



Homeless
Education

Determining Eligibility, Written Notification, Dispute Resolution Process

Arizona Department of Education
(602)542-4963
homeless@azed.gov

Housekeeping Items

- A link to this recorded presentation and slides will be provided to attendees following the training. These materials will also be posted to the ADE HEP website.
- If you have questions, enter them into the chat and we'll answer as we have time. You can also email homeless@azed.gov with any questions.
- All resources referenced in this training can be located on the website or in the newsletter.
- At the end of the session, when you leave the meeting, you'll be directed to a survey. Please don't forget to complete it, as this is how we'll verify your attendance and participation.



Objective

Participants will learn how to incorporate best practices from identification to written notification of McKinney-Vento eligibility.



Pre-Assessment

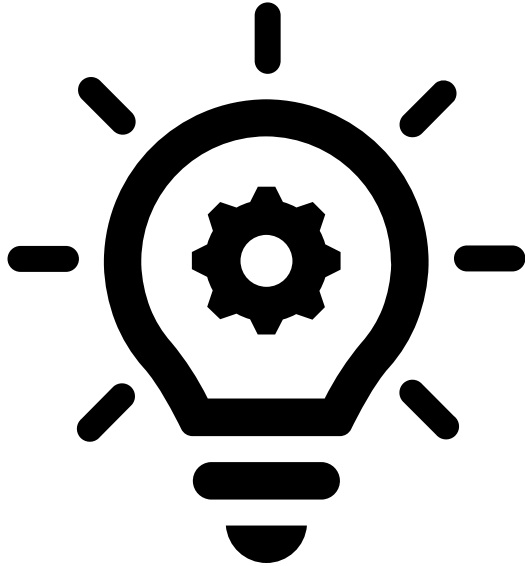
Let's test your knowledge.



Pre-Assessment

1. I am confident with the interview process and understand what questions to ask to make a McKinney-Vento eligibility determination.
2. My LEA/Charter District has developed a letter template and we notify every parent, guardian, caregiver, or student of all eligibility determinations.
3. My LEA/Charter District has established a written Dispute Resolution Procedure that is readily available for anyone who requests it.





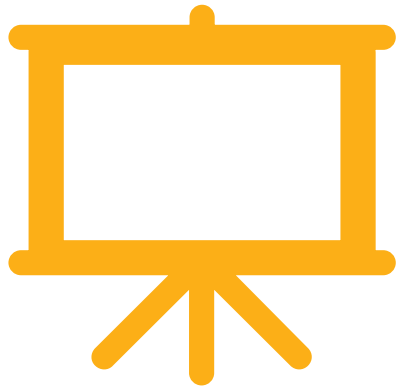
Review

Key Provisions of the McKinney-Vento Act

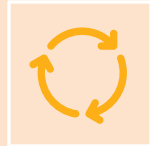
- Immediate **enrollment**, even without documents (includes UHY)
- School stability
 - **Transportation** to school of origin when requested.
- **Eliminate** barriers
- **Dispute** Resolution Process
 - The McKinney-Vento Liaison is required to assist with the process.



Legal Definition of Homelessness



Fixed: Stationary, permanent, not subject to change



Regular: Used on a predictable, routine, consistent basis



Adequate: Lawfully and reasonably sufficient. Is it sufficient for meeting the physical and psychological needs typically met in a home environment

Common Qualifying Living Situations



Responsibilities of the LEA/Charter District

In general, each LEA must:

- Ensure *access* to education,
- Connect families with *services*,
- Form *collaborations* with CBOs, and
- *Inform* and provide learning for all stakeholders.

Ensure a student's education may continue at their **school of origin**,

Enroll students in the same school a non-homeless student would be enrolled in,

Comply with **school stability** protocol,

Assist families in attaining enrollment forms and records if needed,

Manage any disputes,

Uphold student and family privacy,

Provide comparable services and education to homeless students,

Coordinate with local social service agencies, and

Align with the Arizona State Plan.



Responsibilities of the McKinney-Vento Liaison

1. Homeless youth are **identified** through outreach with other agencies;
2. Homeless youth are **enrolled** in and have full and equal opportunity to succeed in school;
3. Access to federally required resources: HeadStart and other **preschool** programs, interventions under IDEA, etc.;
4. **Referral to well-being services:** health care, dental, mental health, substance abuse, housing, etc.;
5. **Inform** families and youth of **educational opportunities** with meaningful opportunities to participate;
6. Provide understandable **public notice of educational rights** in locations frequented by homeless youth, guardians, and unaccompanied youth: schools, shelters, public libraries, soup kitchens;
7. Mediate enrollment **disputes** according to federal guidance;
8. Inform family and youth of all **transportation** services;
9. Provide **professional development** and support for all stakeholders who serve homeless students; and
10. Assist **unaccompanied youth** with: enrollment, academic access and success, and notification of "Independent" status and assistance for FAFSA.

