**Identification and Eligibility**

**Q & A**

***Q: There are a lot of trailer parks that provide permanent, long-term housing. Is every child living in a trailer park considered homeless as slide 12 indicates?***

A: A major tenet of the McKinney-Vento (MV) Act, is the determination of housing being fixed, regular **AND** adequate. All three elements need to be in place and if not, the housing may be determined to be MV eligible.

To review, Section 725(2) of the McKinney-Vento Act defines “homeless children and youths” as individuals who lack a fixed, regular, and adequate nighttime residence. The term includes— • Children and youths who are: sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as “doubled-up”); living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations; living in emergency or transitional shelters; or abandoned in hospitals; • 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; • Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and • Migratory children who qualify as homeless because they are living in circumstances described above.

If the trailer is “attached to the ground, secured with “hook-ups” which provide access to electricity, running water, plumbing, and heat, the family most likely is not eligible for MV benefits as a fixed residence is stationary, permanent, and is not subject to change. Example: a tent is not “fixed,” but a house or an apartment are usually fixed to the ground.

But, the inclusion of substandard housing in the definition of homeless children and youths has caused some confusion because standards for adequate housing may vary by locality. In determining whether a child or youth is living in “substandard housing,” an LEA may consider whether the setting in which the family, child, or youth is living lacks one of the fundamental utilities such as water, electricity, or heat; is infested with vermin or mold; lacks a basic functional part such as a working kitchen or a working toilet; or may present unreasonable dangers to adults, children, or persons with disabilities. Each city, county, or State may have its own housing codes that further define the kind of housing that may be deemed substandard.

Please see additional resources on determining eligibility: <https://www.nysteachs.org/determining-eligibility-for-mckinney-vento>.

***Q: Does living in an overcrowded home with other people make a family McKinney-Vento eligible?***

A: The McKinney-Vento liaison determines if a family is eligible for benefits and services on a case-by-case basis. The term “homeless child or youth” means individuals who lack a fixed, regular, and adequate primary nighttime residence. It includes sharing the housing of others due to loss of housing, economic hardship or similar reason. When considering the adequacy of the residence, one consideration is it sufficient for meeting both the physical and psychological needs typically met in home environments and as overcrowding is a common form of inadequate housing it may be possible. More information is needed to determine eligibility, please see our resources on determining eligibility: <https://www.nysteachs.org/determining-eligibility-for-mckinney-vento>.

***Q: Do you have a parent/caregiver letter we can send to the parents/caregiver of our students living in temporary housing we can use to introduce ourselves as the STH School Liaison. Should we send a housing questionnaire with it?***

A: All schools are required to identify students living in temporary housing. [Our Tips for Parents and Guardians](https://www.nysteachs.org/_files/ugd/10c789_d6911a4dd79f4d1ebd0f6a4c5362a8c9.pdf) may give you a place to start in developing a letter to introduce yourself as the McKinney-Vento Liaison.

[The Housing Questionnaire](https://www.nysteachs.org/_files/ugd/10c789_d4703a16f603461fab76ac16d9d8385d.pdf) should be used by all school districts as the first page of the enrollment packet for all newly enrolling students. The Housing Questionnaire should also be given to all students/families any time they report a change of address. The New York State Education Department (NYSED) requires all LEAs that receive Title I funds (including school districts, charter schools, and BOCES) to use the Housing Questionnaire. NYSED also encourages all other LEAs to use the Housing Questionnaire because it asks about students’ living arrangements in order to identify students experiencing homelessness in the school district. There are many resources that NYS TEACHS has on our website that can assist you with providing communications to families. Please see: <https://www.nysteachs.org/parents-and-students-resources>. We also have an archived webinar from 2021-2022 that you can refer to: <https://www.nysteachs.org/webinar-working-with-parents-experiencing-homelessness>

If you are a NYC Department of Education STH (Student in Temporary Housing) employee, the NYC DOE Housing Questionnaire is located [here](https://www.nysteachs.org/_files/ugd/10c789_764e33d4891840efbedea6311f456fb6.pdf) and to get this form in other languages go to: <https://www.schools.nyc.gov/enrollment/enrollment-help/new-students>

Also, [NYC DOE Title I STH Funds Short Guide: Supporting Students in Temporary Housing](https://www.nysteachs.org/_files/ugd/6642c2_a8aae8e2f5034ce299f1786e790f4f38.pdf) may be of use.

**Q: I had a situation where a father moved in with his girlfriend- the children of the father and girlfriend also live at the residence. This was in another district. The move was voluntary for relationship purposes and not lost housing. He requested we transport his children from the other district, and I denied it as I did not consider choosing to move in with a romantic partner as homeless. They were not evicted, in fact he rented out his house, so therefore I did not approve as MV. Does that sound reasonable?**

A: When determining eligibility for McKinney-Vento benefits, each situation must be determined on a case-by-case basis. Based on the information shared in your question, there does not appear to be a loss of housing due to an economic hardship or similar reason. Please call our helpline to discuss specific situations. The helpline number is 1-800-388-2014. Please refer to additional information on McKinney-Vento eligibility [here](https://www.nysteachs.org/determining-eligibility-for-mckinney-vento).

