

McKinney-Vento Orientation 2020: Q&A

Q: The most common situation we find is a youth who is living with a boy/girlfriend because they are unhappy at home. Would you consider that "doubled up" for MV purposes?

A: Generally speaking, yes. Determinations of McKinney-Vento eligibility for these students should be made on a case-by-case basis and should be focused on the nature of the student's nighttime residence. A student may be considered an unaccompanied homeless youth regardless of whether the student was forced from the home or ran away. Unaccompanied youth may be hesitant to disclose the reason that an unaccompanied youth left their home due to the sensitive and/or personal nature of the separation.

Q: Is that additional information regarding qualifications for substandard housing in the presentation

A: The US Dept of Education provides the following guidance on substandard housing:

"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 basic 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." – Education for Homeless Children and Youth Program Non-Regulatory Guidance, Question A-3

Q: Is the local liaison the district of origin or the district where the family currently resides?

A: Each local homeless liaison has the responsibility and authority to make determinations about eligibility. As such, there is no "lead" liaison when making determinations. For example, if a student is identified by the LEA where the family currently resides and referred to the district of origin's liaison, both liaisons would end up verifying that the student is eligible for McKinney-Vento as part of the process of setting up transportation and connecting the student with services. If a student is crossing LEA lines, liaisons should be communication in order to make such referrals.

Q: This is a more global question: this is very helpful information about how to make decisions about school enrollment, and we do review all of this with families. But my understanding has been that the school cannot overrule the preference of the parent. So even if the team has considered all of these, and the parent makes a different decision, we honor that. Should we be handling this differently?

We never would have gotten to dispute resolution because we've already been advised that school choice is their preference. It would be a new practice for us to take school enrollment decisions to dispute resolution. Dispute has only been used for us when families are disputing the homeless determination...not school enrollment.

A: The LEA must give priority to the parent's request for school placement. If the LEA makes a best interest determination, based on individualized, student-centered factors, that goes against the parents' wishes, then the parents have a right to appeal that decision. If the parent makes a request and the LEA agrees that it is in the student's best interest, then there would be no reason for an appeal or dispute.

Q: Do appeals regarding placement follow the same process?

A: The appeals process is the same for all disputes, whether it is a dispute over eligibility, school selection or enrollment.

Q: If a decision was initially made and the parents have more information to provide can a case be re-opened before going through the full dispute resolution process?

A: Yes, if a liaison makes an eligibility determination and the situation changes or additional information becomes available that indicates that the student does meet the McKinney-Vento definition of homelessness, that student should be identified and receive services.