

If CPS places a child with a relative due to a bad situation at home, why is that child considered Unaccompanied?

The McKinney-Vento Act defines unaccompanied youth as “a homeless child or youth not in the physical custody of a parent or guardian” [42 USC § 11434a(6)]. The NYS Education Department (NYSED) [Field Memo](#) will assist Local Child Education Agencies (LEAs) and McKinney-Vento liaisons with eligibility determinations when a student has been removed from his/her home because of an allegation of abuse or neglect and the child welfare agency arranges for a relative or family friend to assume temporary custody of the student, rather than place the student in foster care.

When placement is done by CPS, what is the role of DSS/CPS?

If a child has been directly placed with a relative and a court has ordered that the child welfare agency provide supervision, the agency must develop a permanency planning goal for the child. (All children in foster care must also have permanency plans.) In the overwhelming majority of cases, the initial permanency planning goal is that child be returned to his or her parent after the parent receives the services, he/she needs. Essentially, the role of DSS/CPS is to ensure safety for the child(ren) and ensure educational stability. Distinct legal provisions are in place when the placement is a foster care placement, as opposed to a “direct placement” described above. Link: <https://www.nysteachs.org/foster-care>

How would you prove that a student is a homeless youth if they are 20 and not enrolled in school to go to college?

If the 20-year-old student is attempting to enroll in college, they would complete the FAFSA as an “independent student”. Youth are not always obligated to provide information about their parents’ finances for college. If a student has been designated as an unaccompanied homeless youth anytime during the school year, the student can apply for financial aid as an “independent student.” Unaccompanied homeless youths are considered independent students for college financial aid. 20 U.S.C. § 1087 vv(d)(1)(H).

A McKinney-Vento liaison, director of a Runaway and Homeless Youth (RHY), director of a HUD-funded shelter or transitional program, can write a letter to the college financial aid administrator stating that the student is an independent student. Liaisons may also write follow-up letters of verification for unaccompanied homeless youth in later years if they have the necessary information, even if the student is no longer enrolled in the school district. 42 U.S.C. § 11431 (g)(6)(A)(x)(III).

Finally, a student who receives special education services (having an Individualized Education Plan or IEP) may remain in the public schools through age 21. Link: <https://www.nysteachs.org/higher-education-and-postsecondary-opportunities>

Regarding transportation, the slide stated that either the RHY Facility or District may provide transportation". Please clarify this as I thought that the district is legally responsible for providing transportation (up to 50 miles one way) to and from school. How does a district collaborate or reach a transportation agreement with the RHY Facility on the issue of transportation?

Youth who are temporarily living in Runaway and Homeless Youth (RHY) shelters and who attend their school of origin in a different district from the shelter must receive free transportation to and from school. The school district of attendance must provide transportation and will be eligible for full reimbursement by NYSED.

Please note: Due to recent changes in New York State Education Law 3209, there are new rules about transportation and reimbursement for students residing in Runaway and Homeless Youth (RHY) shelters. RHY shelters are no longer required to supply transportation to students in temporary housing under state law; it is now a school district responsibility. However, many RHY have established shuttles and vehicles to support students getting to school on time, District Liaisons should work closely with RHY staff to establish the appropriate transportation. **The RHY Transportation Information and Form:**
https://www.nysteachs.org/files/ugd/10c789_4cf5691feaa3438d9cd3838a047dd61e.pdf

What other resources are available in rural areas? Anything virtual?

There are resources directed specifically at the needs of homeless youth in rural areas. Chapin Hall (University of Chicago) produced this report on rural homelessness. It includes recommendations at the end. <https://www.chapinhall.org/wp-content/uploads/Rural-Youth-Homelessness-Report.pdf>

The National Center for Homeless Education (NCHE) has a fact sheet on transportation strategies for rural areas. https://www.nysteachs.org/files/ugd/10c789_93aef0555000480bb4e1df0f74626b99.pdf

Regarding virtual offerings, NYS TEACHS has recorded webinars available on our website and can be viewed at your convenience. <https://www.nysteachs.org/archived-webinars>

Use the following PowerPoint presentations as a starting point for your turn-key training:

- * [NYC Turn-Key PPT](#)
- * [NYS Turn-Key PPT](#)

What if the person enrolling the student has, say possibly kidnapped the student?

