



# Seguin ISD

## McKinney-Vento and Foster Care Program

### Compliance Training for Administrators

**Our Mission is Excellence...Every Child, Every Classroom, Every Future**

*Leadership Wednesday – September 17, 2014*

*Teresa Cuevas, Student Services*

*[www.seguin.k12.tx.us](http://www.seguin.k12.tx.us)*

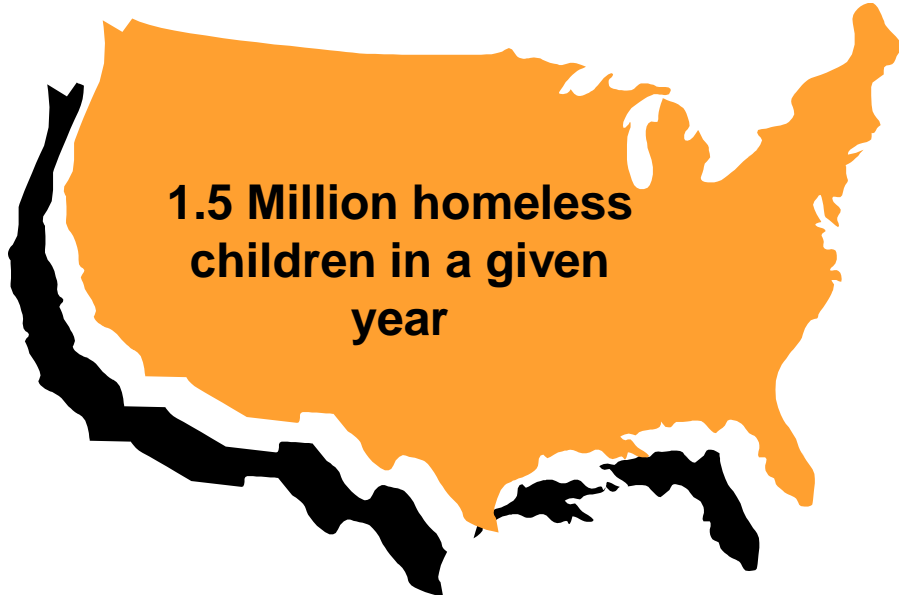
# Major Topics

- McKinney-Vento Program
  - Definition of Homeless
  - Compliance
  - Funding/Available Services
- Foster Care Program
  - Definition
  - Compliance
  - Available Services
- Contact Information



For many years,  
our image of a  
homeless person  
was that of a  
single, older man.

# What you don't know about homelessness.....



Millions of children in this country do!

Sources: The National Center on Family Homelessness: America's Youngest Outcasts 2010 Report  
The US Department of Housing & Urban Development: The 2013 Annual Homeless Assessment Report to Congress

# The McKinney-Vento Homeless Assistance Act

is the primary federal legislation that addresses the educational needs of homeless children and youth in the U.S.

defines and protects the rights of homeless students to enroll in, attend, and succeed in our public schools

# Who is Homeless?

- Children living in shelters
- Motels/Hotels
- Students awaiting foster care placement
- Weekly-rate housing
- Abandoned buildings
- Vehicles
- Campgrounds
- Street/Under bridges
- Travel Trailers
- RV Parks
- Substandard Housing
- Doubled Up Families
  - Worn Out Welcome Mat Video provides a clear view of the challenges and hardships endured by students in doubled up situations. You may view the 20 minute video by clicking on the link: [Worn Out Welcome Mat Video](#)

# Factors in Determining Homelessness

- Live in one of the situations previously described
- Temporary arrangement
- Lack of alternative housing
- Due to a financial reason or other loss of housing ie. Fire, flood, incarceration of parent, landlord selling home, etc

# Unaccompanied Youth

- The term “Unaccompanied Youth” includes a youth not in the physical custody of a parent or legal guardian
- Unaccompanied Youth include young people who have **run away** from home, been **thrown out** of their homes, and/or been **abandoned** by their parents/legal guardians
- No age limit for unaccompanied youth in McKinney-Vento Act



