

Guidance for the Education for Homeless Children and Youth Program During a Novel Coronavirus Outbreak

Purpose

This guidance document provides information concerning the implementation of the Education for Homeless Children and Youth (EHCY) Program during the COVID-19 pandemic. This guidance will be updated periodically to reflect new information as it becomes available.

Federal Guidance

To date, the US Department of Education (USED) has not released any guidance specific to supporting students experiencing homelessness during the novel Coronavirus outbreak. However, USED has also not waived any portion of the McKinney-Vento Act. Therefore, the law in its entirety remains in full effect and LEAs must continue to fulfill all requirements in accordance with the Act.

Identification and Enrollment

In accordance with the McKinney-Vento Act, LEAs must continue to identify and immediately enroll students experiencing homelessness. The identification of new students who are eligible to receive services under the McKinney-Vento Act will be increasingly important as families continue to face economic hardship resulting from the pandemic. It is possible that LEAs will see an increase in the number of students who meet the McKinney-Vento definition of homeless; it is critical that these students receive services to which they are entitled in order to ensure continued access to education and academic success.

Per the McKinney-Vento Act, enrollment means “attending classes and participating fully in school activities.” Any student who is identified as homeless must be enrolled immediately so that student can participate in any and all activities and services offered by the school at that time. This includes access to school meals and any distance learning activities and services provided through Continuity of Learning.

School Selection and Best Interest Determination

All rights provided to students experiencing homelessness regarding attending the school of origin and/or the school of local residency remain in full effect. The law presumes that keeping a child or youth in the school of origin is always in that student’s best interest. LEAs must keep students experiencing homelessness in the school of origin, to the extent feasible, unless doing so is contrary to the wishes of the parent or guardian, or in the case of an unaccompanied youth, against the wishes of the youth. As always, best interest determinations must be made based on student-centered factors. It may be appropriate to consider factors that have resulted from the pandemic when making these determinations.

Outreach to Families

The US Interagency Council on Homelessness recommends that homeless liaisons maintain contact with McKinney-Vento students and their families to ensure that they are connected to school instruction and other school activities. Homeless liaisons should also continue to ensure that students experiencing homelessness have access to school- and/or community-based supports as needed.

All privacy laws remain in effect; any communications must be careful not to share personally identifiable information and to protect the privacy and identity of students. The US Department of Education has provided [guidance on privacy in the context of COVID-19](#).

Meals

The Child Nutrition Program has issued extensive [guidance on LEA requirements and flexibilities for ensuring students receive meals](#) during the school closures as a result of the COVID-19 outbreak.

Removing Barriers

Local education agencies must continue to identify and remove barriers to homeless students' full participation in school activities. The barriers to accessing education during the pandemic may be significantly different than during a typical school year. It is critical that homeless liaisons work with families and district leaders to ensure that barriers are removed so students experiencing homelessness are able to participate fully. For example, as schools transition to Continuity of Learning, it may become necessary for all students in an LEA to have internet access and an appropriate electronic device in order to participate fully in the school activities being offered. In that case, the lack of either internet access or a device would be a clear barrier to education, and the LEA must provide access to those resources.

Use of Funds to Support Homeless Students

Title I Funds

All LEAs are required to set aside a minimum of \$500.00 of Title IA funds to support students experiencing homelessness. If the LEA is anticipating an increase in the number of homeless students to be served or an increase in the needs of homeless students served, the LEA should review the amount of the current set aside and how those funds will be used to support homeless students during school closures as a result of the COVID-19 outbreak.

Title IA funds may be used to provide a wide variety of services to homeless students. These funds may be used to provide services that are not ordinarily provided to other Title I students and can include supports to help homeless students effectively take advantage of educational opportunities. As always, services provided with Title I funds must be reasonable and necessary to provide homeless students with the necessary supports to participate in educational opportunities. Title I funds may only be used as a last resort when funds or services are not available from other public or private sources.

McKinney-Vento Subgrant Funds

Local education agencies that receive McKinney-Vento subgrant funds may use these funds to provide additional support to students experiencing homelessness, in accordance with the allowable uses provided in the law. McKinney-Vento eligible students are Title I students and should be served with Title IA funds. For example, if the LEA is providing internet access for Continuity of Learning to low-income students with Title IA funds, the LEA should also provide internet to McKinney-Vento eligible students using Title IA funds. The law is clear that McKinney-Vento funds must be used to “expand upon or improve services provided as part of the school’s regular academic program” (11433(a)(3)). Therefore, McKinney-Vento funds may not be used to provide hot spots or devices to homeless students if the LEA is providing those resources to all students. If all other sources have been exhausted, or there are no other options for McKinney-Vento students to receive the necessary devices to participate fully in school activities, then McKinney-Vento funds may be used.

Contact Information:

If you have questions about this document or would like additional information, please contact:
Katy Preston, State Coordinator for Homeless Education, at katy.preston@vermont.gov