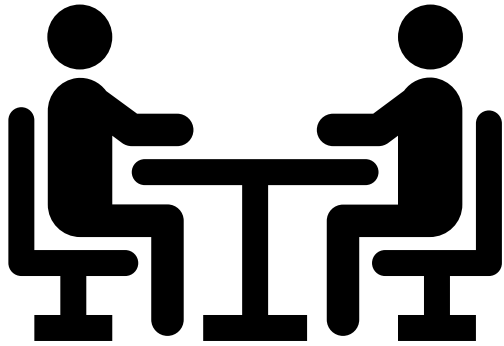


Requirements of Arizona McKinney-Vento Liaisons

According to [Arizona's ESSA State Plan](#), McKinney-Vento Liaisons must:

- Complete the **McKinney-Vento Liaison Contact Form** found on the ADE Homeless Education Program website;
- Collaborate with school personnel to ensure use of the **Student Residency Questionnaire** and **Unaccompanied Youth Caregiver's Authorization Form** to identify homeless students;
- **Utilize the Best Interest Determination (BID)** Form to make school enrollment decisions when necessary,
- Assess the needs presented by the students through **locally developed informal needs assessment** tools;
- Ensure required **student data** elements for homeless students and youth are accurately submitted to ADE;
- Provide at minimum an **annual training** to all LEA school staff including administrative staff; and
- Annually **develop, review, and revise policies** to increase access to educational opportunities and academic success.





The Interview

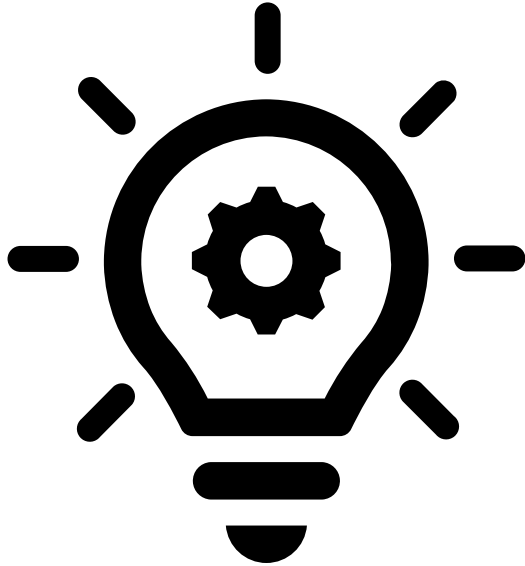
Discussion Question

True or False?

A student should be enrolled first and then the eligibility interview should be conducted.

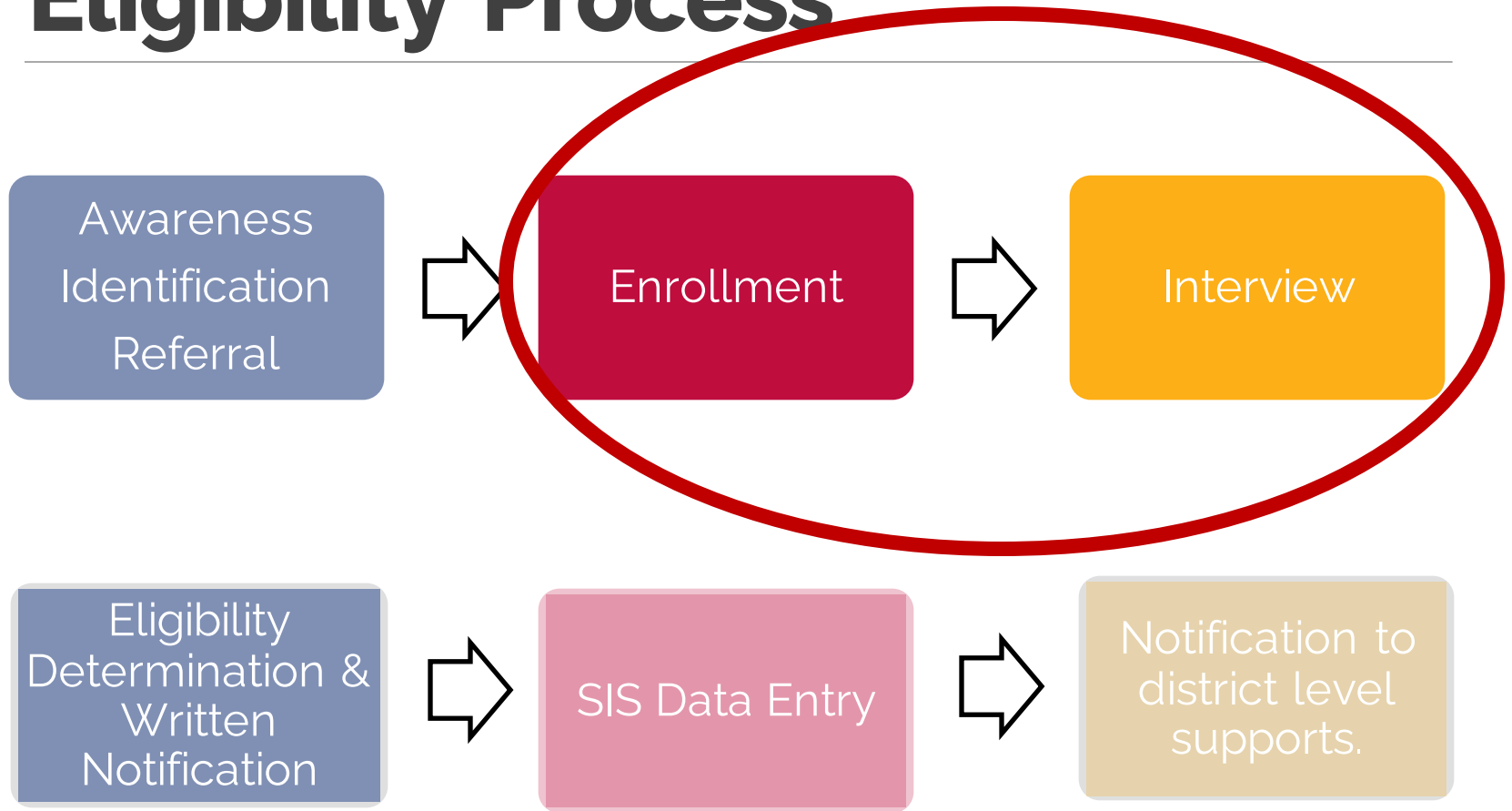
Type your
answer in
the chat!






