allocation prior to expenditures or transfers. • may be determined based on a needs assessment <i>and should involve the liaison</i>. • must be sufficient to provide comparable services to homeless students, regardless of other services provided with reserved funds. [Title I, Part A, §1113(c)(3)]	This is consistent with current guidance and discussions held during federal program monitoring of McKinney-Vento EHCY programs.
Title I, Part A, funds may be used: <ul style="list-style-type: none"> • for homeless children and youth attending <u>any</u> school in the LEA. • for services not ordinarily provided to other students. • to fund the McKinney-Vento liaison. • to provide transportation to the school of origin. • for educationally-related support services, including prekindergarten. [Title I, Part A, §1113(c)(3)]	The new language is consistent with current allowable uses and guidance provided to school divisions.