



To Bus or Not to Bus: Transporting Students Experiencing Homelessness and in Foster Care

Meet Your Presenters

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Get to Know NCHE

- NCHE operates the U.S. Department of Education's homeless education technical assistance and information center
- Based at the SERVE Center at the University of NC in Greensboro
 - Website: <https://nche.ed.gov/>
 - Helpline: 800-308-2145 or homeless@serve.org
 - Products & Listserv: <https://nche.ed.gov/resources/>
 - Social Media
 - Twitter: [@NCHEducation](https://twitter.com/NCHEducation)
 - Facebook: facebook.com/NCHEducation



NC Foster Care Education Program

- Operates at the University of North Carolina-Greensboro and under the Federal Program Monitoring and Support Division of NCDPI
- State Foster Care website: <https://serve.uncg.edu/projects/nc-foster-care/>
- Phone number: 336.334.4638

Session Outline

- Negative impact of student mobility
- Federal laws and school stability
- Funding Sources
- Importance of good communication
- Good practices





Negative Impact of Mobility on Homeless Students



Homelessness Creates Barriers

Students experiencing homelessness may

- Change residences and schools often;
- Lack documents required for school enrollment;
- Be hungry, tired, and stressed;
- Lack reliable transportation;
- Not have a parent or guardian to help them – unaccompanied homeless youth (UHY); and
- Be disconnected from positive social ties.

Homelessness Affects Education

Students experiencing homelessness may

- Lack school supplies and a quiet place to study;
- Have undiagnosed special education needs;
- Have experienced trauma which can be misdiagnosed as special education needs;
- Get lower grades;
- Score poorly on assessment tests;
- Be chronically absent; and
- Drop out of school.

