



Rights and Services for Homeless Migrant Students

Christina Dukes | National Center for Homeless Education (NCHE) | cdukes@serve.org

Get to Know NCHE

- National Center for Homeless Education (NCHE)
 - U.S. Department of Education's technical assistance center in the area of homeless education
 - Free webinars, trainings, print resources
 - Homeless education helpline
(800) 308-2145 | homeless@serve.org
 - Website: <http://www.serve.org/nche>



Tell Us About Yourself...

- Are you:
 - a. A local homeless education liaison
 - b. A migrant recruiter
 - c. Both the local liaison and a migrant recruiter
 - d. Service provider
 - e. Other?

Session Outline

EHCY Program Basics

Data Comparison

Understanding Eligibility

Student Rights

EHCY - MEP Collaboration

Q&A

What do you think?

What **similarities** are there between the migrant and homeless lifestyles?

What **differences** are there between the migrant and homeless lifestyles?



Homeless Education Program Structure

- Subtitle VII-B of the McKinney-Vento Homeless Assistance Act; reauthorized by Title X, Part C of the NCLB Act.
- Originally authorized in 1987; has gone through various reauthorizations that have included important changes to the law

Homeless Education Program Structure

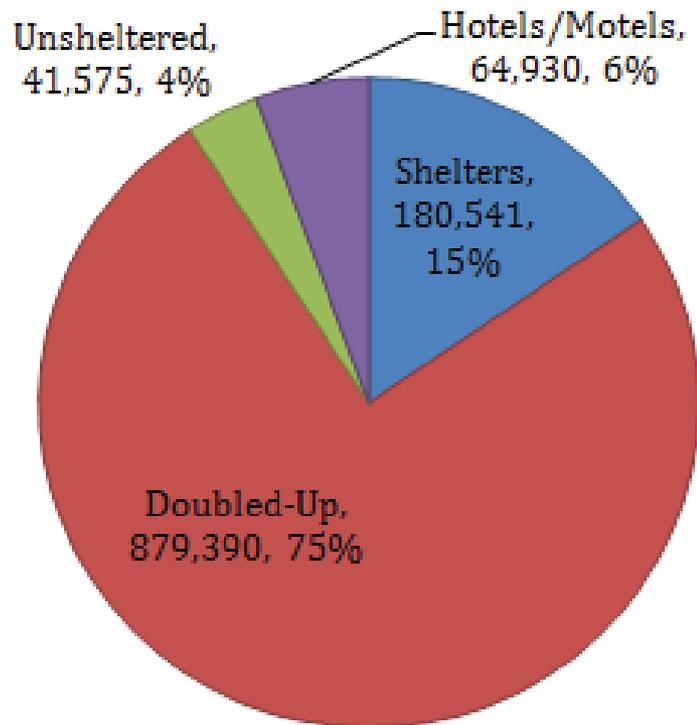
- Personnel:
 - State Coordinator for Homeless Education; contact information available at www.serve.org/nche/states/state_resources.php
 - Local Homeless Education Liaison in every school district
- Funding:
 - Flows from federal to state
 - States reserve a portion for state-level activities
 - Remaining portion is distributed to districts through a competitive subgrant process

National Numbers Comparison

- **2009-2010**
938,948 - Homeless Education
429,540 - Migrant Education
- **2010-2011**
1,065,794 - Homeless Education
401,362 - Migrant Education
- **2011-2012**
1,168,339 - Homeless Education
376,801 - Migrant Education

Source: <http://eddataexpress.ed.gov/>

National Numbers: 2011-2012 Primary Nighttime Residence



What do you think?

What **similarities** are there between the EHCY and MEP Programs?

What **differences** are there between the EHCY and MEP Programs?



Questions?



A person with dark hair, wearing a light blue shirt and an orange wristband, is seen from the back with their right hand raised. They are positioned in front of a chalkboard, which is partially visible in the background. The scene appears to be a classroom or a meeting.

