

McKinney-Vento 101: Understanding and Implementing the Law in New Mexico



While we gather, please share your name, district/organization, and favorite Fall activity in the chat!

Recording...



McKinney-Vento 101: Understanding and Implementing the Law in New Mexico



New Mexico Homeless Education Conference
October 2022

Meet Your Presenters



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Today's Roadmap

- Research on education and homelessness
- Understanding and implementing the McKinney-Vento Act
- District spotlights panel
(Estancia Municipal School District and Socorro Consolidated Schools)
- Scenarios, Q&A, and discussion throughout



Research on Education and Homelessness

The Research: Risk Factors

Lack of a high school credential is the single largest factor placing youth at risk of experiencing homelessness

Particular subpopulations are at higher risk for homelessness



346%

Youth with less than a high school diploma or GED had a 346% higher risk

120%

LGBT youth had a 120% higher risk

162%

Youth reporting annual household income of less than \$24,000 had a 162% higher risk

33%

Hispanic, non-White youth had a 33% higher risk

83%

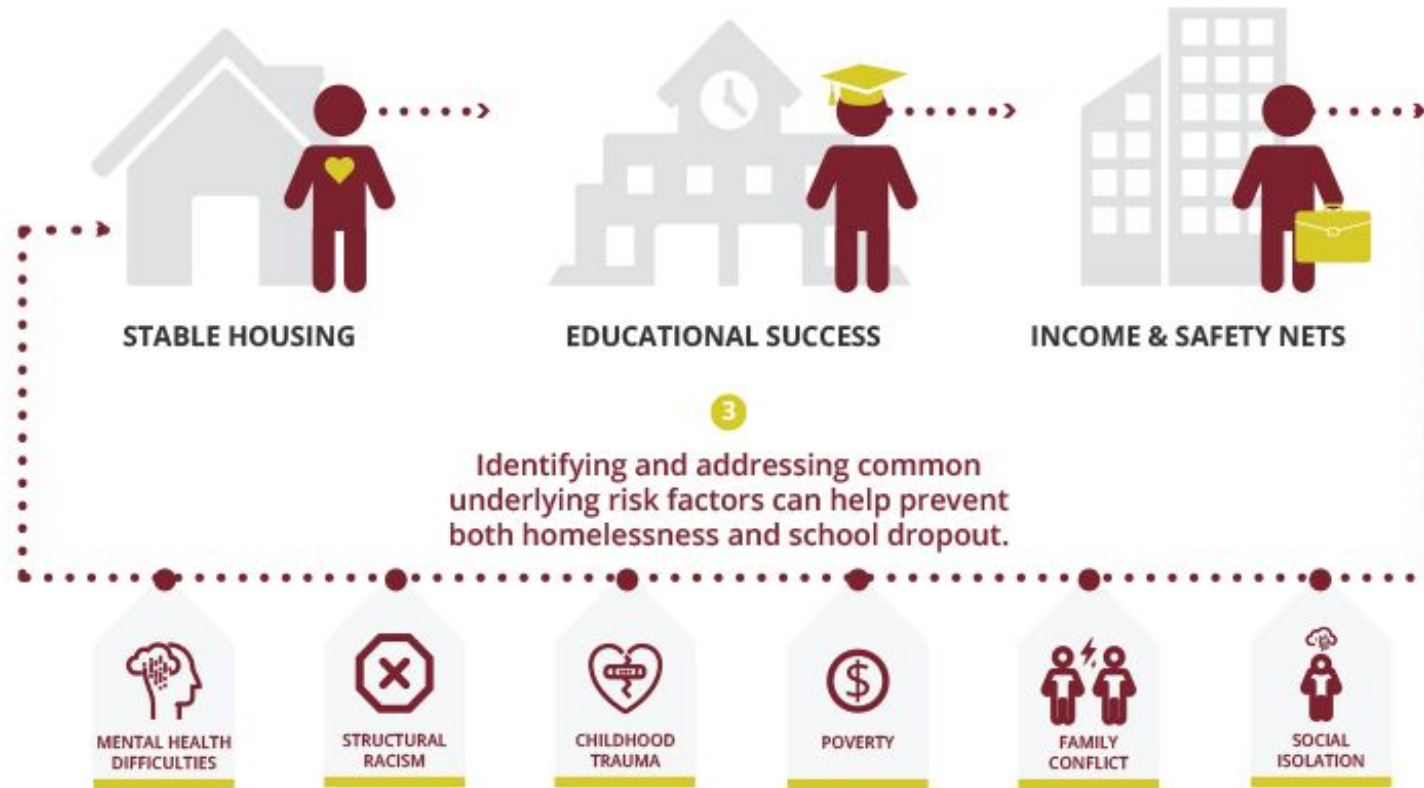
Black or African American youth had an 83% higher risk

