

**SPRINGFIELD PUBLIC SCHOOLS  
HOMELESS CHILDREN AND YOUTH  
POLICY**



**SPRINGFIELD SCHOOL COMMITTEE  
DECEMBER 2019**

## **INTRODUCTION**

The **McKinney-Vento Education of Homeless Children and Youth Assistance Act** (“McKinney-Vento Act”) is a federal law authorized under Title VII B of the McKinney Vento Homeless Assistance Act, originally authorized in 1987 and most recently reauthorized in December 2015 by Every Student Succeeds Act (ESSA). It ensures immediate enrollment and **educational** stability for homeless children and youth.

Pursuant to the McKinney-Vento Homeless Education Act of 1987 (Pub. L. 100-77, **July 22, 1987**, 101 Stat. 482, 42 U.S.C. § 11301 et seq.) and reauthorized by the 2015 Every Student Succeeds Act (ESSA), all homeless, and migratory children and youth must have access to the same free appropriate public education, including pre-school education, provided to other children and youth. Under the McKinney-Vento Act, the Springfield Public Schools is required to provide homeless children and youth equal access to the same free and appropriate public education (“FAPE”) as provided to other children and youth. Therefore, the Springfield School Committee has adopted a Homeless Children and Youth Policy to ensure the provision of FAPE to homeless children and youth.

## **HOMELESS DEFINITION**

The McKinney-Vento Homeless Assistance Act, as reauthorized by The Every Student Succeeds Act (ESSA), defines “homeless children and youth” as: children and youth who lack a fixed, regular, and adequate nighttime residence.

- **Fixed residence** is one that is stationary, permanent, and not subject to change.
- **Regular residence** is one which is used on a regular (i.e., nightly) basis.
- **Adequate residence** is one that is sufficient for meeting both the physical and psychological needs typically met in home environments.

Therefore, **children and youth who lack a fixed, regular, and adequate residence are considered homeless such as:**

- A child or youth who is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- A child or youth who has 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. (car, park, abandoned building, bus, train station, airport, camping ground);
- A child or youth who is living in a privately or publicly operated shelter that provides living arrangements. (hotels, motels paid by Federal, State or local government programs for low-income individuals or congregate shelters and transitional housing);
- A child or youth who is leaving a shelter living arrangement;

- A child or youth in a family who will lose their housing resulting from an eviction, as evidenced by the court order;
- A child or youth who has a primary residence in a hotel or motel room and the child or youth lacks necessary living accommodations;
- A child or youth who presents evidence that a landlord or renter of housing will not allow family members to stay for more than fourteen days;
- A child or youth who lacks the resources needed to obtain other permanent housing;
- Migratory children who qualify as homeless because they are living in circumstances described above;
- Unaccompanied youth, meaning youth not in the physical custody of a parent or guardian; and
- Runaways and youth who are denied housing by their families.

### **HOMELESS EDUCATION LIAISON**

The McKinney-Vento Act requires that every LEA “designate an appropriate staff person” who is able to carry out their McKinney-Vento Act duties to serve as Homeless Education Liaison [42 U.S.C. § 11432(g)(1), (J)(ii)].

### **VERIFICATION PROCEDURES**

McKinney-Vento Act homeless status will be evaluated and determined by the team procedures at the SPS Parent & Community Engagement Center Enrollment (PACE).

**All Homeless children and youth shall be provided services comparable to those services offered to other students in the assigned school, including:**

- **Transportation**
- **Educational Services**
- **Vocational and Technical Education**
- **School Nutrition**

### **ENROLLMENT PROCEDURES**

All homeless, migratory, immigrant and English Language Learners must have equal access to the same free appropriate public education, including public preschool education, provided to other children and youth. The ***immediate enrollment*** of these children will not be denied or delayed due to any of the following reasons:

- Lack of birth certificate
- Lack of school records or transcripts
- Lack of immunizations or health records

- Lack of proof of residency

## **SCHOOL PLACEMENT**

Homeless student placement options:

### Elementary and Middle School

1. The school of origin, or
2. The Boundary school in which non-homeless students who live in the area where the homeless student is temporarily residing, or
3. The designated receiving school, or
4. The school that can provide for the student's programmatic needs

### High School

1. The school of origin, or
2. The school with available space, or
3. The designated receiving school, or
4. The school that can provide for the student's programmatic needs

**School of Origin** – *“the school that the child/youth attended when permanently housed or the school in which the child/youth was last enrolled.”* [42 U.S.C. § 11432(g)(3)(G)]

## **TRANSPORTATION**

The Springfield Public Schools will ensure that transportation is provided, at the request of the parent/guardian/caregiver, to homeless children and youth to and from the school of origin and comparable to transportation received by other students.

- If the homeless child/youth continues to live in the SPS district and in which the school of origin is located, SPS must provide or arrange transportation, if needed.
- If the child/youth moves to an area served by another school district and continues education at the school of origin, the district of origin and the district in which the child/youth resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin as long as the distance between the school district of residence and the school of origin is reasonable (no more than a 60 minute bus ride).
- Children/Youth identified as homeless have a right to remain in their school of origin or to attend the school where they are residing with transportation provided as needed.

Children/Youth who have been homeless during the school year and become permanently housed have the right to remain enrolled in their school of origin with transportation if needed through the end of the school year.

## **DISPUTE RESOLUTION**

- The McKinney-Vento Act requires prompt resolution of disputes regarding the educational placement of homeless children and youth.
- If a dispute arises between the SPS and parent/guardian/caregiver, or the unaccompanied homeless youth, the Homeless Education Liaison must ensure that:
- The child/youth be immediately placed in the school in which placement is sought and transportation provided, if needed, pending a final resolution of the dispute, including all available appeals.
- The parent/guardian/caregiver is provided with a written explanation of any placement decision made by SPS and is informed of the right to appeal the decision to DESE.
- SPS will work with the parent/guardian/caregiver to attempt to resolve issues at the district level through the SPS Internal Dispute Resolution Process before filing an appeal to DESE.

## **REFERENCES**

Elementary and Secondary Education Act, as amended by, The Every Student Succeeds Act, 20 U.S.C. § 6301 et seq. Retrieved from

<http://uscode.house.gov/view.xhtml?path=/prelim@title20/chapter70&edition=prelim>

Massachusetts Department of Elementary and Secondary Education, McKinney-Vento Homeless Education Assistance – Advisories, revised April, 2019

National Association for the Education of Homeless Children and Youth,

<http://www.naehcy.org/>

National Center for Homeless Education, Data and Statistics on Homelessness,

<http://www.serve.org/nche/ibt/awstatistics.php>

National Coalition for the Homeless fact sheets, <http://www.nationalhomeless.org/facts.html>

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act, 42 U.S.C. § 11431 et seq.

Retrieved from

<http://uscode.house.gov/view.xhtml?path=/prelim@title42/chapterubchapter6/partB&edition=prelim>

U. S. Department of Education. (2017). Education for Homeless Children and Youths Program nonregulatory guidance. Retrieved from:  
<https://www.2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance07271updated0317.pdf>