Goals for the training:

• Understanding the educational rights of homeless children and youth
• McKinney-Vento Act and its requirements
• NYC Department of Education Students in Temporary Housing Program (STH) procedures and services
• Consolidated School and Youth Development Plan
• Collaboration
• Best practices
• Resources
Who is covered under the McKinney-Vento Act?

One who lacks a fixed, regular, and adequate nighttime residence, including children and youth who are:

- Living in emergency or transitional housing;
- Sharing housing due to loss of housing or economic hardship;
- Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate housing;
- Awaiting foster care placement;
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, or bus or train stations;
- Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, regular sleeping accommodations; or
- Migratory children who qualify as homeless because they are living in the circumstances described above. (M-V Section 725(2); N.Y. Educ. Law § 3209(a)(2))

Age Range: 21 years old and under
Unaccompanied Youth

The McKinney-Vento Act and state laws that deal with the educational rights of children and youth who are homeless, define an unaccompanied youth as one:

• Who is “not in the physical custody of a parent of guardian” (M-V Sec. 725(6)) and

• Who lacks a fixed, regular, and adequate nighttime residence. (M-V Section 725(2); N.Y. Educ. Law § 3209(1)(a)(1))
Who Are Unaccompanied Children and Youth in your Community?

• Many youth have been thrown out of their homes due to their sexual orientation: studies have found that 20-40% of unaccompanied youth identify as lesbian, gay, bisexual, transgender, and queer/questioning (compared to 3-5% of adults). This population is known as LGBTQ.

• 21-53% of homeless youth have a history of out-of-home care through the child welfare system.

• Many fled abuse in the home: 20-40% of unaccompanied youth were sexually abused in their homes, while 40-60% were physically abused.

• Over two-thirds of callers to Runaway Hotline report that at least one of their parents abuses drugs or alcohol.

• Many youth have been thrown out of their homes due to pregnancy.
The McKinney-Vento Act requires:

Every Community School District to designate a homeless liaison. The Students in Temporary Housing (STH) Liaisons or STH Content Experts in each borough serve as the homeless liaisons in NYC.

Responsibilities include:

• Identify homeless children and youth (NYC public schools use the “Residency Questionnaire” to identify the STH population)

• Ensure students enroll in and have a full and equal opportunity to succeed in school

• Inform homeless families about the McKinney-Vento Act

• Disseminate McKinney-Vento Posters in schools, shelters, etc.

• Arrange transportation (yellow bus or metrocards in NYC)
The McKinney-Vento Act, cont’d

Responsibilities include:

• Assist students with immediate enrollment, even if they do not have: 1) school records, 2) medical records/immunizations; 3) proof of residency; 4) guardianship papers; 5) birth certificates or other documents normally needed

• Assist with tutoring and related support services

• Provide school supplies

• Assist students with free school lunch

• Assist students with Special Education

• Summer Programs

• Dispute Resolution (see Appendix)
School Selection

Students who are homeless have the right to attend:

• the **local school** where they are temporarily living (also known as the zone school)

  OR

• the **school of origin**, which includes:
  
  * the school they attended or were entitled to attend before they lost their housing

  * the school where they were last enrolled

M-V Sections 722(g)(3)(A) & (g)(3)(G); N.Y. Educ Law §§ 3209(1)-(2); 8 N.Y.C.R.R. §§ 100.2 (x)(1)-(2)
How long can a student stay in the local school or the school of origin?

In New York City, students may remain in the school of origin or the local school until they have graduated from that school even if the family has moved into permanent housing outside of the district or Region.

NYC Chancellor’s Regulation A-780
Who chooses?

Under state law,

The **parent** or **person in parental relation** (usually the legal guardian); or

- **Youth** if no parent or person in parental relation is available; or

- **Director of a residential program for runaway and homeless youth** in consultation with the youth

N.Y. Educ Law § 3209(1)(b); 8 N.Y.C.R.R. § 100.2 (x)(1)(ii)
Special Education

For students in temporary housing who transfer to a local school:

- **Placement** and **Transportation** in the new district must be arranged.
- Office of Pupil Transportation (OPT) must then arrange for transportation within 5 **business days**. It is important to update the student address with the school as soon as the child transfers to prevent delay in services. Schools must ensure the “STRE” screen is also updated in ATS by contacting the Transportation Account Manager at the ISC.
- The local school must immediately request the student’s Individualized Education Program (IEP) and other pertinent records from the school the child last attended school.