Review

Eligibility Process



Sample Form


ADE Identification & Eligibility Interview Questions & Checklist

 **Homeless Education**

ADE Identification & Eligibility Interview Questions & Checklist

Each local educational agency liaison for homeless children and youths, designated under paragraph (1)(J)(ii), shall ensure that homeless children and youth are identified by school personnel through outreach and coordination activities with other entities and agencies. (42 U.S.C. § 11432 (g)(6)(A)(i)). Subtitle VII-B of the McKinney-Vento Homeless Assistance Act


The process of identification and eligibility determination involves three basic steps:



```
graph LR; A[Gather all the relevant information.] --> B[Analyze what you know.]; B --> C[Seek consultation as needed.];
```

Each student has a unique housing situation; as a result, determinations regarding eligibility and services under the McKinney-Vento Act must be determined on a case-by-case basis for each student. Remember, McKinney-Vento Homeless Liaisons are responsible for developing rapport and trust during the interview process to facilitate the acquisition of pertinent information. In other words, it is important to allow families to share their story to ensure you are obtaining necessary details to make a proper determination. Understanding the entire scope of the situation will enable you to make a well-informed decision.

As you conduct your interview process, consider consulting with school staff and community partners to gather information about the student's situation. Staff often build a relationship with the student, or parent, and can be privy to additional details. Remember to be mindful of confidentiality requirements when collaborating, as outlined within [The Family Educational Rights and Privacy Act \(FERPA\)](#).



McKinney-Vento awareness is established by way of the McKinney-Vento Homeless Liaison offering yearly trainings to school personnel, service providers, community partners, social service agencies, and advocates.

By providing this training, the McKinney-Vento Homeless Liaison can rely on these stakeholders in the future with the referral, identification, and information gathering to support children and youth experiencing homelessness.

For additional support regarding awareness, interview process, and identification best practices, reference the [NCHE Homeless Liaison Toolkit](#) and [NCHE Brief: Identifying Children and Youth in Homeless Situations](#).

The McKinney-Vento Education for Homeless Children and Youth Act provides a definition of homelessness for children and youths to be used by state educational agencies (SEAs) and local educational agencies (LEAs). It defines homelessness for children and youth to be those who lack a fixed, regular, and adequate nighttime residence ([42 U.S.C. § 11434a\(2\)](#)).

Use the following checklists to help guide your conversation with the parent, guardian, caregiver, or student to determine if the student's living situation is considered fixed, regular, and adequate.

ADE Identification & Eligibility Interview Questions & Checklist 2/2023

- Each student has a unique housing situation; as a result, determinations regarding eligibility and services under the McKinney-Vento Act must be determined on a case-by-case basis for each student.
- McKinney-Vento Homeless Liaisons are responsible for developing rapport and trust during the interview process to facilitate the acquisition of pertinent information.

Sample Form

ADE Identification & Eligibility Interview Questions & Checklist



Homeless Education

ADE Identification & Eligibility Interview Questions & Checklist

This form serves as a tool to assist McKinney-Vento personnel with determining if a student qualifies as "homeless". This interview form is organized into the following sections:

Step 1 – Homeless Determination	Step 2 – Assessment of Need Planning Guide
Sections: Fixed, Regular, Adequate, & Other Considerations	Sections: Basic Supports, Educational/Academic Supports, & Additional Supports
Instructions	Instructions
1. Conduct the interview. Take detailed notes. 2. Make a determination by analyzing the student's situation as a whole. 3. If the student is not determined to be homeless, complete necessary notification and documentation. 4. If the student is determined to be homeless, continue to Step 2: Assessment of Need Planning Guide.	1. Conduct the interview. Take detailed notes. 2. Determine what next steps will be taken, with emphasis on addressing the high needs (H) by setting a timeline and designee responsible for addressing each need. 3. Finalize documentation.

Remember, McKinney-Vento Homeless Liaisons are responsible for developing rapport and trust during the interview process, consider meeting or talking with the parent or guardian in a private space. It is important to allow families to share their story to ensure you are obtaining necessary details to make a proper determination. *Ensure they are aware of their rights and the procedure of making a homeless determination prior to beginning the interview.*