200%

Unmarried parenting youth had a 200% higher risk



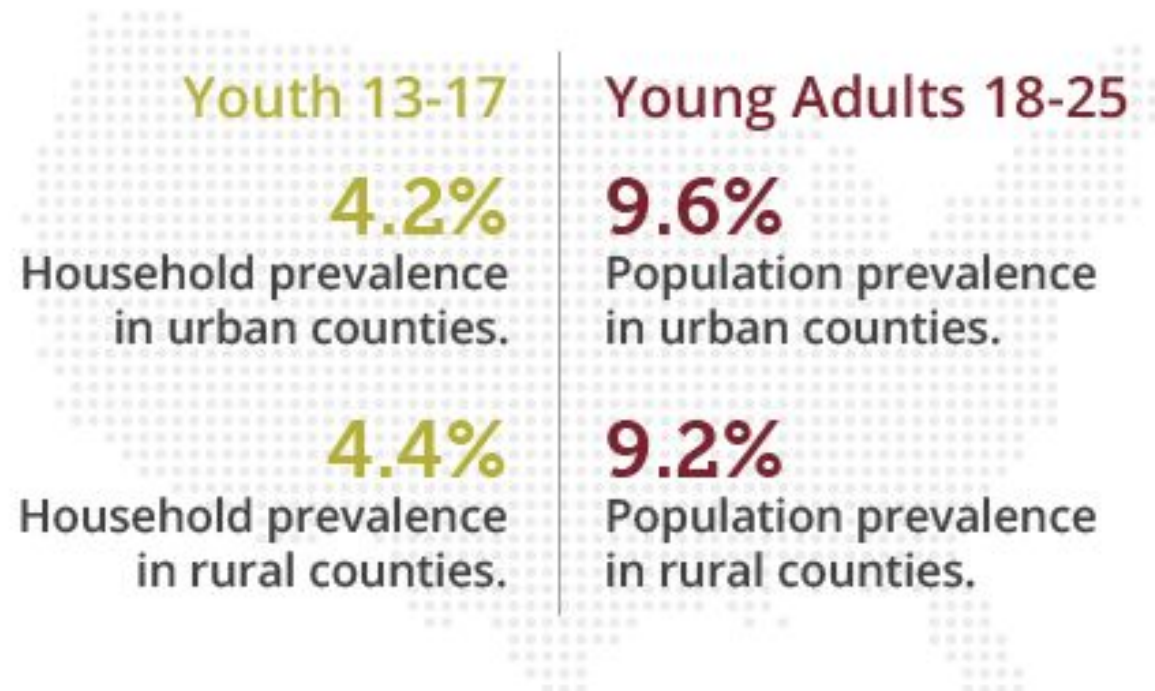
The Research: A Bidirectional Relationship



Source: Chapin Hall, *Missed Opportunities: Education Among Youth Experiencing Homelessness in America*

The Research: Rural v. Nonrural

Rates of youth homelessness are statistically identical in rural and nonrural areas