# Compliance: What you need to know about the law

## Immediate Enrollment

### Chapter 25 of the Texas Education Code

Specifies that a student who is homeless is entitled to admission in any Texas School District

### MCVACT

Students must be enrolled in school even if they do not have the typically required documents

Shared Residency Forms are recommended but not mandatory for Homeless students

“enroll” and “enrollment” are defined as including attending classes and participating fully in school activities (Sec. 725(3))

**Contact Homeless Liaison if student needs assistance getting birth certificate and/or immunizations, but cannot delay enrollment.**

# Compliance: What you need to know about the law

## Educational Stability

MCV ACT

### School Selection

Remain in the school of origin (school last enrolled at prior to homelessness) or enroll the student in the school in the zone that the student is actually living at [Sec. 722(g)(3)(A)]

Must keep students in their schools of origins unless it is against the wishes of the parent/guardian/unaccompanied youth and to the extent feasible [Sec. 722(g)(3)(A)(i)]

The homeless student's right to attend their school of origin extends for the duration of homelessness or until the end of the academic school year if they become permanently housed. [Sec. 722(g)(3)(A)(i)]

# Compliance: What you need to know about the law

## Transportation

MCV ACT

### Intra-district

Student remains in school district and parent/guardian requests to remain in school of origin, SISD must provide transportation to the school.

### Inter-district

Student moves temporarily to an area served by another district, Seguin ISD has to work with the other district on a method to transport the student and to share costs. If an agreement cannot be reached, the responsibility and costs shall be shared equally [Sec. 722(g)(1)(J)(iii)]

Schools must provide transportation services to homeless students that are comparable to those received by all other students [Sec. 722(g)(4)]

# Compliance: What you need to know about the law

## Funding

### MCV ACT

#### Title I Set-Asides

District must set-aside a percentage of funding to support homeless students. Seguin ISD does set-aside funding.

## Other Sources of Funding:

### McKinney-Vento Grants

#### TEXSHEP

#### Region XIII

Provide supplemental services to students.

**Contact the Homeless Liaison if you have a student that is in need of clothing, school supplies, food, shoes, and /or other assistance.**

# Foster Care Program



- On any given day, there are approximately 16,000 school-aged children and youth in Texas schools who are in foster care.
- Texas children and youth in foster care comprise a small percentage of the total student population yet face unique challenges that greatly impact success in the school environment.
- Before entering foster care, children and youth may have lived in chaotic home environments, experienced physical or emotional trauma, attended school sporadically, or had parents or family members who were unable to meet their physical and emotional needs.

# Foster Connections to Success and Increasing Adoptions Act of 2008

Is the federal legislation which requires state child welfare agencies to work with their state and local education systems to support initiatives to improve educational outcomes for children in foster care.

On August 25, 2011, the U.S. Departments of Education and of Health and Human Services issued a joint letter to all Chief State School Officers and State Child Welfare Directors informing them of provisions in the federal law that require local education agencies and child welfare agencies to coordinate to ensure that children in foster care maintain education stability.

# Foster Connections to Success and Increasing Adoptions Act of 2008

- The legislation requires school districts to determine the Foster Care status for **every** enrolled student.
- Two Categories of Foster students have been identified for **all** grade levels:
  - Students currently in the conservatorship (custody) of the Department of Family and Protective Services.
  - Students currently in Foster care and residing in a Foster or Group Home setting
- One category of Foster students has been identified for **Pre-K students only**:
  - Student has been previously in the conservatorship (custody) of the Department of Family and Protective Services

# What is Foster Care?

When children can't live safely at home and an appropriate non-custodial parent, relative, or close family friend is currently unable or unwilling to care for them, the court can give temporary legal possession to CPS and that agency temporarily places these children in foster care. Foster care settings include:





# Placement Types

Placement Types	Description
Kinship Caregiver	A relative or fictive kin who provides care for a child. A fictive kin is a person who has a longstanding relationship with a child in DFPS custody or with the child's family.
Foster Home	A state-licensed home (usually temporary) for children in foster care. Foster parents receive reimbursement for providing room, board, transportation for children in their care.
Emergency Shelter	A shelter facility that houses youth for up to 90 days while awaiting a longer foster care placement.
Group Home	A licensed facility where multiple youth live. Staff oversee the facility and students live there 24/7.
Residential Treatment Centers (RTC)	RTC's are regulated by DFPS to provide placements and services to youth who are require specialized services.