For students who remain in the school of origin:

- STH Family Assistants must work with the parents to notify the school of the **change of address** to arrange for transportation. The school must update the student’s bio page/BIOU and then request the Transportation Account Manager at the ISC to update the “STRE” screen in ATS.

For students from outside of NYC:

- When a child with a current IEP changes school districts during the school year, the new school district must immediately provide services comparable to those described in the previous IEP (the school will then implement a new IEP and accommodate the child’s needs as necessary).
- It is the enrolling school’s responsibility to request the child’s special education records from the previous school and that school must respond to the records request within 5 days.
Transportation

Yellow bus service is provided to students in grades K-6 whenever an appropriate route exists to provide such service (Chancellor’s Regulation A-780).

To request yellow bus service:

• Ensure the student’s address is updated in ATS (this is crucial)
• Immediately complete a Request for “Shelter Variance” form and submit it to the Office of Pupil Transportation (OPT). The instructions are included on the form; please ensure the form is legible. To download the form go to the OPT website below and click on Shelter Variance-Students in Temporary Housing:
  http://schools.nyc.gov/Offices/Transportation/ParentResources/GeneralEducationEligibility/VariancesEligibilityRequirements/default.htm
• While busing is being arranged (or if yellow bus is not available), please provide the student with a MetroCard and contact the STH Content Expert to ensure the parent receives a 14-day unlimited MetroCard (parents of students in grades Pre-K to 6 are eligible to receive this service).
• For Doubled Up: complete the “Emergency Variance” form and submit it to OPT. To download the form go to the OPT website above and click on Emergency Variance.
• For Domestic Violence (DV): a P.O. Box is used for the student’s residence in ATS to protect confidentiality. The “Shelter Variance” form includes the DV option.
• For Special Education: for students who remain in the school of origin, a “Shelter Variance” form should be faxed to OPT. For students who transfer to the local school, contact the Special Education Placement Officer and the Transportation Account Manager at the ISC.
• Busing should be arranged within 5 business days. If there is a delay, contact the STH Content Expert.
STH Program Structure

- **STH Family Assistants**
  - Available to students in DHS, HPD and some HRA Domestic Violence family shelters

- **STH Content Experts/Liaisons**
  - Formerly known as STH Coordinators and also referred to as homeless liaisons or LEA liaisons
  - Based in each Borough Integrated Service Centers or Children First Network

- **STH Senior Program Manager and STH Coordinator**
  - Responsible for trouble-shooting
  - Based in Office of School and Youth Development Central Office
STH Program Procedures

The first point of contact is the Family Assistant. If the Family Assistant is not available, contact the STH Content Expert. For further assistance, contact the STH Central Office, STH Senior Program Manager and Program Coordinator.

Program Procedure:

• At PATH (Prevention Assistance & Temporary Housing, DHS intake center), the family is counseled by the DOE on-site liaison

• STH Family Assistant in shelters conducts intake interviews (provides services as per the McKinney Vento Act)

• In collaboration with the STH Content Experts, Family Assistants monitor and improve the attendance of STH students; assist in recruiting STH parents for activities intended for them, and facilitate extended day activities for STH children and youth
Components of the 2008-2009 Consolidated School and Youth Development Plan (Students in Temporary Housing Section):

Name and Title of staff assigned to work with STH:

- Assigned to enter and update housing status codes in ATS
- Assigned to track and provide interventions and support services

Residency Questionnaire

- All schools must provide the Student Residency Questionnaire and request its completion by families of all newly enrolled students and any student who changed addresses during the school year
- A housing status category must be entered into ATS (student’s bio page/BIOU) for every student in your school
Residency Questionnaire

This form is intended to address the McKinney-Vento Act 42 U.S.C. 11435, and must be completed for each student. The information you provide is confidential. Your child will not be discriminated against based upon the information provided.