NM 2020 YRRS Rural vs. Urban Status

Homelessness by Demographics and Personal Characteristics, Grades 6-8, NM, 2019

	Homeless (95% CI)
Metropolitan Counties	3.8
Small Metro Counties	3.6
Mixed Urban/Rural Counties	3.4
Rural Counties	3.5

NM 2020 YRRS Rural vs. Urban Status

Homelessness by Demographics and Personal Characteristics, Grades 9-12, NM, 2019

	Homeless	Homeless and Accompanied by Parent or Guardian	Homeless and Unaccompanied by Parent or Guardian
Metropolitan Counties	4.9	2.9	1.9
Small Metro Counties	4.9	2.7	2.0
Mixed Urban/Rural Counties	5.8	3.5	2.2
Rural Counties	6.9	4.0	2.8

YRRS = Youth Risk and Resiliency Survey (YRRS)



Questions?
Comments?

Understanding and Implementing the McKinney-Vento Act

McKinney-Vento Basics

- Subtitle VII-B of the McKinney-Vento Homeless Assistance Act
 - Was reauthorized by Title IX, Part A of the Every Student Succeeds Act
 - Addresses the unique educational barriers and challenges faced by students experiencing homelessness
 - Requires state education departments to designate a State Coordinator for Homeless Education and school districts to designate a [local homeless education liaison](#)



What Do You Think?

Please share in the chat:

What are some of the educational barriers and challenges children and youth experiencing homelessness might face?



Homelessness: Challenges and Effects

Challenges

- Due to homelessness, students may
 - Be unable to meet school enrollment requirements
 - Move around and change schools a lot
 - Be hungry, tired, and anxious
 - Not have school supplies or a quiet place to study
 - Not have access to reliable transportation
 - Not have a parent or guardian to help them

Effects

- As a result, students experiencing homelessness are more likely to
 - Be chronically absent from school
 - Get lower grades
 - Have special education needs
 - Score poorly on assessment tests
 - Drop out of school

Role of the Local Liaison

Duties of the local liaison include

- Ensuring the **identification** and school **enrollment** of students experiencing homelessness
- Connecting families experiencing homelessness to **early childhood services**
- Referring families experiencing homelessness to **outside agencies** (housing, health and mental health care, etc)
- Supporting the informed engagement of **parents**
- Disseminating **public notice** of McKinney-Vento rights and services
- Providing **professional development** to school personnel
- Supporting **unaccompanied homeless youth**

Who Is Homeless?

Children and youth who **lack a fixed, regular, and adequate nighttime residence, including**

- Sharing the housing of other persons, *due to loss of housing, economic hardship, or a similar reason*
- Living in motels, hotels, trailer parks, camping grounds *due to the lack of alternative adequate accommodations*
- Living in emergency or transitional shelters, or abandoned in hospitals
- Living in a public or private place not designed for or ordinarily used as a regular sleeping accommodation
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- Migratory children living in the above circumstances

Unaccompanied Youth

- The term “unaccompanied youth” includes a homeless child or youth not in the physical custody of a parent or guardian

42 U.S.C. §11434a(6)

- For a student to be an unaccompanied youth, they must be
 1. Experiencing homelessness (in a living arrangement that meets the definition of homeless)