Interview Conducted By: _____ Date of Interview: _____

Persons Interviewed: _____ Relationship to Student(s): _____

Student(s) Eligible: _____

School(s) of Enrollment: _____

ADE Identification & Eligibility Interview Questions & Checklist 2/2023



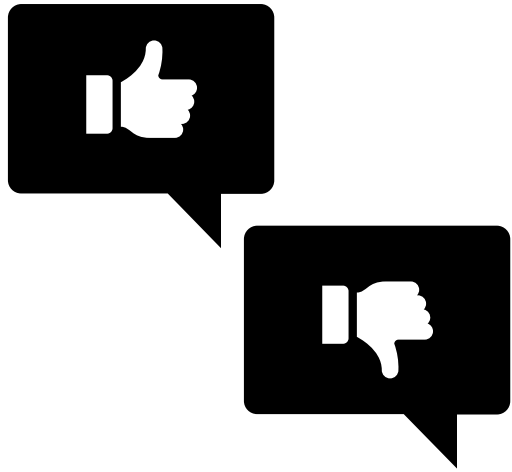
Information Gathering

BUZZ WORDS



THE ASK





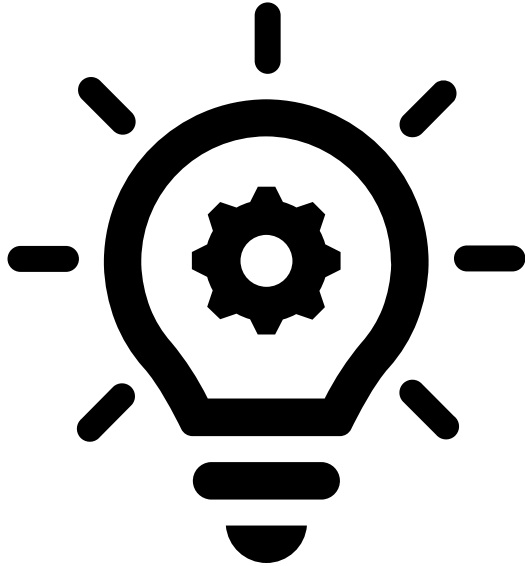
The Determination

Discussion Question

Now that the eligibility determination has been made, what should the McKinney-Vento Homeless Liaison do next?

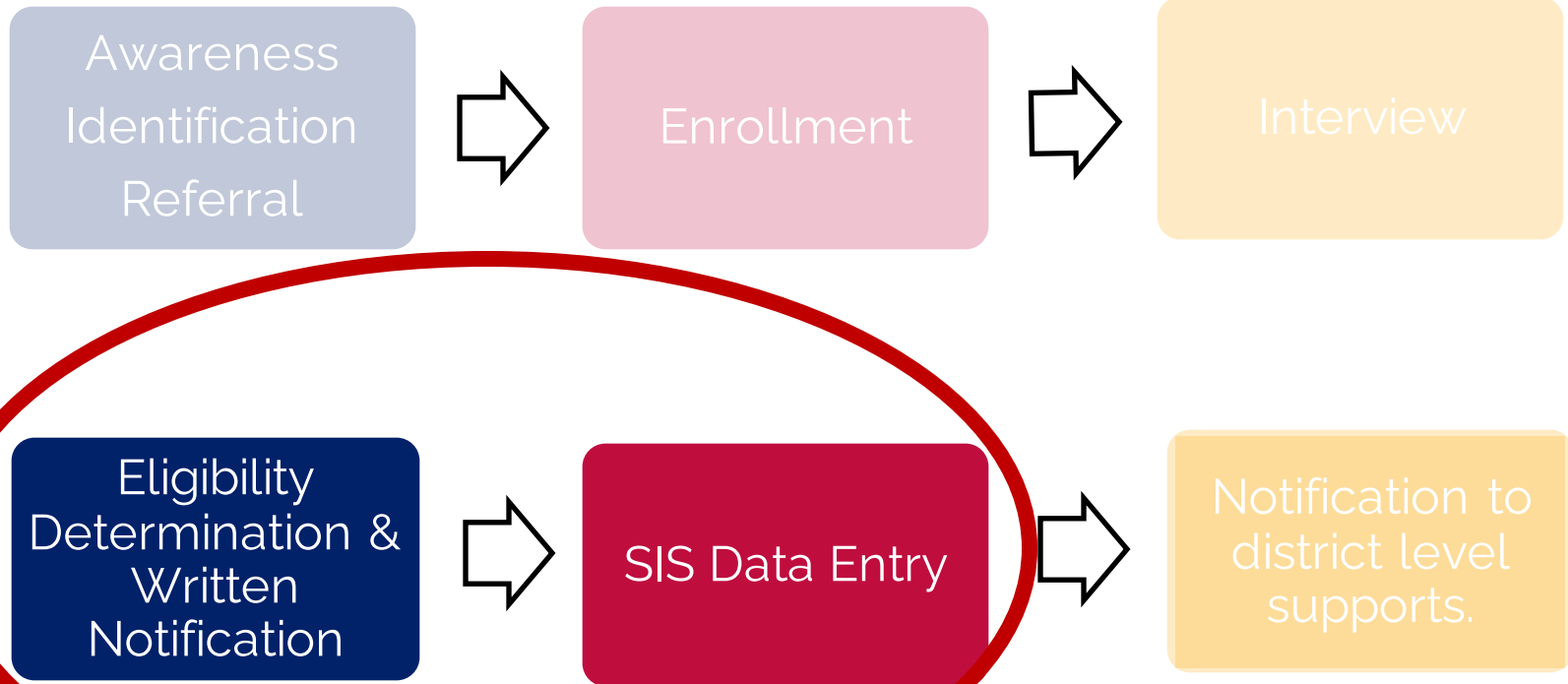
Type your answer in the chat!





Review

Eligibility Process



Legal Requirement

The parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth shall be provided with a **written explanation of any decisions related to school selection or enrollment** made by the school, the local educational agency, or the State educational agency involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions

[Title 42 of the U.S. Code §11432(g)(3)(E)(ii)]

Sample Letter

ADE Written Notice of Eligibility & School Placement Determination



Homeless Education

ADE Written Notification of McKinney-Vento Eligibility Decision

(Date)

This letter shall serve as written notification of the decision made regarding McKinney-Vento eligibility, school selection and enrollment determination, in compliance with the McKinney-Vento Act, §722(g)(3)(E)(i).