***Q: How to remove student from list after obtaining permanent housing?***

A: It is unclear what “list” you may be referring to. There are a couple of possible “lists”. The first reference may be the information about a student’s housing situation as indicated on the STAC 202 form. A STAC-202 form is the designation form school districts must use to identify students who are homeless and to indicate in what district the students will be attending school (N.Y. Education Law § 3209(2)(e)). A school district can receive reimbursement or additional state aid for instruction from the State Education Department (SED) for educating students in temporary housing if the student was last permanently housed in a different school district in New York State. For additional information please see: <https://www.nysteachs.org/stac-202-forms>

The second “list” that comes to mind is your district’s data management system. This may be referred to as your “school tool”, “school portal”, or something similar. As you know, the complete and correct collection of data on students in temporary housing is critical to ensure the appropriate allocation of resources to school districts. Connect with your Data Coordinator in August of each year to ensure that data on students who are homeless are being collected and reported correctly before the Data Warehouse’s deadline.

If you’d like help reviewing or understanding data requirements, please look through our [Data Entry Guide](https://www.nysteachs.org/_files/ugd/10c789_79656ae585d749ebb1b501d393bf2477.pdf) [-](https://05303efd-44dd-4eb6-9d00-) or watch our recently recorded webinar on Data Collection & Report available in our [webinar archive](https://www.nysteachs.org/archived-webinars).

If you work in NYC and use ATS, see our [ATS guide](https://05303efd-44dd-4eb6-9d00-03e00fa3e2be.filesusr.com/ugd/10c789_1ad6fc94d7fe4c8a8454b63baceeb6d8.pdf)

***Q: What is the procedure if a family has been in permanent housing for 2+ years and are requesting to come off the STH list?***

A: Once a family moves into permanent housing, a new housing questionnaire is completed. The information is also indicated on the STAC 202 form. This student would no longer be identified as homeless in the NYS **Student Information Repository System (SIRS). Please see the question above for additional information regarding data and data entry guide.**

***Q: Clarity on Trailers and RVs needed.***

A: Students who lack a fixed, regular, and adequate primary nighttime residence are eligible for benefits under the McKinney-Vento Act. If a family is “living in motels, hotels, trailer parks, camping grounds due to the lack of alternative adequate accommodations, they would also be eligible. Is the student living in a tent or camper-trailer on wheels? *(See McKinney-Vento Sec 11434a(2)(A)* requires housing to be fixed to the ground.

If the trailer or RV has “hook-ups” which provide access to electricity, running water, plumbing, and heat, the family is most likely not eligible for benefits.

Please see our resources on determining eligibility: <https://www.nysteachs.org/determining-eligibility-for-mckinney-vento>

***Q: I know we have to provide transportation if needed, but what other benefits to MV kids have that we should be able to offer to the family?***

A: McKinney-Vento Acts provides the following benefits to eligible students:

* 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.
* Additionally, McKinney-Vento eligible students are entitled to free meals

Finally, all districts are required to set-aside a portion of their Title I, Part A funding for students experiencing homelessness. Please see this document that provides information about allowable and unallowable uses for Title I homeless set-aside funding for possible additional benefits for students that are temporarily housed [here](https://www.nysteachs.org/_files/ugd/10c789_087f9d44bbfc4a46a96de97ba1335af0.pdf)

***Q: Is there a certain packet that is ready for families to know about what’s covered and more information about what it is?***

A: Please refer to the [Enrollment Checklist](https://www.nysteachs.org/_files/ugd/10c789_6618778837be4fc3952da70f772fba45.pdf) for your use. What you also distribute [brochures](https://www.nysteachs.org/brochures-and-posters) to families that are available in both English and Spanish that. help raise awareness and promote educational access and success for students experiencing homelessness. Additionally, you may distribute [A Guide to the New Rules for School Registration](https://www.nysteachs.org/new-rules-for-school-registration) which is available in 11 languages.

***Q: How do I report a student as homeless?***

A: First, have the parent/guardian/UHY complete a Housing Questionnaire. If a temporary housing situation is identified then complete the designation form, also known as the STAC 202. These data are ultimately reported via the “school tool” and finally to the **Student Information Repository System (SIRS).** Please visit <https://www.p12.nysed.gov/irs/sirs/> for additional information and the guidance manual. Also, please refer to the previous questions regarding data, above.

**Other Questions:**

**Finance/STAC-202**

*Q: What do we do when a student has been wrongly billed for several years?*

A: Your Business Office should contact the STAC Office to discuss.

The STAC contact information:

**Main Telephone Number | (518) 474-7116**

General Email Address | [OMSSTAC@nysed.gov](mailto:OMSSTAC@nysed.gov)

***Q: Can you talk about the STAC form that needs to be filled out?***

A: Please refer to our archived webinar and materials from 2021-2022 here: <https://www.nysteachs.org/webinar-stac-202>

***Q: Can you give us some examples of supplementary items for education that we can purchase out of Title 1 funds?***

A: Title I, Part A funds may be used to provide a wide variety of services to homeless students Please see NYSED’s [Allowability of Title I Set Aside Funds](https://www.nysteachs.org/_files/ugd/10c789_087f9d44bbfc4a46a96de97ba1335af0.pdf).

**Brochures/Posters**

Q: Where do we order?

A: You can print brochures and posters on demand by visiting our [NYS TEACHS website](https://www.nysteachs.org/). All brochures and posters can be requested by using this [link](https://www.nysteachs.org/brochures-and-posters).