AND

2. Unaccompanied (not in the physical custody of a parent or guardian)



Determining McKinney-Vento Eligibility



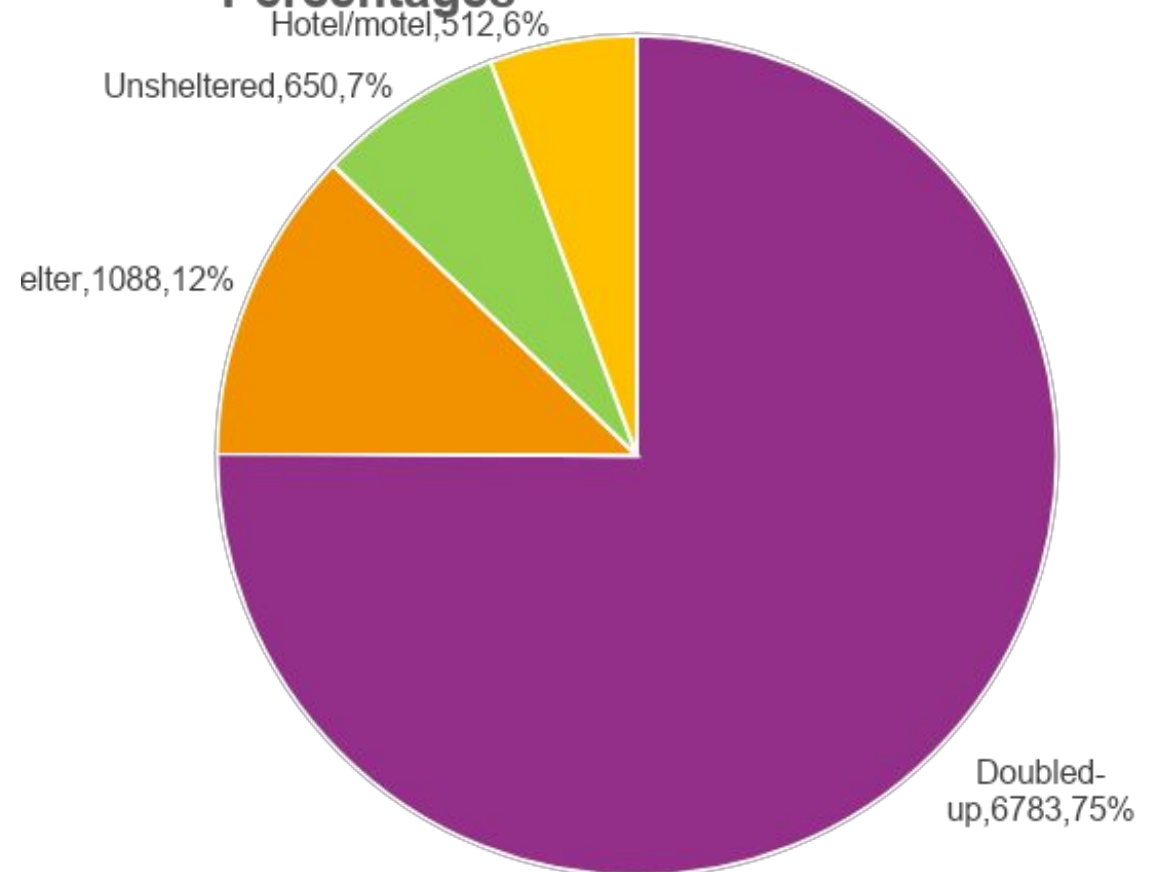
- The **local liaison** has the authority and responsibility to ensure that eligible students are identified
- Eligibility determinations should be made on a **case-by-case basis**, considering the circumstances of each student
- Pay close attention to the **legislative wording**, as it may provide needed clarity
- Download NCHE's [*Determining Eligibility for McKinney-Vento Rights and Services*](#) brief for more information

New Mexico Homeless Education Data

2019-2020 School Year

Primary Nighttime Residence Percentages

- New Mexico public schools enrolled 9,033 children and youth experiencing homelessness, including 1,486 unaccompanied homeless youth
- Quick look: [EdDataExpress](#)



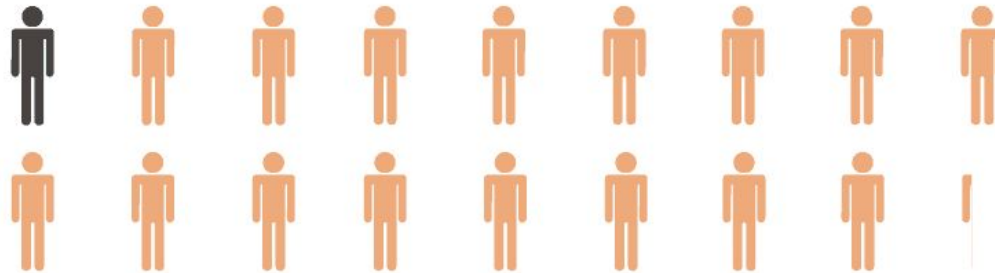
Youth Risk Behavior Survey (YRBS): Prevalence of Homelessness in High School