Name of Parent(s)/Guardian(s) _____

Name of Student(s) _____

It has been determined that your situation does qualify the student noted in this letter as McKinney-Vento Eligible based on the following:

The student(s) qualify for McKinney-Vento services, and it is in the best interest of the student(s) to remain in the School of Origin *(Enter the school district and school name in this section.)* _____

The district will provide transportation. The McKinney-Vento Homeless Liaison will arrange this.

The district will not provide transportation based on the following: *(Provide details surrounding the decision.)* _____

The student(s) qualify for McKinney-Vento services, and they are not in the physical care of a parent or legal guardian due to hardship. Furthermore, the student meets the definition of an Unaccompanied Youth.

The student(s) qualify for McKinney-Vento services, but it may not be in the best interest of the student(s) to remain at their School of Origin *(Enter the school district and school name)* and will be supported in enrolling in their new Local Attendance Area School *(Enter the school district and school name)*. This determination was based upon: *(Provide an explanation of the decision. If it was based on the outcome of a BID meeting provide those details in this section, including the date.)* _____

It has been determined that your situation does NOT qualify the student(s) noted in this letter as McKinney-Vento eligible. If your living situation changes, you may re-apply. You also have the right to appeal this decision. Contact the McKinney-Vento Homeless Liaison for assistance. The student(s) listed above has/have the right to enroll or remain enrolled in the requested school pending the resolution of the dispute. The decision was based on the following:

The current primary nighttime residence is considered fixed, regular, and adequate.

The current living situation reported is considered a choice or preference and not due to hardship.

The student is in the company of a parent or legal guardian.

Other: *(Provide an explanation of the decision.)* _____

Please see the accompanying document, *Rights of Homeless Students*, for additional information regarding our commitment to the educational rights of homeless children, youth, and unaccompanied youth.

Thank you,

McKinney-Vento Homeless Liaison Name

District/LEA Name

Email address

Phone

Enclosure: Rights of Homeless Students

ADE Written Notification of Eligibility School Placement Determination 2/2023

- Once the LEA/Charter District determines that a child or youth **is** McKinney-Vento eligible, the parent, guardian, or unaccompanied youth school should **provide all rights and services** required by law.
- If, after investigating, a district concludes that the student **is not** McKinney-Vento eligible, the district must **provide** the parent, guardian, or unaccompanied youth the **opportunity to appeal the district's decision** through the district's McKinney-Vento **dispute resolution process**

[42 U.S.C. § 11432(g)(3)(E)]

Sample Form

ADE McKinney-Vento Act Best Interest Determination (BID) for School Placement



Homeless Education

McKinney-Vento Act
Best Interest Determination for School Placement

The McKinney-Vento Act requires school districts to consider the school of origin as the first option in school enrollment. Parents may choose the school of origin or the school in the residency area where the child(ren) currently live (school of residency may also be referred to as local area attendance school). Individuals who may be consulted when determining what placement is in the child(ren)'s best interest include the following:

- child(ren) or youth experiencing homelessness,
- parent, guardian, or caregiver of the child(ren) or youth,
- district/charter homeless liaison,
- school site personnel (e.g. counselor, social worker, SPED teacher, etc), and
- homeless shelter personnel.

It is the school district's responsibility to determine the school of origin and residency, and to resolve any conflict concerning the school placement by focusing on the best interest of the child(ren). Whenever possible, the school district should comply with the wishes of the parent, guardian, caregiver, or unaccompanied homeless youth. If the school district and parent, guardian, caregiver, or unaccompanied homeless youth do not agree on the appropriate placement, the school district's Dispute Resolution Procedure must be followed. In such cases, the child(ren) should be enrolled in the school that the parent, guardian, caregiver, or unaccompanied homeless youth has chosen until the conclusion of the resolution process. If the school of origin is determined to be the best placement, the local homeless education liaisons both school of origin and local attendance area school must work together to arrange transportation.

The McKinney-Vento Act requires that a child or youth experiencing homelessness attend:

- **School of origin:** School of origin is defined as "the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool". Further, "when the child or youth completes the final grade level served by the school of origin, the term school of origin shall include the designated receiving school at the next grade level for all feeder schools [42 U.S.C. § 11432(g)(3)(I)], or
- **Local attendance area school:** Local attendance area school is defined as "any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend" [42 U.S.C. § 11432(g)(3)(A)(ii)].

Whether the child or youth will attend the school of origin or the local attendance area school, enrollment should take place immediately.

See [42 USC CHAPTER 119, SUBCHAPTER VI, Part B: Education for Homeless Children and Youths, \(3A, 3B\)](#) for more information regarding the "Best Interest Determination".

The information collected supports the agreement in determining the school enrollment in the best interest of the child or youth experiencing homelessness, and will provide the input required to develop a written should the parent, guardian, caregiver or youth disagree with the decision.

