

Education Service Policy

Approved by the Membership Council on: September 9, 2019

A. Regulatory Citations & Resources

- [Notice of the Rights and Protections for Homeless Children and Youths under the McKinney-Vento Act](#)
- [U.S. Department of Education Releases Guidance to Help SEAs and LEAs Support Homeless Youth, Children and their Families](#)
- [Coordinated Entry Processes: Building Mutual Engagement between Schools and Continuum of Care](#)

B. Background

HUD requires Continuum of Care (CoC) program recipients to establish and implement educational service requirements within homeless service systems.

Federal law ensures educational rights and protections for children and young adults 18-24 experiencing homelessness. Protections apply to children and youth who are living with a parent or guardian and those who are not. Every school district and charter school in Texas is required to designate a homeless liaison who is responsible for ensuring the identification, school enrollment and stability, attendance, and opportunities for academic success of students in homeless situations.

The McKinney-Vento Act, as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act, requires Agency policies and practices to be consistent with, and not restrict, the exercise of rights provided by subtitle B of title VII of the Act and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness.

The Every Student Succeeds Act (ESSA) made significant changes to the McKinney-Vento Act, which the U.S. Department of Education (ED) highlighted in a March 17, 2016 Federal Register notice (81 Fed. Reg. 14432).

C. Responsibilities of Homeless Service Providers

Austin/Travis County CoC homeless service providers that serve families with children and/or young adults between the ages of 18-24 are responsible for the following:

- The educational needs of children and youth must be accounted for, and families with children and unaccompanied youth must be placed as close as possible to the school of origin so as not to disrupt the children's education.
- Projects that serve homeless families with children and/or unaccompanied youth must have policies and practices in place that are consistent with the laws related to providing education services to children and youth and train all agency and program staff regarding basic requirements under these provisions.
- Projects that serve homeless families with children and/or unaccompanied youth must have a designated staff person to ensure that children and youth are enrolled in school and receive education services, as appropriate. See 42 U.S.C. 11432 et. seq.
- Homeless families with children and/or unaccompanied youth must be informed of their eligibility for McKinney-Vento education services as well as other State and local education services.
- Projects serving homeless families with children and/or unaccompanied youth shall maintain documentation in the participant's case file to demonstrate that these requirements have been met and that applicants and participants understand their rights.

D. Establishing Agency/Program Process: Informing of Education Service Rights

Agency/Program policies and written standards must provide written documentation of the process for informing families with children and/or unaccompanied youth of their right to educational services. Program written standards must outline how this information is shared. Examples include posters, documentation of verbal receipt, or other written consent form. At minimum these policies and procedures must address the following rights provided under the McKinney-Vento Act:

- To receive a free, appropriate public education,
- To attend either the local school or the school of origin, if this is in their best interest; the school of origin is the school the child attended when (s)he was permanently housed or the school in which the child was last enrolled,
- To receive transportation to and from the school of origin,
- To enroll in school immediately, even if missing records and documents normally required for enrollment, such as a birth certificate, proof of residence, previous school records, or immunization/medical records,
- To enroll, attend classes, and participate fully in all school activities while the school gathers records,
- To have access to the same programs and services that are available to all other students, including transportation and supplemental educational services, and
- To attend school with children not experiencing homelessness. A school cannot segregate a student due to current homelessness or history of homelessness.

Programs are encouraged to establish procedures that are tailored to their individual program settings. If serving a high volume of families with children and unaccompanied youth, programs are encouraged to create or access standard marketing materials in multiple languages.

- [Educational Rights Poster for Youth \(English\)](#)
- [Educational Rights Poster for Youth \(Spanish\)](#)

E. Collaboration with McKinney-Vento Local Education Liaisons

Homeless service providers must document whether school-aged children are eligible for McKinney-Vento services and whether the child is connected with a local Homeless Liaison organized by the school district. If the child is not already engaged, project staff must refer the family directly to the liaison at their school of choice. Programs must provide documentation to all applicants/participants with school-aged children that explains their rights under the McKinney-Vento Act and provides contact information for the liaison at every school district within Austin/Travis County.

- Contact information for local Homeless Education Liaisons in Local Educational Agencies (LEAs) in Texas may be obtained several ways:
 - Online Directory: <https://www.theotx.org/liaison-directory/>
 - Charter School Division at TEA via:
 - Phone: 512-463-9575
 - Email: charterschools@tea.texas.gov

F. Prompt and Proper Placement

Students who are experiencing homelessness are to be enrolled immediately. School districts cannot require students experiencing homelessness to provide proof of residency, immunizations, birth certificates, guardianship documents, or other paperwork before enrolling. Any enrollment delay is a violation of the McKinney-Vento Act.

- [Best Practices in Homeless Education: Enrolling Students without Records](#)
- [Enrolling Children and Youth Experiencing Homelessness in School \(NCHE\)](#)

G. Homeless Student School Determination

Students experiencing homelessness have the right to attend their school of origin or the school in the attendance area where the family or youth is currently residing. School of origin is defined as the school in which the child/youth was enrolled when they became homeless, or the school in which the child/youth was last enrolled. The campus a child attends is determined by which campus can serve the best interests of the child. In Texas, a student experiencing homelessness may enroll in any district they choose, regardless of the location of their residence, school of origin, or attendance zone campus.

- [Texas School Selection Guidance](#)
- [Checklist for McKinney-Vento School Selection Considerations](#)

H. Dispute Resolution Process

Pursuant to the McKinney-Vento Homeless Education Assistance Act, students experiencing homelessness must be immediately enrolled in the school of origin or the school in the attendance zone where the student currently resides. Disagreements over eligibility, school selection, or enrollment may be disputed. If a dispute arises, the child or youth must be immediately enrolled in the school of origin or school located in the child's attendance zone, as requested by the parent, guardian, or unaccompanied youth, pending final resolution of the dispute, including all available appeals.

The full dispute resolution process is available below:

- [McKinney-Vento Homeless Education Dispute Resolution Process](#)

I. Ongoing System Implementation

Austin/Travis County CoC homeless service leaders and direct service providers are responsible for the ongoing coordination with local school districts, charter schools, and the Coordinated Entry system, including:

- Providing ongoing education regarding definitions of homelessness and eligibility for services across the education systems and homeless service systems in order to collaboratively identify children and young adults who are eligible for educational services. This includes those living in places not meant for human habitation, emergency shelters, transitional housing, motels/hotels, campgrounds, in doubled-up situations, or in housing that lacks utilities, is infested, or has other dangerous conditions.
- Ensuring all families with children and young adults are informed about their educational rights and their eligibility for educational services, and that they receive this information at various entry points within the homeless service system.
- Attending relevant meetings and planning events held by local school districts.
- Ensuring that local homeless liaisons are aware of Coordinated Entry processes for connecting homeless families and young adults to CoC resources and helping to resolve any issues that might arise in linking eligible households to those resources.
- Ensuring that when families and young adults are placed in emergency, transitional or permanent housing programs, consideration is given to the educational needs of children, including placing children as close as possible to schools of origin and early childhood education programs.