Survey results show:

5.8% OF HIGH SCHOOL STUDENTS INDICATED THEY HAD EXPERIENCED HOMELESSNESS IN THE 2018-2019 SCHOOL YEAR

For every 17.3 high school students, 1 has experienced homelessness.



Based on YRBS homelessness data, public schools are identifying slightly **less than half** of high school students experiencing homelessness.

YRBS data prevalence:
5.8%

Public schools data prevalence:
2.27%

Data: SchoolHouse Connection's analysis of 2019 YRBS data from 27 states (AK, AR, CA, CO, CT, DE, HI, ID, IL, KS, KY, LA, ME, MD, MI, MT, NH, NM, NC, ND, PA, RI, SC, SD, VT, VA, WI)

Source: SchoolHouse Connection, *Student Homelessness: Lessons from the Youth Risk Behavior Survey (YRBS)*

NM 2020 YRRS Unaccompanied Homeless Youth

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NMYRRS CONNECTIONS

facts and figures from the **NEW MEXICO YOUTH RISK & RESILIENCY SURVEY**

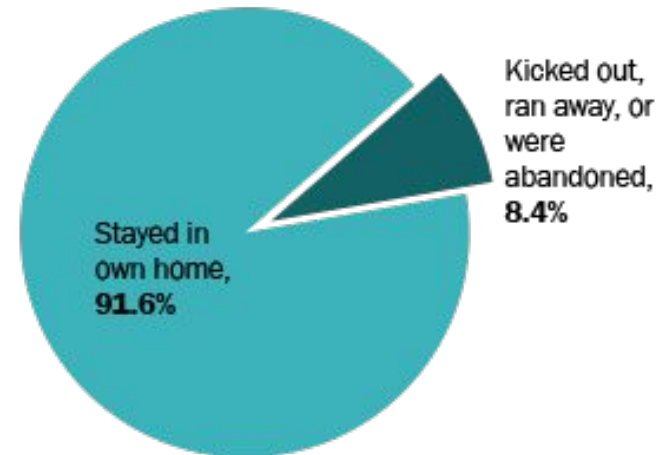
2019 NM-YRRS Results:

Kicked Out, Ran Away, or Were Abandoned

Youth who are not in the physical custody of a parent or guardian and who lack a fixed, regular, and adequate nighttime residence are known as unaccompanied homeless youth.¹ Many of these youth have a history of physical or sexual abuse in the home, and face more of the same after leaving home.²

The 2019 NM Youth Risk and Resiliency Survey included this question to help understand this issue in New Mexico:

During the past 30 days, did you ever sleep away from your parents or guardians because you were kicked out, ran away, or were abandoned?



Kicked Out, Ran Away, or Were Abandoned
Grades 9-12 • NM • 2019

Source: NMYRRS, [2020 YRRS Connections Factsheet: Unaccompanied Youth](#)

NM 2020 YRRS Unaccompanied Homeless Youth

In 2019, 8.4% of New Mexico high school students slept away from their home because they were kicked out, ran away, or were abandoned.

- Lesbian, gay or bisexual students were twice as likely as straight students to be kicked out, to run away, or be abandoned (13.7% vs. 7.0%).
- Transgender, genderqueer, or genderfluid students were 3.5 times as likely as cisgender students to be kicked out, to run away, or be abandoned (24.3% vs. 6.9%).

Students who were kicked out, ran away or were abandoned had higher rates than other students for:

- Ever physically forced to have sexual intercourse (17.4% vs. 7.9%).
- Experienced sexual violence in the past year (25.0% vs. 10.3%).
- Skipped school because of safety concerns (29.7% vs. 12.4%).
- Bullied at school (31.9% vs. 15.9%).

