



Displaced/Homeless Students

Chester Township Schools offers services for displaced/homeless students. For information, please click the links below.

<http://www.state.nj.us/education/code/current/title6a/chap17.pdf>

<http://www.nj.gov/education/students/homeless/>

******Together, as stakeholders in this community, we can improve our efforts in identifying and serving homeless and displaced youth.***

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Overview of the McKinney-Vento Homeless Assistance Act

What is the The Mckinney Vento Homeless Assistance Act?

The McKinney-Vento Homeless Assistance Act authorizes the federal Education for Homeless Children and Youth (EHCY) Program and is the primary piece of federal legislation related to the education of children and youth experiencing homelessness. It was reauthorized in December 2015 by Title IX, Part A, of the Every Student Succeeds Act (ESSA). The education subtitle of the McKinney-Vento Act was reauthorized by the Every Student Succeeds Act (ESSA), which

was signed into law in December 2015. The McKinney-Vento amendments included in ESSA went into effect on October 1, 2016.

What is the purpose of the McKinney-Vento Education for Homeless Children and Youth (McKinney-Vento) program?

The McKinney-Vento program is designed to address the problems that homeless children and youth have faced in enrolling, attending, and succeeding in school. Under this program, State educational agencies (SEAs) must ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youth. Homeless children and youth should have access to the educational and other services that they need to enable them to meet the same challenging State student academic achievement standards to which all students are held. In addition, homeless students may not be separated from the mainstream school environment. States and districts are required to review and undertake steps to revise laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youth.

What is the statutory authority for the McKinney-Vento program?

The program is authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 USC 11431 et seq.), (McKinney-Vento Act). The program was originally authorized in 1987 and reauthorized by the No Child Left Behind Act of 2001. The education subtitle of the McKinney-Vento Act was reauthorized by the Every Student Succeeds Act (ESSA), which was signed into law in December 2015. The McKinney-Vento amendments included in ESSA went into effect on October 1, 2016.

Identification of homeless or displaced youth:

This information may come to us through a variety of channels, including but not limited to:

- the initial registration process; ***specific forms and process required by registration staff (as per other email)*
- a student conversation with a staff member/teacher/counselor/nurse etc;
- a parent conversation with a staff member/teacher/counselor/nurse etc.;
- when our transportation team drops off a student;

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### **What is the definition of homeless (displaced) under the McKinney Vento Act?**

The McKinney-Vento Act, as amended by the Every Student Succeeds Act, defines the term "homeless children and youths" as--

(A) individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and

(B) includes--

(i) children and youths who are sharing housing of other persons, are “\*doubled up”, due to the 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; or are abandoned in hospitals;

(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));

(iii) children and youths 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).

*\*Per Title IX, Part A of the Every Student Succeeds Act, "awaiting foster care placement" was removed from the definition of homeless on December 10, 2016; the only exception to his removal is that "covered states" have until December 10, 2017 to remove "awaiting foster care placement" from their definition of homeless.*

**\*\*Doubled Up** is defined as “Sharing the housing of other persons due to loss of housing, or economic hardship.”

A. Sharing the housing of another person

- Did the student move into the home as an urgent measure to avoid being on the street?
- Is the situation temporary?

*\*\*Also included in this description of homeless/displaced students are students displaced by recent Hurricanes.*

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If you suspect that a child may be “homeless” or “displaced” under the McKinney-Vento definition, please immediately contact the **Chester Homeless Liaison, Suzanne Donohue, School Social Worker** ([suzanne.donohue@chester-nj.org](mailto:suzanne.donohue@chester-nj.org)).

**The McKinney Vento Act** ensures educational rights and protections for children and youth experiencing homelessness. It also provides grants and legal protections to children and youth in

homeless situations so they can enroll in, attend, and succeed in school and preschool programs. There are numerous negative outcomes associated with homelessness and students switching schools-including:

- Lower scores on standardized tests;
- Takes students 4-6 months to recover academically after changing schools;
- Mobility during the high years greatly diminishes the likelihood of graduation;
- Suffer psychologically and socially;
- More likely not to participate in extracurricular activities;
- More likely to act-out or get in trouble at school;

### **School District Responsibilities**

#### **Enrollment/School Records**

Districts cannot delay the enrollment of displaced students and must enroll these students immediately even if they do not have any school records. Districts are also responsible for translating the school records if the records are in another language.

If the school records cannot be readily obtained from the prior school district, the district in which the student enrolls must seek input from the parent/guardian and, based on those discussions and any evaluative information the district can obtain quickly, place the student in classes in the grade that is consistent with the student's biological age. While the lack of documentation may make the transfer process difficult, the district must make every effort to obtain necessary information from the parent/guardian and student when developing a class schedule.

