

Lukfata Public School

Local Educational Agency and Local Liaison Responsibilities

Section 2.1 Local Educational Agencies Responsibilities Defined in the McKinney-Vento Act and Non-Regulatory Guidance

Local educational agencies (LEAs or school districts) are instrumental in ensuring that the rights and services guaranteed in the McKinney-Vento Act are implemented throughout the school district. All LEAs must follow the requirements of the McKinney-Vento Act, whether or not they have a McKinney-Vento subgrant.

Section 2.1.1 LEA Requirements in the McKinney-Vento Act

The McKinney-Vento Act provides a number of LEA requirements for serving homeless children and youths [42 U.S.C. § 11432(g)(3)]. The tasks outlined in the law are summarized below.

In general, LEAs must

- continue a homeless child's or youth's education in the school of origin for the duration of homelessness and for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
- enroll the homeless child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend [42 U.S.C. § 11432(g)(3)(A)].

School stability provisions require LEAs to

- presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied homeless youth) the youth;
- consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youths, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied homeless youth) the youth;

- provide a written explanation of the reasons for the LEA's decision, including information regarding the right to appeal, to the parent or guardian of a homeless student or to an unaccompanied homeless youth, if the LEA sends the child to a school other than the one requested; and
- ensure, in the case of an unaccompanied homeless youth, that the local liaison assists in placement or enrollment decisions, gives priority to the views of the youth, and provides notice of the right to appeal an LEA's best interest determination that is contrary to the youth's request [42 U.S.C. § 11432(g)(3)(B)].

Regarding enrollment and records, the enrolling school must

- immediately enroll the child or youth, even without records that are normally required for enrollment or if the child or youth has missed application or enrollment deadlines during any period of homelessness;
- contact the school last attended for relevant records;
- assist with obtaining immunizations or other required health records; and
- make any records ordinarily kept by the school available in a timely fashion when the child or youth enrolls in a new school or LEA [42 U.S.C. §§ 11432(g)(3)(C)-(D)].

If a dispute arises over eligibility, or school selection or enrollment in a school

- the child or youth must be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;
- the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth must be provided with a written explanation of any decisions related to eligibility, school selection or enrollment made by the school, LEA, or State educational agency (SEA), including the rights to appeal the decision;
- the parent, guardian, or unaccompanied youth must be referred to the local liaison to carry out the dispute resolution process; and
- in the case of an unaccompanied youth, the local liaison must ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of the dispute [42 U.S.C. § 11432(g)(3)(E)].

Privacy provisions require LEAs to

- treat information about a homeless child's or youth's living situation as a student education record and not deem it to be directory information [42 U.S.C. § 11432(g)(3)(G)].

Comparable services provisions require LEAs to

- provide services comparable to those received by other students in the school [42 U.S.C. § 11432(g)(4)].

Coordination provisions require LEAs to

- coordinate with local social services agencies and other agencies or entities providing services to homeless children and youths and their families, including services and programs funded under the Runaway and Homeless Youth Act [42 U.S.C. § 11432(g)(5)(A)(i)].

Section 2.1.2 LEA Requirements Mandated for Inclusion in Education for Homeless Children and Youths State Plans

States may have additional policies that LEAs are responsible for implementing related to the education of homeless children and youths. Every SEA is required to have a State plan that includes further LEA responsibilities enforced by the State. State Coordinators can provide information on any additional requirements in each state.

Section 42 U.S.C. § 11432(g)(1) of the McKinney-Vento Act describes State plan components that can impact LEAs, including

- a description of how homeless children and youths are provided opportunities to meet the same challenging State academic standards as all students are expected to meet;
- a description of the procedures the SEA will use to identify homeless students and assess their needs;
- a description of procedures for the prompt resolution of disputes regarding educational placement;
- a description of programs for school personnel (including local liaisons, principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel) to heighten the awareness of the specific needs of homeless children and youths, including children and youths who are runaway and homeless youths;
- a description of procedures that ensure that homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local nutrition programs;
- a description of procedures that ensure that homeless children have access to public preschool programs administered by the SEA or LEA as provided to other children in the State;

- a description of procedures that ensure that homeless youths and youths separated from public schools are identified and accorded equal access to appropriate secondary education and support services;
- a description of procedures that ensure that eligible homeless children and youths do not face barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs, if they are available at the State and local levels;
- strategies to address problems resulting from enrollment delays caused by requirements of immunization and other required health records; residency requirements; lack of birth certificates, school records, or other documentation; guardianship issues; or uniform or dress code requirements;
- a demonstration that the SEA and LEAs will develop, review, and revise policies to remove barriers to the identification, enrollment, and retention of homeless children and youths, including barriers to enrollment and retention due to outstanding fees or fines, or absences;
- an assurance that the SEA and LEAs will adopt policies to ensure that homeless children and youth are not segregated or stigmatized;
- an assurance that LEAs designate an appropriate staff person who is able to carry out the duties required of the local liaison position;
- an assurance that transportation will be provided, at the request of a parent or guardian (or liaison in the case of an unaccompanied homeless youth), to and from the school of origin;
- an assurance that the SEA and LEAs will adopt policies and practices to ensure participation by the liaison in professional development and other technical assistance activities provided as determined appropriate by the Office of the State Coordinator; and
- a description of how homeless youth will receive assistance from counselors to advise and prepare them for college.

Section 2.2 Homeless Liaison Responsibilities

The local liaison is the key to ensuring homeless children and youths receive the services they need. Required in all LEAs regardless of subgrant status, the liaison is the primary contact between homeless families, school and LEA staff, shelter workers, and other service providers.

In 42 U.S.C. § 11432(g)(6)(A), the McKinney-Vento Act lists the responsibilities of the local liaison. The law states that local liaisons will ensure that

- homeless children and youths are identified by school personnel through outreach and coordination with other agencies;
- homeless children and youths are enrolled in, and have a full and equal opportunity to succeed in, school;
- homeless families, children, and youths have access to and receive educational services for which they are eligible, including Head Start programs, early intervention services under Part C of the Individuals with Disabilities Education Act (IDEA), and other preschool programs administered by the LEA;
- homeless families, children, and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
- the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
- public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to parents and guardians and unaccompanied youth;
- enrollment disputes are mediated according to 42 U.S.C. § 11432(g)(3)(E);
- the parent or guardian of a homeless child or youth, and any unaccompanied homeless youth, is fully informed of all transportation services, including transportation to the school of origin;
- school personnel who serve homeless children and youths receive professional development and other support;
- unaccompanied homeless youths are enrolled in school, have opportunities to meet the same challenging State academic standards established for other students, and are informed of their status as independent students and assisted to receive verification of their status for completing the Free Application for Federal Student Aid (FAFSA).