Educational support and services are available for homeless students and their families. Every school district and state charter school in New Mexico has a Homeless Liaison, who identifies homeless students and links youth and families to school and community resources. For more information, check here: <https://webnew.ped.state.nm.us/bureaus/student-success-wellness/mckinney-vento/>, or contact Dana Malone, State Coordinator for Education of Homeless Children and Youth, NM Public Education Department. Dana.Malone@state.nm.us.

Eric and Sara

Eric Weiss and his daughter, Sara, show up to enroll Sara in high school in your district. He says that he and Sara are staying with a family member who lives nearby, but their names aren't on the lease or any utility bills and so he's not sure how to prove they're living there.

Would you consider Sara to be McKinney-Vento eligible?

Yes? No? Not sure?

If you said "yes" or "no", why?

If you said, "not sure", what additional information do you need?



Eric and Sara

Based on the information we have, it would be difficult to make a determination of McKinney-Vento eligibility for Sara.

We know that Eric and Sara are sharing housing with a family member, but we don't know the surrounding circumstances. We need more information.





Questions?
Comments?

Identification



- **Identification is the first step** to ensuring educational access and success for students experiencing homelessness
- Liaisons must ensure that homeless children and youth are **identified** by school personnel through outreach and coordination with other entities and agencies [42 U.S.C. § 11432(g)(6)(A)(i)]
- Liaisons must ensure that **public notice of homeless students' rights** is posted in an understandable manner in locations frequented by parents, guardians, and unaccompanied youth [42 U.S.C. § 11432(g)(6)(A)(vi)]
- Resources: [NCHE posters](#) | [SchoolHouse Connection posters](#)

Identification “Benchmarks”

- Experiences of homelessness are correlated with experiences of poverty
- Consider the following benchmarks when assessing district identification efforts



Source: Urban Institute, [What Will It Take to End Homelessness?](#)



Source: Auditor of the State of California, [Youth Experiencing Homelessness: California’s Education System for K–12 Inadequately Identifies and Supports These Youth](#)

Immediate Enrollment



- Children and youth experiencing homelessness have the right to **immediate school enrollment** [42 U.S.C. § 11432(g)(3)(C)(i)]
 - even if lacking paperwork normally required for enrollment (birth certificate, proof of residence, previous school records, immunization/health records, etc.)
 - even if they do not have a parent or legal guardian present
- ***Enrollment*** is defined as “attending classes and participating fully in school activities” [42 U.S.C. § 11434a(1)]

School Selection and Transportation

- Children and youth experiencing homelessness have the right to attend
 - **The school of origin** [42 U.S.C. § 11432(g)(3)(I)(i)]
 - The school that a child or youth attended when permanently housed, or the school in which the child or youth was last enrolled
 - **The local attendance area school** [42 U.S.C. § 11432(g)(3)(A)(ii)]
 - 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
- **School of origin transportation** must be provided at the request of the parent or guardian, or, in the case of an unaccompanied youth, at the request of the local liaison [42 U.S.C. §11432(g)(1)(J)(iii)]

Determining Best Interest



- In determining best interest, the school district shall
 - **Presume** that keeping the 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 parent, guardian, or unaccompanied youth
 - **Consider student-centered factors** related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the parent, guardian, or unaccompanied youth

42 U.S.C. §11432(g)(3)(B)

- Resource: [New Mexico Education Best Interest Determination Form](#)

Sara's School Selection

Remember Eric and Sara Weiss? After learning more about their situation, you deemed Sara McKinney-Vento eligible. It turns out they're staying with Eric's parents because they got evicted from their apartment when Eric lost his job.

Eric and Sara moved from a couple of school districts away, but Eric asks if it's possible for Sara to keep attending her same middle school. She has friends there and was set to play the lead in the school play.

