

MV Liaison Role & Responsibilities

Q & A Document

Q: How can we best get parents to sign if they cannot come in to fill out the housing questionnaire?

A: The local liaison assists families and district staff with the identification and enrollment of students experiencing temporary housing. 42 U.S.C. § 11432(g)(1)(J)(ii)) This would include assisting the family in completing all paperwork for enrollment. It is important that liaisons build relationships with families to support their understanding of paperwork, processes, and procedures. Ultimately, parents do not need to sign in order for districts to code a student as McKinney-Vento.

Q: Can anyone enroll a student - even if MV eligible, or must it be the guardian?

A: The student, as an unaccompanied youth can enroll in school by themselves, or with help from another adult. If another adult helps the youth, the school can't require guardianship papers. Missing papers cannot delay or prevent enrollment of an unaccompanied youth. 42 U.S.C. §11432 (g)(3)(C); N.Y. Education Law § 3209(2)(f)((2)).

Q: Does NYS reimburse the districts for the cost of the transportation?

A: Transportation of homeless students may be funded by state transportation aid and/or federal funds. Transportation Funding Sources include State Aid, RHY Reimbursement and Title I, Part A. Title I, Part A: Districts may use Title I, Part A set-aside funds to defray the excess costs of transporting homeless students to and from their school of origin.

The process is that the district's Transportation Director completes this form called ST-3. Transportation Aid Ratios <http://www.nysed.gov/pupil-transportation/transportation-aid-ratios>

Q: There is a sample letter available if the student does not meet the requirements. Is there a sample form for the students who ARE eligible? Something that would be sent after the intake and include information about the act, available resources etc.

A: TEACHS does not have a sample letter to communicate to families their eligibility under the McKinney-Vento law. The school district can develop their own form to communicate with parents about their eligibility and benefits provided under the law.

Q: Is the MV liaison responsible for getting immunizations even if the child is not identified as homeless?

A: No, the McKinney-Vento liaison is responsible for assisting students experiencing temporary housing with obtaining all requirements necessary for enrolling in school. McKinney-Vento eligible students are entitled to immediate enrollment in school, even if they don't have their immunization records or any other documentation needed for enrollment. It is the responsibility of the enrolling district to get the

records, including immunization records, from the district where the student was last enrolled. The district where the student was last enrolled has five days to forward the records. If a student in temporary housing is missing any immunizations, the student should be referred to the district's McKinney-Vento liaison who must help the student obtain the necessary immunizations.

This [State Public Health Law](#) explains that students have 14 days (which may be extended to 30 days) during which they may attend school while the school is waiting for proof of immunization. Students in temporary housing have additional protections with regard to submitting proof of immunization. If a McKinney-Vento student is experiencing extenuating circumstances, and the MV liaison is working with the student or family to complete immunizations (has appointments scheduled). The student may remain enrolled until the immunizations are complete.

[NYSED Memo on Vaccinations](#) clarifies how the requirements for vaccinations apply to students in temporary housing.

Q: If the school district is a “walking district”, does the SD still have to provide transportation? If transportation is not provided to students who live within a certain distance, does the SD need to provide transportation to MV eligible students?

A: If the lack of transportation creates a barrier to the student’s ability to participate in school, the school district must eliminate the barrier. All school districts must review and revise transportation policies that may act as barriers to a student’s enrollment and attendance in school. N.Y. Education Law § 3209(6)(b).

Q: What is the definition of family choice to move in with others - are they considered homeless?

A: Students often live in temporary housing situations with relatives, friends, or others due to a loss of housing, economic hardships, or similar reason. Unaccompanied youth (students who are not in the physical custody of a parent or legal guardian) often find themselves living in doubled-up situations. These students should be designated as homeless under the McKinney-Vento Act. If the family chooses to live “doubled-up” to take care of another family member and it is a mutual benefit, the family would not be eligible under MV, however, it is the responsibility of the Liaison to discuss housing situations with families in order to make an informed decision about eligibility.

Q: Would a student still be considered homeless if their parents kicked them out. This is in regards to the "regular" criteria.

A: An unaccompanied youth is a student who is not in the physical custody of their parent or legal guardian; this includes young people who have run away from home, have been kicked out of their homes, or have been abandoned by parents. There is no age limit for unaccompanied youth, but these students are most often in their teens. Unaccompanied youth are protected under the McKinney-Vento Act when the student also does not have a fixed, adequate, and regular nighttime residence. 42 U.S.C. § 11434a(2)

Q: Is there an overview that you may use to send out to school staff to help with identifying students and what MV is?

A: The McKinney-Vento Act states that children and youth who lack “a fixed, regular, and adequate nighttime residence” will be considered homeless. This includes families who are sharing the housing of others due to loss of housing caused by economic hardship or similar reason.

McKinney-Vento eligible students have the right to:

- receive a free, appropriate public education;
- enroll in school immediately, even if lacking documents normally required for enrollment, or having missed application or enrollment deadlines during any period of homelessness;
- enroll in school and attend classes while the school gathers needed documents;
- continue attending the school of origin, or enroll in the local attendance area school if attending the school of origin is not in the best interest of the student or is contrary to the request of the parent, guardian, or unaccompanied youth;
- receive transportation to and from the school of origin, if requested by the parent or guardian, or by the local liaison on behalf of an unaccompanied youth; and
- receive educational services comparable to those provided to other students, according to each student’s need.

School districts can access previously recorded webinars on the TEACHS website to learn more about the identification of students experiencing temporary housing. The National Center for Homeless Education (NCHE) [Brief: Identifying Children and youth in Homeless Situations](#) is a helpful resource to reference

Q: I have a Preschooler that is homeless in another district, but their sibling attended our district when they became homeless. I am aware that the sibling can attend our district. Is the preschooler able to choose our district as well?