This is an understandable concern. If you have suspicion of kidnapping, try to speak to the student alone in a private room. Here is a website and hotline for missing and exploited children. www.missingkids.org or 1-800-THE-LOST

School documents, like a birth certificate, are not needed immediately under McKinney-Vento provisions but getting records from the previous district as soon as possible does ensure that the student is not abducted by a non-custodial parent, by someone who is not a parent at all, or if this is a case of sex trafficking.

What about financial aid for unaccompanied homeless youth?

Unaccompanied homeless youth do qualify for financial aid for higher education. A school counselor or the McKinney-Vento Liaison should work with youths to help them select and apply to college, and to inform them of their status as independent students when they complete the [FAFSA](#) for college financial aid. More info on FAFSA and sample verification letters are available at <https://schoolhouseconnection.org/learn/higher-education/>

I'm wondering about how unaccompanied youths are enrolled.

They complete the [housing questionnaire](#) with the assistance of the McKinney-Vento Liaison, the Registrar, and/or an adult (for example, a grandmother) who accompanies them at the time of enrollment. The Liaison then works with the youth to select and enroll them in the district of choice (district where last permanently housed, district where last temporarily housed or district where they are currently temporarily housed). Once the student is enrolled and designated as McKinney-Vento eligible, the liaison informs the student of the resources for which they are eligible (e.g., transportation).

How has ESSA affected MV students and laws?

This [policy](#) describes the reauthorization of the McKinney-Vento Act under the Every Student Succeeds Act (2016). ESSA amended the McKinney-Vento Act to require school districts to “give priority to” the wishes of an unaccompanied youth. 42 U.S.C. § 11432(g)(3)(B)(iv). Prior to ESSA, the law said to “consider” the wishes of the youth. The change is significant, as it clarifies that, for unaccompanied youth, the school must follow the youth’s placement wishes, limited only by a best interest determination made by the school. And if the school district makes a determination contrary to the youth’s wishes, the youth must be given the opportunity to appeal the decision. This applies when a youth wants to enroll in a school/district, and the parent wants the youth in a different school/district.

SchoolHouse connection clarifies the changes to ESSA with the Amendments to McKinney-Vento Act. <https://www.schoolhouseconnection.org/wp-content/uploads/2017/03/COSA-article-formatted.pdf>

What other type of support a district can provide?

The [Enrollment Checklist](#) provides a list of supports a McKinney-Vento eligible student might need in addition to free meals and transportation to and from the school of attendance. The list includes clothing, shoes, coats, eyeglasses, school supplies, personal care items, interim transportation, mental health services, health care, dental care, housing-shelter resources, substance abuse services and early childhood referrals. The student is also eligible for tutoring, before- and after care and summer school participation. Deadlines and fees are waived.

How many unaccompanied youths still fail to receive the help they need?

An estimated 420,000 *fewer* children and youth experiencing homelessness were identified and enrolled by schools in 2020-2021. The primary reason cited for lower homeless student numbers at the start of the 2020-21 school year was the inability to identify families/youth due to distance learning/school building closures. Therefore, the pandemic has significantly exacerbated the ongoing problem of under-identification and lack of services for homeless children and youth (*Lost in the masked shuffle and virtual void: Children and youth experiencing homelessness amidst the pandemic*. SchoolHouse Connections and Poverty Solutions at the University of Michigan, November 2020).

If a student is living with a boyfriend or girlfriend's family in another district from their guardian, are they considered MV or unaccompanied youth? Are they allowed to attend the district where the boyfriend/girlfriend lives?

The first step is to determine if the youth meets the definition of an unaccompanied homeless youth. A student who is considered homeless (lacking a fixed, regular, and adequate nighttime residence) and unaccompanied (not in the physical custody of a parent or guardian) can be registered as an unaccompanied homeless youth under the McKinney-Vento Act. Please refer to the [NCHE's Unaccompanied Youth Eligibility Flowchart](#) .If it is determined that the student is an unaccompanied homeless youth, the student has the right to attend school in the district of origin or the district where the student is temporarily housed. Provisions added under the ESSA reauthorization indicated that the youth's preferences should be given priority in school selection.