- The school placement decision should be a student-centered, individualized determination. Factors that an LEA **may** consider include:
 - the age of the child or youth,
 - the distance of the commute to and from the school of origin and its impact on the student's education,
 - personal safety issues,
 - the student's need for special instruction (e.g., special education and related services),
 - the anticipated length of stay in a temporary shelter or other temporary location, and
 - the time remaining in the school year.
- **Written explanation.** of any **decisions** related to school selection or enrollment is **required including the right to appeal such decisions.**

Student Information System (SIS) Data Entry

Student Need data elements within AzEDS and the student need codes are outlined here:

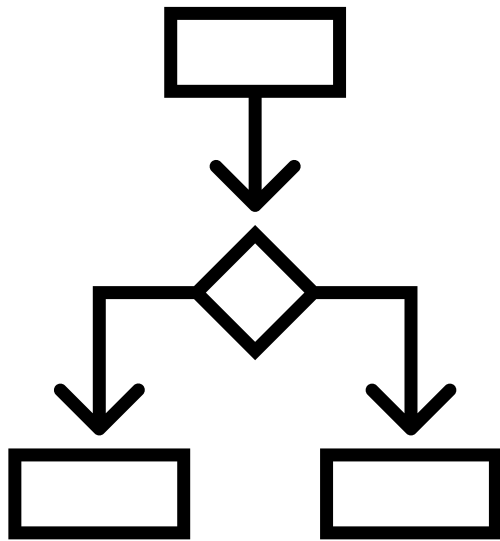
Code	Descriptor
6	Homeless
21	Unaccompanied Youth

Additionally, primary nighttime residence code values are available here:

Code	Descriptor
1	Sheltered
2	Doubled Up
3	Unsheltered
4	Hotel./motels

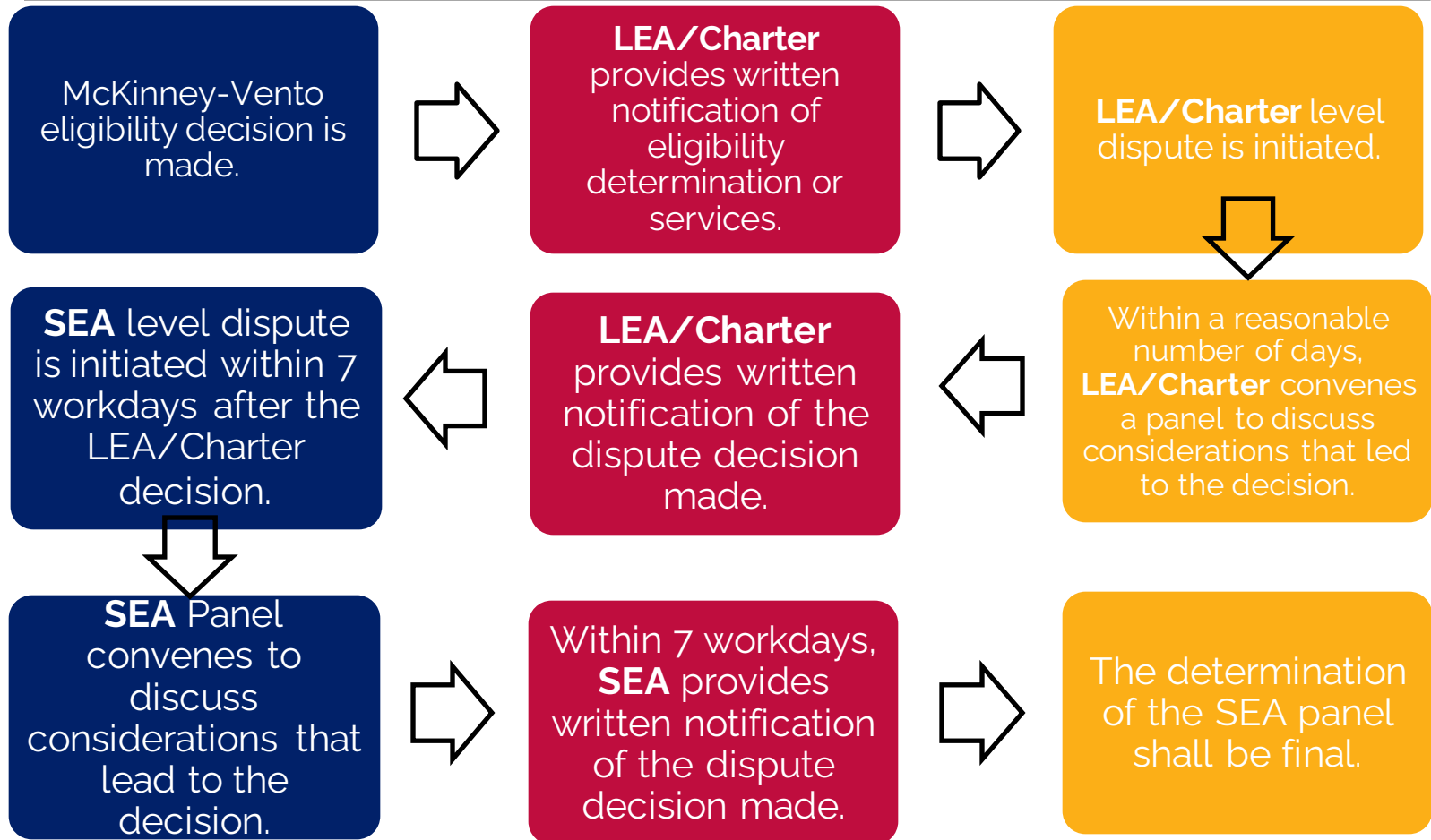


You're required to ensure all data has been uploaded prior to 6/30/2023 to meet compliance.



Dispute Resolution

Dispute Resolution Process



Legal Requirement

LEA Requirements

All LEA/Charter Districts are **required** to **adopt** a **policy** and have **procedures** in place for resolving **disputes** regarding the eligibility, educational placement, and provision for services of children and youth identified as homeless.

[42 U.S.C. 1432(g)(1)(C)]

LEA/Charter District Dispute Resolution Steps

If a dispute arises under the McKinney-Vento Act over eligibility, school selection, or school enrollment, LEA/Charter Districts are required to take the following steps.