A: Yes, Part [100.2\(x\)](#) of the Commissioner’s Regulations says:
School district of origin shall also mean the school district in the state of New York in which the child was residing when circumstances arose that caused such child to become homeless if such child was eligible to apply, register, or enroll in public preschool or kindergarten at the time such child became homeless, or the homeless child has a sibling who attends a school in the school district in which the child was residing when circumstances arose that caused such child to become homeless.

Q: Homeschooling families that might be experiencing housing difficulties, would this fall under MV?

A: Children whose parents have chosen to home school their children are not considered enrolled in an LEA, therefore the continued enrollment provisions of MV and NY Education Law 3209 do not apply, however these students may be eligible for M-V if they decide to re-enroll.

Q: If a student was homeless last year and enrolled with MV paperwork, do we need to fill out the paperwork again this year. Specifically- if the address does not change, do we need to complete the paperwork again this school year for ALL students that are experiencing homelessness?

A: School district should check in with MV eligible families before the end of every year to see if their housing situation has changed. Districts should use their housing questionnaire when M-V students or families have a change of address. This allows liaisons to determine continued eligibility.

Q: Do the parents living in temporary housing have the right to pick their district or their school within a district?

A: When making decisions about school selection, an LEA must presume that keeping the homeless child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or in the case of an unaccompanied youth, the youth. (Section 722(g)(3)(B)(i)). An LEA must also consider student-centered factors, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youths, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth. (Section 722(g)(3)(B)(ii)).

In New York State, the “designator” decides which school district a temporarily housed child or youth will attend. A “designator” is:

- the parent or person in parental relation (e.g., guardian) of a student in temporary housing; or
- the student in temporary housing, with help from the McKinney-Vento liaison if no parent or guardian is available (e.g., unaccompanied youth); or

the student in temporary housing, with help from the director of a residential program for runaway and homeless youth, where the temporarily housed student is living. N.Y. Education Law § 3209(1)(b)

Q: Is there a maximum distance for families in regard to transportation?

A: NY Education Law 3209 states, the designated school district of attendance shall provide transportation to and from the child's temporary housing location and the school of origin. Such transportation shall not be in excess of fifty miles each way except where the commissioner certifies that transportation in excess of fifty miles is in the best interest of the child.

Q: I have a student that needs transportation, but the school secretary said that McKinney -Vento will take 20 days to be approve, BUT in the training they told me it will be 72 hours. The secretary said that changed. Its that true?

A: NYSED determined the “3 days to set up transportation” to be best practice to avoid disputes, and unnecessary delays to enrollment in school. This information can be found in the [Quick Tips for Transportation Directors](#). You can find this document on the NYS TEACHS website in the Resource Library under transportation.

Q: If our Middle School building is 5-8, is 8th grade considered a terminal year as the student would then be moving to the HS the year after?

A: Yes, terminal grade would be the last grade in the school building of that district.

Q: Could you please review the eligibility with us again, including how long students remain eligible for? Meaning, do they have to submit the eligibility form annually? How do we verify homeless status, or do we have to do that?

A: MV eligible students remains eligible under the law as long as their housing is not fixed, regular and adequate. Districts are encouraged to check in with parents whose children are McKinney-Vento eligible (or youth themselves in the case of unaccompanied homeless youth) at the end of each school year to determine whether their housing situation has changed and make appropriate arrangements for the next school year if there has been a change. Homeless status can be verified by asking families to complete a housing questionnaire.

Q: With classified students, they exit the district once the graduation requirement has been met, but can remain in program until age 21. Once they exit and enter an 18-21 program (in district or out depending) does their status change from McKinney Vento to Unaccompanied Youth?

A: These students remain eligible under the law as long as their housing is not fixed, regular and adequate. They may still be considered a UHY depending on housing circumstances.

Q: How do you identify "immediate enrollment"?

A: The McKinney-Vento Act requires schools to enroll students experiencing homelessness immediately, even if the student is unable to provide documents that are typically required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation. 42 U.S.C. §11432(g)(3)(C). Although the Act is silent on the definition of “immediate”, the standard dictionary definition is “without delay.” Therefore, the student must begin attending classes and participating fully in school activities without delay. Generally, that would mean the same or the following day.

Q: We have an increasingly large number of families coming from overseas, renting an apartment, and then the parents return to their country of origin, leaving their underage teenage children (freshman) to figure it out for themselves. The kid finishes the lease that the parents pre-pay, and then they "move in" with friends that they make while here. This arrangement can last for the duration of their high school experience (multi-years). They are unaccompanied, yes, but are they homeless?

A: McKinney-Vento defines homeless as lacking a fixed, regular and adequate primary nighttime residence. By what has been described, students in these circumstances should be enrolled as an unaccompanied homeless youth.

An unaccompanied youth is a student who is not in the physical custody of their parent or legal guardian; this includes young people who have run away from home, have been kicked out of their homes, or have been abandoned by parents. There is no age limit for unaccompanied youth, but these students are most often in their teens. Unaccompanied youth are protected under the McKinney-Vento Act when the student also does not have a fixed, adequate, and regular nighttime residence. 42 U.S.C. § 11434a(2)

Q: I am at a charter school, may I get a template for the written procedure? I believe I am responsible for developing the plan.

A: NYSED has created a Guidance Memo on the Sample LEA Policy on the Education of Students in Temporary Housing. Please note that this sample policy is for guidance/informational purposes only. LEAs should consult with their attorneys when developing policies. LEAs are encouraged to incorporate, as appropriate, the provisions of the sample policy into existing LEA policy manuals and post the policy to LEA websites to ensure that the rights of students in temporary housing are widely known and fully protected. <https://www.nysed.gov/sites/default/files/essa/sample-lea-mckinney-vento-homeless-policy.pdf>