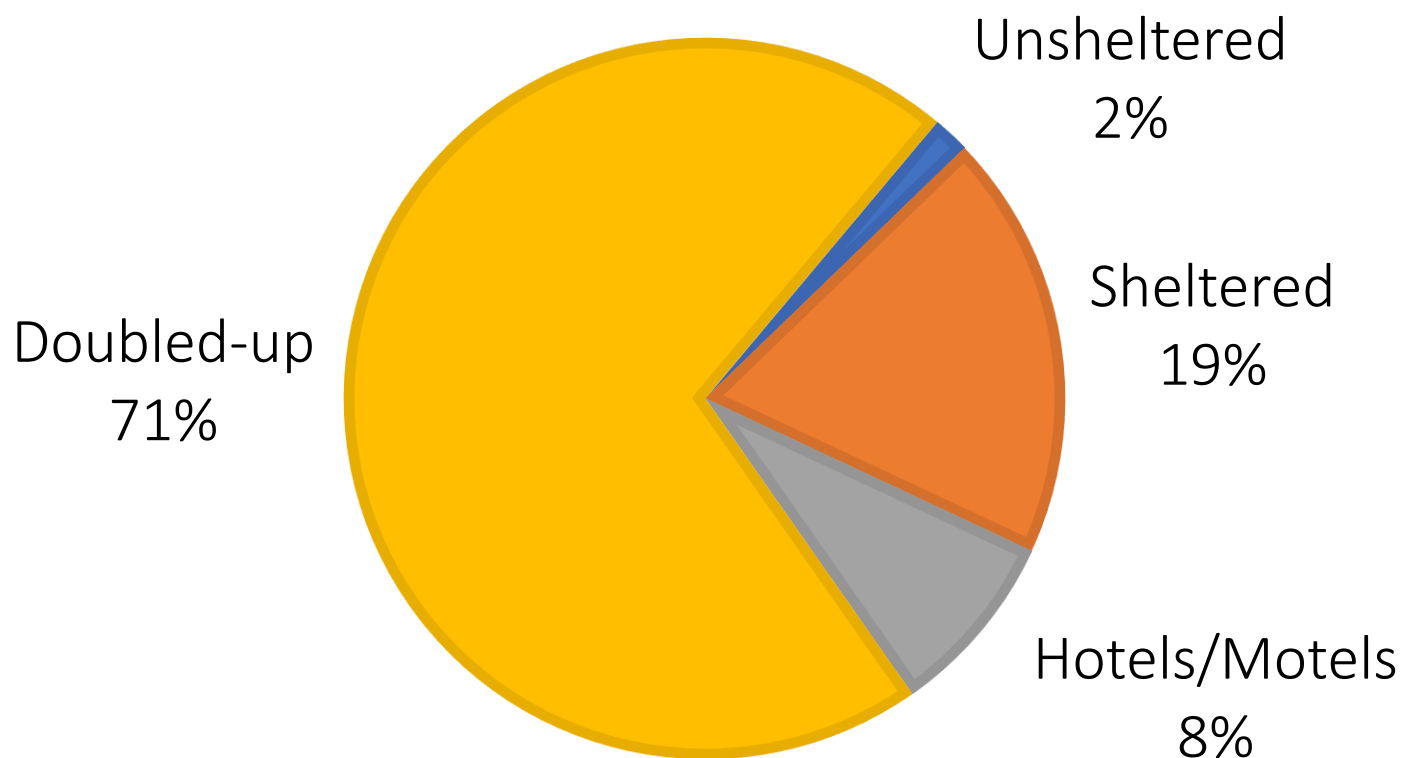


Youth at Higher Risk for Homelessness

346% Youth with less than a high school diploma or GED	162% Youth reporting annual household income of less than \$24,000	83% Black or African American youth
120% LGBT youth	33% Hispanic, non-White youth	200% Unmarried parenting youth

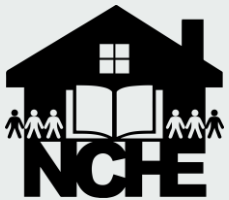
2018-2019 Student Homelessness in Iowa

Homeless children and youth in Iowa: 7,295





McKinney-Vento Act Overview



McKinney-Vento Act (42 U.S.C. §11431 et seq.)

- Establishes the definition of *homeless* used by public schools
 - Covers all public schools, including charter, magnet, & virtual schools
- Focuses on school identification, enrollment, stability, and success of homeless children and youth (HCY), pre-K through high school
- Requires every school district to appoint a local homeless education liaison and every state to have a coordinator for homeless education
- Requires SEAs and LEAs to remove barriers to the identification, enrollment, and retention of HCY

Full text of the law and Education for Homeless Children and Youth (EHCY) Non-regulatory Guidance at <https://nche.ed.gov/legis/mv.php>



McKinney-Vento Definition of Homeless

Lacking a *fixed, regular and adequate* nighttime residence, including:

- Sharing housing due to loss of housing, economic hardship, or a similar reason
- Living in motels, hotels, trailer parks, camping grounds due to a lack of alternative, adequate accommodation
- Living in emergency & transitional shelters
- Abandoned in hospitals
- Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings
- Living in cars, parks, public spaces, abandoned buildings, bus or train stations or similar situations
- Migratory children living in the above situations

42 U.S.C. § 11434a(2)



Fixed, Regular, and Adequate

1. Fixed
 - Stationary, permanent, not subject to change
2. Regular
 - Used on a predictable, routine, consistent basis
 - Consider the relative permanence of the living arrangement
3. Adequate
 - Lawfully and reasonably sufficient
 - Sufficient for meeting physical and psychological needs typically met in a home environment

42 U.S.C. § 11434a(2)

Can the student go to the SAME PLACE (fixed) EVERY NIGHT (regular)
to sleep in a SAFE and SUFFICIENT SPACE (adequate)?