1. The child or youth shall maintain **enrollment**, pending final resolution of the dispute. This includes all available disputes (State Level).
2. The **LEA/Charter District conducts** a hearing to discuss considerations that led to the decision.
3. The parent, guardian, or unaccompanied youth must be **provided** with a **written explanation** of the dispute-related decision made.
4. If requested by the parent, guardian, or unaccompanied youth the McKinney-Vento Homeless **Liaison**, will assist with the **SEA level dispute**.

Legal Requirement

SEA Dispute Resolution Procedure

To initiate the **state level dispute**, the following must occur within **seven (7) workdays** after receipt of the written notification of the decision made at the district.

[42 U.S.C. 1432(g)(1)(C)]

SEA Dispute Resolution Steps

1. The parent, guardian, or homeless youth, with assistance from the McKinney-Vento Homeless Liaison, must **submit** a **Notice of Appeal** and must forward the following to the Arizona Department of Education, Office of Homeless Education:
 1. A copy of the LEA/Charter Districts written decision
 2. Additional supporting documentation as necessary
2. Upon receipt of a Notice of Appeal, the State Homeless Education Program Coordinator shall, **within seven (7) workdays**, convene a panel of at least two (2) Arizona Department of Education employees, including the State Director for Homeless Education and an additional department employee.
3. This panel shall review the entire record of the dispute and decide what is in the **best interest of the child or youth**. Within seven (7) workdays of the date the panel convenes; the Arizona Department of Education will issue this decision in writing.
4. The **determination** of the panel shall be **final**.

Dispute Resolution Forms

● LEA/Charter District Sample

● SEA (State) Level Form



LEA Dispute Resolution Form (ADE Sample)

The McKinney-Vento Homeless Assistance Act acknowledges that disputes may arise between the school district and homeless students and their parents/guardians. Guidance for school selection is provided in law. The law includes dispute resolution among the required duties of the local district liaison. For more information, consult the [Dispute Resolution Procedure](#).

LEVEL 1: LIAISON DETERMINATION

Date Complaint Received: _____

Name of District: _____ Telephone Number: _____

Student's Name: _____

Area of concern (e.g. School of Origin): _____

Relevant Evidence:

Determination:

Liaison's Signature: _____ Date of Resolution: _____

APPEAL

Petitioner signature: _____ Date: _____

Question at issue on appeal:

LEVEL 2: APPEAL



Dispute Resolution Procedure (Student/Family vs. LEA)

Revised: 1/13/23 | Supersedes all previous versions

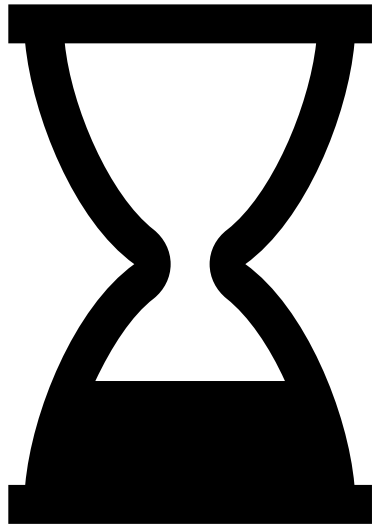
Attention! This form shall used *AFTER* the appeal process has been completed and a determination has been made at the LEA (school district) level. If you have not filed an appeal with the LEA (school district), you must request that first. Please contact your Homeless Liaison to obtain assistance.

If an agreement cannot be reached at the LEA (school district) level, **then** the student representative, or the LEA (school district) may request a review by the State Homeless Education Program Coordinator. If this situation arises, complete the following form to the Arizona Department of Education, Homeless Education Program Coordinator for consideration.

Below you will find a few options for requesting a State level Dispute Resolution. If you need assistance completing this form, you may contact your Homeless Liaison or the State Homeless Education Program Coordinator at 602-542-4963 or via email at homeless@azed.gov.

Option 1

1. Complete the form online.
2. Draft an email to homeless@azed.gov.
3. In the subject line of the email include the following text, "Dispute Resolution-School District Name (example, Dispute Resolution-ABC School District).
4. Attach a copy of the districts written decision to the email.
5. Attach any additional supporting documentation necessary (optional).



Wrap Up

Post-Assessment

1. I am confident with the interview process and understand what questions to ask to make a McKinney-Vento eligibility determination.
2. I understand how to develop a written notification letter template and why we are required to notify every parent, guardian, caregiver, or student of the eligibility decision.
3. I understand the Dispute Resolution process and acknowledge it is a requirement for my LEA/Charter District to establish a procedure that is readily available upon request.



ADE Homeless Education Program Website



SY 2022-2023 [Students & Families](#) [Educators](#) [Administrators](#) [Programs & Supports](#) [About ADE](#) [ADEConnect](#) [Q](#)

[Home](#) / [Homeless Education](#) / [Welcome to Homeless Education Program](#)

Welcome to Homeless Education Program

THE MCKINNEY-VENTO ACT: HOMELESS CHILDREN AND YOUTH PROGRAM

The mission of the Homeless Education Program is to ensure positive comparable academic outcomes for children and youth experiencing homelessness through implementation of the McKinney-Vento statute.

Homeless students are those who lack a fixed, regular, adequate nighttime residence. This includes students who are sharing the housing of other persons due to a loss of housing, economic hardship or similar reason; are living in motels, hotels, trailer parks or campgrounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals. The definition includes migratory students who live in the aforementioned situations. Beginning December 10th, 2016, "those awaiting foster care placement" are not included in the definition.