Please share in the chat:

Does Sara have the right to continue attending her middle school?

How would you go about determining which school is in Sara's best interest?



What if We Disagree?

- If, after conducting the best interest determination, the district determines that it is not in the student's best interest to attend the school requested by the parent, guardian, or unaccompanied youth
 - The district must provide the parent, guardian, or unaccompanied youth with a **written explanation** of the reasons for its determination...
 - in a **manner and form understandable** to the parent, guardian, or unaccompanied youth...
 - including information regarding the **right to appeal** [42 U.S.C. §11432(g)(3)(B)]
- The child or youth shall be **immediately enrolled** in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals [42 U.S.C. § 11432(g)(3)(E)(i)]

Dispute Resolution in New Mexico

- Resource: [*New Mexico Educational Stability Guidelines for Students Experiencing Homelessness*](#)
- New Mexico provides for three dispute resolution levels:
 1. School of Choice Informal Resolution
 2. LEA/State Charter School Homelessness Liaison Resolution
 3. PED's State Coordinator of Education for Homeless Children and Youth (EHCY) Resolution

Barriers: A Deeper Dive



- In addressing educational barriers, school districts must
 - Address barriers related to **outstanding fees or fines, or absences** [42 U.S.C. § 11432(g)(1)(I)]
 - Ensure students receive appropriate **credit for full or partial coursework** satisfactorily completed at a prior school [42 U.S.C. § 11432(g)(1)(F)(ii)]
Resource: [NM Memo on Partial Credit for High School Courses for Students Who Experience Disruption](#)
 - Address barriers to accessing **academic and extracurricular activities**, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs [42 U.S.C. § 11432(g)(1)(F)(iii)]

Higher Education



- School counselors must assist students experiencing homelessness with **college preparation and readiness** [42 U.S.C. § 11432(g)(1)(K)]
- Local liaisons must inform unaccompanied youth about their **independent student status** on the Free Application for Federal Student Aid (FAFSA) and assist with verification of this status [42 U.S.C. § 11432(g)(6)(A)(x)(III)]

Removing Barriers for Sara

Summer is approaching. Sara did okay in school this year but would benefit from attending her school's summer reading enrichment program. The school says she can't enroll in the program until she pays a fine related to a lost internet hot spot that was issued to help with remote learning during the pandemic. Sara's dad, Eric, says he's looked for the hotspot, but it must've gotten lost or left behind when they got evicted. He doesn't have the money to pay the fine but doesn't want Sara to miss out on the reading assistance.

Please share in the chat:

How would you address the issue of the hotspot fine?





**Questions?
Comments?**

Stretch Break!



District Spotlights Panel

Meet Your Panelists



Denise Shirley

Local Liaison

Estancia Municipal School District

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Frances Fuller

Local Liaison

Socorro Consolidated Schools

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Estancia Municipal School District

1. Please tell us a little bit about your district.
2. You're new to your role of local liaison. What materials and resources have been helpful to you as you learn your role?
3. What areas are you most focused on as you seek to strengthen Estancia's homeless education program?



**Estancia Municipal
School District**

Every Student. Every Day

Socorro Consolidated Schools

1. Please tell us a little bit about your district.
2. Socorro has seen an increase in the number of students identified as experiencing homelessness. How did you go about strengthening Socorro's approach to identification?
3. Socorro has been working to build stronger school-community partnerships in support of McKinney-Vento families and students. How have you approached strengthening these partnerships?
4. Tell us a little bit about your district's new community navigator position.



Socorro Consolidated Schools

Educate, Nurture, Inspire



Questions?
Comments?

For More Information

- [New Mexico Education for Homeless Children and Youth Program webpage](#)
- [SchoolHouse Connection website](#)
- [National Center for Homeless Education website](#)
- [U.S. Department of Education EHCY Program Non-Regulatory Guidance](#)
- [U.S. Department of Education ARP-HCY webpage](#)



Thanks for Joining!



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