Eligibility Determinations

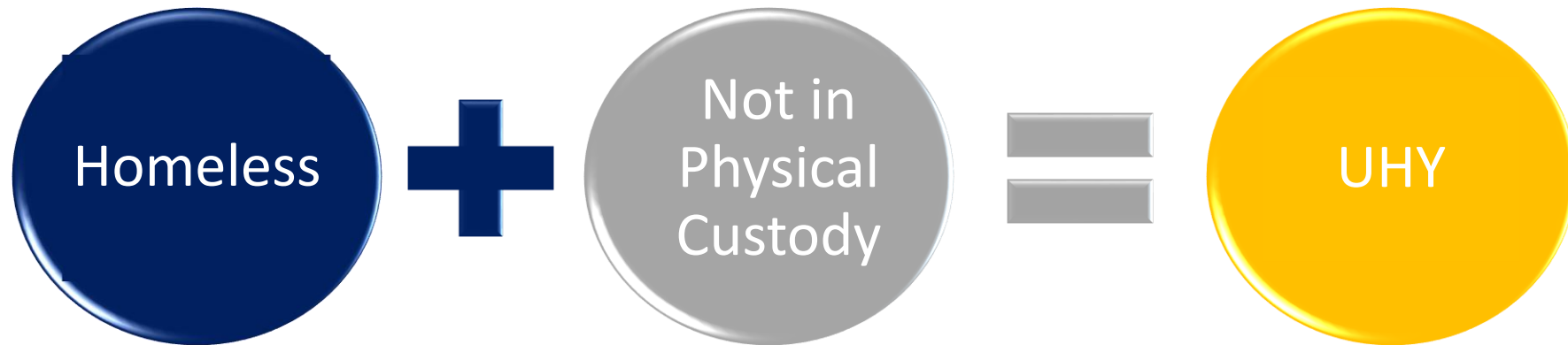


- Liaison is responsible for ensuring students are identified
 - Collaborates with school staff and coordinates with community agencies
- Eligibility should be determined on a case-by-case basis, considering how each student's living situation compares to legislative wording

See NCHE's *Determining Eligibility* brief at <https://nche.ed.gov/determining-eligibility/>

Eligibility: Unaccompanied Homeless Youth

1. Student's living arrangement must meet the definition of homeless,
AND
2. Student must be considered *unaccompanied*, defined as “not in the physical custody of a parent or guardian”



See NCHE's *Unaccompanied Youth Eligibility Flowchart* at
<https://nche.ed.gov/wp-content/uploads/2018/10/app-9a.doc>

Specific Eligibility Provisions for UHY



- No MV age limits
 - Use state age limit for public education
- Youth can be eligible regardless of whether they were asked to leave or ran away
- Parent or guardian can be permanently housed while the student is homeless and vice versa

School Selection

Students may attend either the:

1. Local attendance area school

- Any public school that students living in the same attendance area are eligible to attend, or

2. School of origin

- School attended when permanently housed; or
- School in which the student was last enrolled
- Includes:
 - Public preschool programs
 - Receiving schools at the next grade level



School of Origin



- When in their best interest, students may continue attending the school of origin
 - The entire time they are homeless;
 - Until the end of any school year in which they move into permanent housing; and
 - When they become homeless between school years and are still homeless at the beginning of the school year.

42 U.S.C. § 11432(g)(3)(A)(i)(II)

- Decisions are based on each student's best interest

42 U.S.C. § 11432(g)(3)(B)

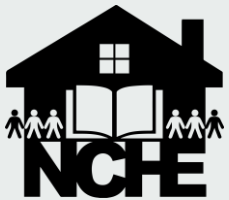
Best Practices to Determine Eligibility

Re-evaluate prior homeless situations before the beginning of each school year

- After each move, the liaison should determine
 1. whether the new living situation meets the MV criteria for homeless; and if so,
 2. is it still in the student's best interest to remain in the school of origin?
- No limit on how long a student can be eligible
- Temporary situations often become permanent over time



McKinney-Vento Transportation



Transportation for Students Experiencing Homelessness

- LEAs must provide the following transportation
 1. School of origin transportation 42 U.S.C. §11432(g)(1)(J)(iii)
 - When requested by a parent or guardian, or local liaison on behalf of an UHY
 - Until the end of the school year after a homeless student obtains permanent housing
 2. Transportation comparable to what is provided to other students
42 U.S.C. §11432g)(4)(A)
- LEAs must remove barriers to school enrollment and attendance

See NCHE's brief, *Transporting Children and Youth Experiencing Homelessness* at <https://nche.ed.gov/wp-content/uploads/2019/01/transportation.pdf>



Modes of Transportation

- LEA determines and can use any of mode of transportation that meets state standards, is safe, and allows the student to fully participate in school.

Options include:

- Standard school bus
- Special education bus
- Other LEA-owned vehicles, e.g., van, activity bus, driver's ed car, etc.
- Public transportation
- Private contractor
- Parents
 - If they are willing and have reliable transportation
 - Can be reimbursed for mileage

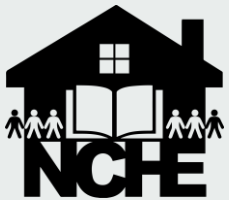
Scenario - Mary

Six-year-old Mary and her single mom are staying in a shelter within the school's walk zone. Mom must be at work very early so she can't walk Mary to school and the shelter won't allow children to remain there without a parent.