McKinney-Vento Definition of *Homeless*

- Children and youth who **lack a fixed, regular and adequate nighttime residence**, including:
 - Living in emergency or transitional housing;
 - Sharing housing due to loss of housing, economic hardship, or other similar reason;
 - Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate housing;
 - Awaiting foster care placement;

A person with dark hair, wearing a light blue shirt and an orange wristband, is seen from the back with their right hand raised towards a chalkboard. The background is a blurred classroom setting.

McKinney-Vento Definition of *Homeless*

- Living in cars, parks, public spaces, abandoned buildings, substandard housing, or bus or train stations;
- Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, regular sleeping accommodations; or
- Migratory children who qualify as homeless because they are living in the circumstances described above.

Determining Migrant Student Eligibility

- No categorical McKinney-Vento eligibility for migrant children; the determination is based on the nature of the child's/family's living arrangement
- The mobile lifestyle and/or need to move for work associated with the migrant lifestyle in and of themselves do not create McKinney-Vento eligibility; focus on the living arrangement and the reason for the mobility
 - Example: Compare a qualifying move in search of work vs. a loss of housing leading to local-area mobility

Determining Migrant Student Eligibility

- If a migrant student's living arrangement meets the M-V definition of homeless, they should be qualified as eligible and included in the data count, whether or not they receive additional services under M-V
- The local liaison has the responsibility to determine eligibility; collaborate with your homeless education program to see what role migrant education personnel can play
- Some states include a homeless indicator on their COE and/or other forms
Sample forms from Louisiana and New York

National COE Questions and Answers (May 2009)

Q27: What should be listed as Current Address for homeless migrant families living in their car?

A27: In this very specific case, a Current Address does not apply. If the family is likely to remain at the same physical location for a while, the interviewer should record as much localization information as possible (e.g., migrant camp name, landmark) in the Current Address field. Otherwise, **the recruiter should record "N/A" in the Current Address field, write "Possible MV" ("MV" stands for "McKinney-Vento Homeless Assistance Act") in the Comments section, and describe appropriate means for contacting the family (e.g., a cell phone number, the name of a contact at a local community agency who would be able to relay information to the family). The abbreviation will be a signal that this child might be eligible for services under the McKinney-Vento Homeless Assistance Act, while still being sensitive to the family's current status by not stating "homeless" directly on the COE.**

A person with dark hair, wearing a light blue shirt and an orange wristband, has their right hand raised in the air. They are positioned on the left side of the frame, facing away from the camera towards a blurred background that appears to be a classroom or lecture hall.

Determining Eligibility: Things to Keep in Mind

- Determining eligibility is a case-by-case determination made by examining the living arrangement of each individual student
- Some instances will be clear-cut; others will require further inquiry and then a judgment call
- Determinations of eligibility must be made expeditiously so that immediate enrollment and the prompt provision of services can occur

case-by-case

Is This Migrant Student Homeless?

- Steps to determining eligibility:
 - Get the facts about the student's living arrangement
 - Does the student's living arrangement fit into one of the examples of homelessness in the law?
 - If not, does the student live in another type of living arrangement that does not meet the law's fixed, regular, and adequate standard?
 - Refer to the local liaison for final determination
- Check out NCHE's *Determining Eligibility* brief at <http://www.serve.org/nche/briefs.php>

A person with dark hair, wearing a light blue shirt and an orange wristband, has their right hand raised in the air. They are positioned on the left side of the frame, facing away from the camera towards a chalkboard. The background is a blurred classroom environment.

Understanding “Doubled-up”

- Legislative wording: “Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason”
- Questions:
 - Why did the parties move in together? Crisis or by mutual choice as a plan for mutual benefit?
 - How permanent is the living arrangement intended to be?
 - Where would the parties live if not doubling up?
 - Fixed, regular, and adequate?

A person with dark hair, wearing a light blue shirt and an orange wristband, is seen from the back with their right hand raised towards a chalkboard. The background is a blurred classroom or meeting room.