Please complete the following questions regarding the student’s housing in order to help determine services the student may be eligible to receive.

Note to schools/Temporary Housing Liaisons: Please assist students and families in filling out this form. Do not simply include this form in the registration packet, because if the student qualifies as residing in temporary housing, the student is not required to submit proof of residency and other required documents that may be part of the registration packet.

<table>
<thead>
<tr>
<th>Student Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Last</td>
<td>First</td>
</tr>
<tr>
<td>OSIS #</td>
<td>Date of Birth</td>
</tr>
<tr>
<td>MM/DD/YY</td>
<td></td>
</tr>
</tbody>
</table>

Please identify the student’s current living arrangements. Please check one box:

<table>
<thead>
<tr>
<th>Residency Questionnaire Choice</th>
<th>ATS Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>With another family or other person because of loss of housing or as a result of economic hardship</td>
<td>D</td>
</tr>
<tr>
<td>Emergency or transitional shelter</td>
<td>S</td>
</tr>
<tr>
<td>Hotel or motel (that is NOT an emergency or transitional shelter and involves payment)</td>
<td>H</td>
</tr>
<tr>
<td>With a person who is not a parent or guardian, or alone without an adult</td>
<td>U</td>
</tr>
<tr>
<td>Trailer park, campground, car, park, public places, abandoned building, street, or any other inadequate living space</td>
<td>T</td>
</tr>
<tr>
<td>Permanent housing</td>
<td>P</td>
</tr>
</tbody>
</table>

Parent/Guardian Name (print) | Parent/Guardian Signature | Date

Please return this form to your child’s school as requested.

Note: The answer you give above will help determine what services you or your child may be eligible to receive under the McKinney-Vento Act. Students who are protected under the Act are entitled to immediate enrollment in school even if they don’t have the documents normally needed, such as proof of residency, school records, immunization records, or birth certificate. The Students in Temporary Housing (STH) Liaison(s) is required to assist the student in obtaining any necessary documents, including immunization or school records after the student has been enrolled. Students who are protected under the McKinney-Vento Act may also be entitled to free transportation and other immunization services. Please refer to Chancellor’s Regulation A-769.

This form is accompanied by a one-page attachment titled, “McKinney-Vento Homeless Assistance Act – Students in Temporary Housing Guide for Parents.”

Revised 8/11/08
How the students’ housing status codes are entered into ATS?

Choose number 3

Choose number 8 after inputting Student’s info

Choose number 1 to update per student
Housing status field

Same codes from the Residency Questionnaire
Consolidated Plan cont…

McKinney Vento Posters

• Visible (main office, Guidance Counselors’ offices, etc.)

Title I, Part A Set-Aside for STH

• Schools that receive Title I funds have to comply with the mandatory set-aside of those funds to serve the STH population

• Federal law requires all students residing in temporary housing to be Title I eligible regardless of the school they attend (except for District 75). Non-Title I schools will receive a Title I allocation based on the number of STH students enrolled times their respective county per capita amount

• Refer to the current Title I funds Summary of School Allocation Memorandum to view the Title I allocation your school received this year, which can be found at the DOE website

• Refer to the recently created Title I, Part A Set-Aside For Students in Temporary Housing Frequently Asked Questions, which can be found at DOE STH website and DOE Principal’s Portal website
How do I know which of my students are experiencing homelessness?

Two reports may be generated through ATS and can easily be obtained by the Pupil Accounting Secretary in your school.

1. “Biographical Roster” (RBIR)—Identifies students living in shelters (through the intake process). The “Temp Hous” indicator should be selected when generating this report.

2. “Update Students Code” (UPCO)—Identifies students who are doubled up, unaccompanied, or living in another temporary living situation and generates their housing status code. This report is based on the student’s bio page/BIOU entries. For those who do not have access to UPCO, the same information can be generated by using the “Address Report” (RADR).