For students with disabilities who are transferring from out-of-state, the child study team must immediately consult with the student's parent/guardian and conduct a review of available evaluation information and the student's current Individualized Education Plan (IEP). As stated above, if such school records are not readily available from the previous district, the district must seek input from the parent/guardian and, without delay, provide a program comparable to that which the student was last receiving. Within 30 days of the transfer, the district must conduct any needed evaluations and develop a new IEP (for all out-of-state transfers).

The New Jersey Department of Education (NJDOE) also reminds districts that, under McKinney-Vento and N.J.A.C. 6A:17-1.1, et seq., students experiencing homelessness are not required to present residency affidavits to enroll in school. Therefore, the typical documents normally needed for school enrollment are waived for homeless students. Although districts are not precluded from verifying a student's homelessness status and residence in the district, the

student shall remain enrolled pending resolution of any dispute pursuant to N.J.A.C. 6A:17-2.7(c).

### **Immunization Records**

Under New Jersey regulations regarding vaccinations, N.J.A.C. 8:57-4.1, et seq., out-of-state and out-of country students shall be admitted temporarily for up to 30 days if acceptable evidence of vaccination is not available. If the 30 days has elapsed and no documentation of previous vaccination is provided, the child may not attend school until one dose of all age-appropriate required vaccines is received. The child may then be provisionally admitted, but must be on schedule to receive subsequent doses as rapidly as medically feasible (no longer than 17 months for children under 5 and no longer than one year for children over 5).

Additionally, according to N.J.A.C. 6A:16-2.2(l)4, students entering a New Jersey school for the first time are required to have an entry medical exam, screenings of vision, hearing, blood pressure, height, weight, and, if age 10 to 18, a scoliosis screening. Also, in accordance with N.J.A.C. 6A:16-2.2(g), the entry medical examination must include a review of the immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.24 and the medical history, including allergies, past serious illnesses, injuries, operations, medications and current health problems. If a student does not have a medical home, as defined at N.J.A.C. 6A:16-1.3, the school district shall provide the entry medical examination at the school physician's office or other comparably equipped facility, pursuant to N.J.S.A. 18A:40-4.

### **English Language Learners**

Students from out-of-state who meet the definition of an English language learner (ELL) are eligible for ELL program services. Districts must use their standard ELL screening process, initiated by a home-language survey, to determine which (if any) students, must be tested to determine English language proficiency (ELP).

For more information regarding ELL identification, please see the NJDOE's guidance document, *Implementing English Language Learner Program Services in New Jersey*, and the *Frequently Asked Questions* document regarding ELL School Enrollment Guidance.

### **Tuition and Transportation**

In State Students: School of Origins assumes fiscal responsibility; .

Out of State Students: The State of New Jersey assumes fiscal responsibility;

Other: Since the recent hurricanes occurred outside of New Jersey, the displaced students' districts of origin/residence are not located in New Jersey. Pursuant to N.J.A.C. 17-2.8(c)2, when a student's district of origin/residence is outside of New Jersey, the state assumes fiscal

responsibility for tuition, and pays the tuition to the school district in which the child is currently enrolled until the parent establishes a permanent residence, or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1d. Under these circumstances, the district where the homeless child is enrolled is responsible for providing transportation services, if applicable, pursuant to N.J.S.A. 18A:39-1 and N.J.A.C. 6A:27-3.1, et seq.

### **Application for State School Aid**

Districts that will be applying for State Responsible Homeless Tuition at the end of the school year, based on the enrollment of homeless students whose districts of residence are outside of New Jersey, should report these students on the Application for State School Aid (ASSA) as “Received from State.”

### **District Homeless Liaison**

The district homeless liaisons are central to this process and should work in collaboration with district enrollment personnel, school counselors and other student support services personnel. Your district homeless liaisons should be known and accessible to individuals who have been displaced, in addition to all district personnel.

### **NJDOE Support**

NJDOE Executive County Superintendent or Danielle Anderson Thomas, state coordinator, Education of Homeless Children and Youth Program, at (609) 984-4974 or [danielle.anderson-thomas@doe.state.nj.us](mailto:danielle.anderson-thomas@doe.state.nj.us).

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Additional Resources:

- <https://nche.ed.gov/legis/mv.php>
- <https://www2.ed.gov/policy/elsec/leg/esea02/pg116.html>
- <https://www2.ed.gov/programs/homeless/guidance.pdf>
- <http://www.naehcy.org/educational-resources/m-v>