Understanding Substandard Housing

- No official federal definition; evaluated according to community norms
- Use a common standard and apply it consistently
- Common indicators
 - Does not meet local building code
 - Inoperable indoor plumbing
 - Nonworking, inadequate and/or unsafe electrical service
 - Inadequate or unsafe source of heat
 - Condemned by a government agency
 - Overcrowded: Consider occupancy guidelines in local/state building codes

Definitions of *Youth*

- Unaccompanied Youth
 - Homeless: Living arrangement meets the M-V definition of homeless
 - Unaccompanied: “Not in the physical custody of a parent or guardian”
 - No lower age limit; upper age limit is your state’s upper age limit for public education
 - Can be eligible regardless of the reason for the separation from the parent(s) or guardian(s)
- Emancipated Youth
- OSYs (Out-of-school Youth)

What do you think?

- Based on what you've learned about the McKinney-Vento definition of *homeless*, what percentage of your migrant students do you believe would qualify?
 - a) 0-10%
 - b) 11-20%
 - c) 21-40%
 - d) More than 40%
 - e) I'm not sure



What do you think?

Based on what you've learned about the McKinney-Vento definition of *homeless*, what part(s) of the definition are most likely to apply to the living arrangements of your homeless migrant students?

Do you have an example of one of your migrant students that qualified as homeless? What was their nighttime residence like? How did you and the local liaison work together to ensure identification and services?



Sandra

Sandra Segovia lives with her parents, who pack tomatoes for Four-L Farms in Immokalee, FL, and, until two weeks ago, were renting a trailer in a grower-owned migrant camp about $\frac{1}{2}$ mile down the road from the packing house. Tomato production has been down, which means less tomatoes to pack and less income for the Segovias. Money became so tight that they couldn't keep up with rent and left their trailer to move in with Ms. Segovia's sister's family in an apartment about a mile away. The Segovia's hope to be able to get their income up enough to move back into their own place eventually, but feel like this is their only option at this point.

Do you believe Sandra would qualify as homeless?

If so, what should you do?

Questions?



Rights of Eligible Students

- Immediate enrollment, even if lacking paperwork
- School selection
 - School of origin (if feasible)
 - Local school
- Transportation to/from school of origin, if requested by the parent (or, for unaccompanied youth, by the local liaison)

Rights of Eligible Students

- Comparable services
- Free school meals
- Title I, Part A support
- Special education, when necessary
- Support from other programs for which they meet eligibility criteria

Support for Higher Education

- Waivers available for:
 - Advanced Placement (AP) exam fees
 - College entrance exam fees (e.g. ACT, SAT)
 - College application fee waivers through College Board or NACAC
- Waivers based on financial need
- Speak with high school counselor for more information

Support for Higher Education

- Unaccompanied homeless youth can apply for federal financial aid for college as independent students
 - No parental signature necessary
 - Parental income and assets are not considered when awarding aid
- UHY status must be determined by the local liaison, HUD or RHYA shelter director, or College Financial Aid Administrator
- For more information, visit www.serve.org/nche/ibt/higher_ed.php

Questions?



Program Strengths

- Homeless Education
 - Legal protections: Immediate enrollment, school selection, UHY provisions for higher education
 - *Some* funding with different authorized activities
 - Good knowledge of supports available in the community
- Migrant Education
 - Higher funding levels?
 - More staff?
 - More wrap-around services?

Why Collaborate?

- Some students will be eligible for both programs and will receive unique rights and services from each
- Good opportunities to pool resources and provide programming and services that may benefit both student populations
- Serve eligible students more efficiently and with a more complete array of supports

Collaboration: First Steps

- Reach out to your local liaison
- Discuss how you might work together:
 - **In identifying eligible students:**
What should migrant personnel do if they believe one of their students may be M-V eligible?
 - **In providing complimentary services:**
What can migrant education provide that homeless education cannot, and vice versa?
Are there joint activities and services your programs can provide together?

What do you think?

Where do you see the greatest potential for collaboration between the EHCY and MEP Programs in your area?



Questions?



More Information

- NCHE brief: *Migrant Students Experiencing Homelessness: Rights and Services Under the McKinney-Vento Act*
<http://center.serve.org/nche/downloads/briefs/migrant.pdf>
- Informational webpage
http://center.serve.org/nche/ibt/sc_migrant.php