3. Review names on both reports to compare and count students only once.
Biographical Roster (RBIR)

“TEMP HOUS” indicator should be selected

Insert the “y” value next to the “TEMP HOUS” indicator
The UPCO report allows you to see the housing status codes of students and can be generated by grade level or official class.
Collaboration

**Share Important information with parents/students and other school staff members**

- McKinney Vento Act Guide for Parents
- STH Contact Expert list
- Families might be at risk of becoming doubled up if are not eligible for emergency shelter

**Connect with the STH office**

- STH staff is available to answer questions and support schools
- Unaccompanied Youth population identification
- ATS reports don’t match your STH numbers
- Updating the housing status codes in ATS
- Use of Title I set-aside funds for STH

**Be resourceful**

- Use the STH website to obtain information and print forms (forms are available in nine different languages)
Best Practices

• McKinney Vento Literature
• Chancellor’s Regulation A-780
• STH Reports
• STH Program procedures and services
• DOE STH staff roles
  • STH Content Expert
  • STH Family Assistant
• Resources for Unaccompanied Youth
For more information

NYC DEPARTMENT OF EDUCATION

Students in Temporary Housing Program (STH)

Susana Vilardell, Senior Program Manager
52 Chambers Street, Room 218, New York, NY 10007
Tel: (212) 374-2530
Fax: (212) 374-5751
Email: svilardell@schools.nyc.gov

and

Nicole Fenice, Program Coordinator
52 Chambers Street, Room 218, New York, NY 10007
Tel: (212) 374-0860
Fax: (212) 374-5751
Email: nfenice@schools.nyc.gov

Students in Temporary Housing website:
http://schools.nyc.gov/StudentSupport/NonAcademicSupport/StudentsinTemporaryHousing/default.htm
Other Resources

**State Coordinator** for the Education of Homeless Children and Youth Program

Sheila Evans-Tranum
Tel. (718) 722-2796
Fax (718) 722-4559
stranum@mail.nysed.gov
New York State Education Department
55 Hanson Place, Room 400 C
Brooklyn, NY 11217

**State Program Manager** for the Homeless

Patricia McGuirk
Tel. (518) 473-1236
fax (518) 474-7948
pmcguirk@mail.nysed.gov
New York State Education Department
Washington Avenue, Room 375 EBA
Albany, NY 12234

**New York State Technical & Education Assistance Center for Homeless Students (NYSTEACHS)**

http://www.nysteachs.org

**National Association for the Education of Homeless Children and Youth**

http://www.naehcy.org/index.html

**LeTendre Education Fund provides college scholarships for students who are or have been homeless**

http://www.naehcy.org/about_le tendre.html
Resources, cont’d

National Network for Youth
www.nn4youth.org

National Runaway Switchboard
www.nrscrisisline.org; 800-621-4000

Resources to support the LGBTQ-Homeless population:


Appendix

Dispute Resolution

Each school district must establish procedures for how to promptly resolve disputes regarding school selection and enrollment for students experiencing homelessness.

8 N.Y.C.R.R. § 100.2(x)(7)(ii)(a).

If a school believes that a student is not entitled to enrollment or transportation, the school must:

- Give the parent or youth a written explanation of the school’s decision;
- Immediately admit the student to the school of choice while the dispute is being resolved;
- Provide transportation if the student is attending the school of origin; and
- Refer the parent or youth to the homeless liaison for assistance with an appeal.

M-V Section 722(g)(3)(E); 8 N.Y.C.R.R. § 100.2(x)(7)(ii)(b); U.S. Department of Education, Education for Homeless Children and Youth Program, Non-Regulatory Guidance (July 2004).
Dispute Resolution, cont’d

• The parent, guardian, or unaccompanied youth has **30 days** from the day she received the written decision from the school to appeal the decision to the Commissioner of Education.

• If the parent, guardian, or unaccompanied youth doesn’t file an appeal and stay within 30 days, the school can implement its decision denying enrollment or transportation.

• During the dispute resolution process the liaison must:
  * provide parent, guardian, or unaccompanied youth with the appeal forms and stay application, and help fill them out;
  * make copies of the appeal forms and any supporting documents at no cost to the parent or youth.
  * make sure the appeal is properly filed and served and must give the parent or youth verifications that she has done this.

8 N.Y.C.R.R. § 100.2(x)(7)(ii)(c).