- How would you handle this situation?



Funding for Students Experiencing Homelessness



Transportation Funding and Responsibility

- If the student moves to another LEA, the LEA of origin and the LEA of residence should agree on how to divide the responsibility and cost of SOO transportation.
- If the LEAs are unable to agree, the transportation responsibility and costs must be shared equally [42 U.S.C. § 11432(g)(1)(J)(iii) (II)].
- Many LEAs have a memorandum of understanding (MOU) with nearby LEAs detailing how they will handle cross-district transportation funding and responsibilities.

American Rescue Plan (ARP) Homeless Children and Youth (HCY)

- IA DOE allocations
 - HCY I \$1,268,374
 - HCY II \$3,807,531
 - At least 75% must be distributed to LEAs
- Funds are intended to
 - address the urgent needs of HCY
 - increase capacity by hiring staff, dedicating resources, providing technical assistance, and planning partnerships with community-based organizations
 - connect students and families to extended year and extended day programming
- Funds can be used for transportation to support school attendance and engagement

Additional NCHE Resources

- *Transportation for Homeless Children and Youth: Strategies for Rural School Districts*
https://nche.ed.gov/wp-content/uploads/2018/11/rur_trans.pdf
- *Determining Eligibility Flow Chart*
<https://nche.ed.gov/wp-content/uploads/2020/05/NCHE-Eligibility-Flowchart.pdf>
- *Resource Page for Unaccompanied Homeless Youth*
<https://nche.ed.gov/unaccompanied-youth/>

Final Questions on McKinney-Vento





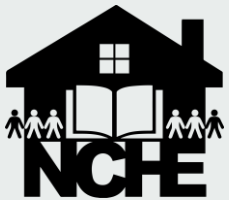
Contact NCHE

NCHE Helpline

- homeless@serve.org
- 800-308-2145



Negative Impact of Mobility for Students in Foster Care



Foster Care Creates Barriers

Compared to their peers, children in foster care can experience:

- **More** traumatic events
- **More** unscheduled school changes
- **More** delays in school enrollment
- **Lower** graduation rates
- **Lower** academic achievement
- **Higher** rates of grade retention, chronic absenteeism, suspensions and expulsions

Foster Care and Education

What foster care students can lose when they have to change schools:

- Close and meaningful relationships with friends
- Significant relationships with supportive adults
- Class credits and CTE Programs (Perkins IV)
- Extra-curricular activity involvement and experiences (band, sports, student government, various types of clubs)
- Educational services (potentially)

RATIONALE FOR ESSA FOSTER CARE

- **Foster Care Mobility and Education**
- Average number of living arrangements during first foster care stay: **2.8**
- Percent of foster youth who change schools when entering care: **56%-75%**
- Percent of 17-18 year-olds who have experienced 5+ school changes: **34%**
- Average reading level of 17-18 year-olds: **7th grade**
- Likelihood of being absent from school: **2xs that of other students**
- Likelihood of receiving special education services: **2.5-3.5x that of other students**
- Likelihood of 17-18 year old receiving out-of-school suspension: **2xs that of other students**

RATIONALE FOR ESSA FOSTER CARE

- Foster Care Mobility and Education
- Percent of foster youth who **complete high school** by age 18 is only **50%**
- Percent of foster youth **who graduate from high school and attend college: 20%**
- Percent of 17-18 year old foster youth who **want** to go to college: **84%**
- Optimistic studies show just **6%** will earn their bachelor's degrees

ESSA-Foster Care (The law)

- Fostering Connections to Success and Increasing Adoptions Act, 2008
- Every Student Succeeds Act of 2015



ESSA-Foster Care (The law)

Fostering Connections to Success and Increasing Adoptions Act, 2008

Title IV-B/IV-E agencies must make assurances that:

- The child's placement takes into account the appropriateness of the current educational setting and the proximity to the school of origin
- The child welfare agency (CWA) has coordinated with local education agencies (LEAs) to ensure that a child in foster care remains in his or her school of origin if it is in the child's best interest
- If remaining at the school of origin is not in the child's best interest, the child is immediately enrolled in a new attendance area school and records are transferred to the new school