# Compliance: What you need to know about the law

## Immediate Enrollment

### Chapter 25 of the Texas Education Code

Specifies that the district shall enroll a student in the custody of the Department of Protective and Regulatory Services without the necessary documents. The Department of Protective and Regulatory Services shall ensure that the documentation required by Subsection (a) is furnished to the school district not later than the 30th day after the date the child is enrolled in the school.

### Fostering Connections Act

Students must be enrolled in school even if they do not have the typically required documents

Contact Foster Care Liaison if need assistance in obtaining documents from the Department of Protective and Regulatory Services

# Compliance: What you need to know about the law

## Educational Stability

Fostering Connections and Uninterrupted Scholars Act, 2013

Ensure the student is provided the opportunity to remain in the school in which they enrolled at the time of each placement in foster care . Students are eligible to stay enrolled in the same school until they have successfully completed the highest grade level offered by the school.

Assurance that the placements take into account the appropriateness of the current education setting and proximity to the school in which the child is enrolled at the time of placement in foster care.

If remaining in the same school is not in the child's best interest, the child welfare and local education agencies will work together to ensure immediate and appropriate enrollment and provide ALL of the child's education records to the new school.

Unlike the MCV Act, the FCUSA does not mandate transportation to the last school attended.  
Foster parents will have to provide their own transportation.

[Foster Connections to Success and Increasing Adoptions Act of 2008, Chapter 1, pg 14-15]

[TEA Letter to the Administrator Addressed, September 10, 2014]

[Texas Education Code, Section 25]

# Compliance: What you need to know about the law

## FERPA as it Relates to Foster Students

Permits districts to disclose student's educational records to a caseworker or other representative of a state or local child welfare agency or tribal organization when such agency is legally responsible for the care and protection of that student.

Allows educational agencies and institutions to disclose a student's education records pursuant to a judicial order without requiring additional notice to the parent by the district in certain judicial proceedings in which the parent is involved.

[USA 2013 ammendment to FERPA]  
[TEA Letter to the Administrator Addressed, September 10, 2014]

# Compliance: What you need to know about the law

## Collaboration with DFPS

Notify a student's DFPS caseworker and education decision-maker of events that significantly impact the education of the student, including, but not limited to:

- Special Education Referrals

- ARD Committee Meetings

- Manifestation Determination Reviews

- Disciplinary Actions under TEC, Chapter 37 for which parental notice is required

- Citations issues for Class C Misdemeanor offenses on school property

- Reports of Restraint as Required by TEC 37

[Texas Education Code 25.007(9)]

[Letter to Administrator Addressed, September 10, 2014]

## Summary: Rights of McKinney-Vento and Foster Care Students

- Immediate enrollment
- May remain in school currently enrolled in prior to homelessness or DFPS taking over custody.
- Students automatically eligible for free school breakfast and lunch.
- Pre-Kindergarten aged students are automatically eligible for Pre-K, when available.
- Right to participate fully and actively in all school activities.

# Services SISD provides....

- Academic Monitoring
- School Supply Asst.
- Clothing Asst.
- Emergency Food Asst.
- Social Service Referrals
- Enrichment Activities
- Education of Parents/Unaccompanied Youth of their Rights under the law

# Contact Information

Teresa Cuevas

Student Support Specialist

830-401-8639

[tcuevas@sequin.k12.tx.us](mailto:tcuevas@sequin.k12.tx.us)

Please contact regarding any questions/concerns regarding McKinney-Vento and/or Foster Care students.