Parent and Family Rights

The McKinney-Vento Act provides certain rights for students experiencing homelessness. They include waiving certain requirements such as proof of residency when students are enrolling and allowing categorical eligibility for certain services, such as free textbooks. The Act also states,

- Homeless students may attend their school of origin or the school where they are temporarily residing;
- Homeless students must be provided a written statement of their rights when they enroll and at least two times per year;
- Homeless students may enroll without school, medical, or similar records;

[Data](#)

[Federal Guidance](#)

[Guidance and Procedures](#)

[McKinney-Vento Liaisons Contacts](#)

[Resources for Parents and Youth](#)

[Training for McKinney-Vento Liaisons](#)

[McKinney-Vento FAQs](#)

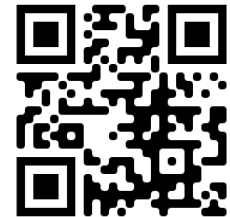
[EHCY Grant Funding](#)

[ARP-HCY Grant Funding](#)

Contact

Rita Rodriguez, State Homeless Education Program Coordinator
(602) 542-4963
homeless@azed.gov

Scan me!



<https://www.azed.gov/homeless>



Homeless Education

Homeless Liaison Contact Info

If you are NOT the Homeless Liaison on record for your LEA, please DO NOT complete this form. Please read the questions carefully before providing an answer.

First Name *

Please enter your first name.

Last Name *

Please enter your last name.

Email *

Please enter the email address for the Homeless Liaison.

Alternate Email

If applicable, enter your LEAs designated McKinney-Vento email address.

Phone Number *

Please enter your phone number.

Alternate Contact *

Please enter the name of your supervisor or alternate contact.

County *

Please enter your county.

LEA Name *

Please enter the full name of you

Scan
me!



ADE Homeless Education Program Contact List & Newsletter

Every school district and charter school must appoint a McKinney-Vento Liaison and submit their contact information to the state department.

- Access the form on the Homeless Education Program (HEP) website.
 - Each LEA/Charter District is responsible for completing the form. Check for accuracy before you submit your responses.
 - Updates to the contact list are posted monthly.
 - The list is published for use by parents, school staff, McKinney-Vento Liaisons and stakeholders.
- Stay up-to-date on requirements and important information from the state department such as:
 - **FY23 EHCY grant** application is open in GME **until May 1st**. You can reference everything needed for the FY23 EHCY grant application on the website.

Summary

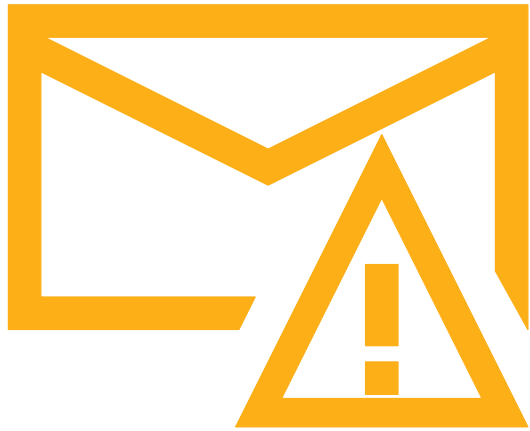
Purpose of EHCY Funds	<ul style="list-style-type: none">• Eliminate barriers for children and youth experiencing homelessness in the areas of identification, enrollment, attendance, and academic success by supplementing all other local, state, and federal funding sources
Eligible Applicants	<ul style="list-style-type: none">• LEAs & Charters
Eligibility Requirement	<ul style="list-style-type: none">• A minimum of 50 students experiencing homelessness enrolled• Can join a consortium to meet or exceed this threshold requirement
Grant Application Open Date	<ul style="list-style-type: none">• March 1, 2023
Grant Application Close Date	<ul style="list-style-type: none">• May 1, 2023
Project Availability for FY24	<ul style="list-style-type: none">• July 1, 2023 – September 30, 2024
Grant Cycle Availability	<ul style="list-style-type: none">• July 1, 2023 – September 30, 2027

Considerations

ARP-HCY I & II Funds	<ul style="list-style-type: none">• Project availability ends September 30, 2024
EHCY Funds	<ul style="list-style-type: none">• 3-year grant cycle<ul style="list-style-type: none">• Begins July 1, 2023• Concludes September 30, 2027

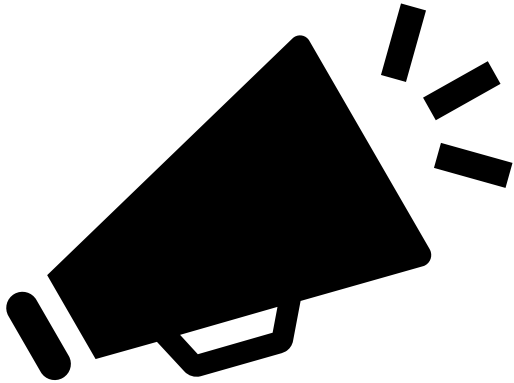
We highly encourage LEAs to apply!





Technical Assistance

Arizona Department of Education
Homeless Education Program
(602)542-4963
homeless@azed.gov



Thank you.

**AS YOU CLOSE YOUR ZOOM
BROWSER, A SURVEY WINDOW WILL
APPEAR. PLEASE TAKE A FEW
MINUTES TO ANSWER THE
QUESTIONS.**