Every Student Succeeds Act (ESSA) of 2015 Foster care Protections and Provisions

- Reauthorizes and amends the Elementary and Secondary Education Act of 1965 (ESEA)
- Includes new foster care provisions that complement requirements in the Fostering Connections Act
- Emphasizes shared agency responsibilities and decision-making



Every Student Succeeds Act of 2015

Protections and Provisions for Foster Care Students

- **Remain in the Same School When in the Child's Best Interest** (ESEA, as amended, 20 U.S.C. § 6311(g)(1)(E))
- **Immediate Enrollment in School and Transfer of School Records** (ESEA, as amended, 20 U.S.C. § 6311(g)(1)(E)(iii))
- **School Transportation when Necessary** (ESEA, as amended, 20 U.S.C. § 6312(c)(5)(B))
- **Awaiting foster care placement is removed from the definition of "homeless children and youths"** ESSA, Section 9105(b)(1)

Every Student Succeeds Act of 2015

Protections and Provisions for Foster Care Students

- **Required State Data Collection and Reporting - achievement and graduation rates** (ESEA, as amended, 20 U.S.C. §6311(h)(1)(C)(ii))
- **Point of Contact (POC) Designated within the SEA** (ESEA, as amended, 20 U.S.C. § 6312(g)(1)(E))
- **POC Designated within the LEA** (ESEA, as amended, 20 U.S.C. § 6312(c)(5)(A))

Best Interest Determination (BID) Meetings

- ESSA requires collaboration between CWAs and LEAs to ensure school stability for children in foster care, including that a child may remain in their school of origin unless a determination is made that it is not in their best interest
- Scheduling of the BID meeting is the responsibility of the CWA social worker. They work in collaboration with the LEA POC
- Needs to consider the appropriateness of the current educational setting, proximity to the foster care placement and other child centered factors
- Transportation costs CAN NOT be considered when determining a child's best interest

Best Interest Determination Meetings

Consider multiple student-centered factors:

- Preference of the child
- Preferences of the child's parent(s) or education decision maker(s)
- The child's attachment to the school, including meaningful relationships with staff and peers
- Influence of the school climate on the child, including safety
- The availability and quality of the services in the school to meet the child's educational and socioemotional needs
- History of school transfers and how they have impacted the child
- How the length of the commute would impact the child, based on the child's developmental stage

Foster Care Questions





Transportation for Students in Foster Care





Transportation to School of Origin

- Some children in foster care will need transportation to remain in their schools of origin when it is in their best interest
- LEAs and CWAs must collaborate to develop and implement clear written procedures governing how transportation to maintain children in foster care in their schools of origin, when in their best interest, will be provided, arranged, and funded for the duration of the child's time in foster care
- Transportation is an allowable use of federal funds, both under Title IV-E of the Social Security Act and Title I of the ESEA

Transportation procedures must ensure:

- Children in foster care needing transportation to their schools of origin will promptly receive that transportation in a cost-effective manner and in accordance with section 475(4)(A) of the Social Security Act (42 U.S.C. § 675(4)(A)); and
- If there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the LEA will provide such transportation if:
 - A. The local child welfare agency agrees to reimburse the LEA for the cost of such transportation;
 - B. The LEA agrees to pay for the cost; or
 - C. The LEA and local child welfare agency agree to share the cost. (ESEA, as amended, 20 U.S.C. § 6312(c)(5)(B)(ii))

The transportation procedures must ensure that:

- Children in foster care needing transportation to their schools of origin will promptly receive that transportation in a cost-effective manner that is not unduly burdensome on any one agency
- LEAs and CWAs must collaborate to develop and implement clear written procedures governing how transportation to maintain children in foster care in their schools of origin, when in their best interest, will be provided, arranged, and funded for the duration of the child's time in foster care

Additional costs in providing School of origin transportation

- “Additional costs” should reflect the difference between what an LEA would spend to transport a student to his or her assigned school and the cost of transporting a child in foster care to his or her school of origin. (US ED and US DHHS, 2016, p. 18)
- As part of developing and implementing its transportation procedures, an LEA must address any additional costs incurred in providing transportation to maintain children in foster care in their schools of origin. (ESEA, as amended, 20 U.S.C. § 6312(c)(5)(B)(ii))



Scenario - Michael

Twelve-year-old Michael was recently taken into child welfare custody. His foster home is in a neighboring school district. At the BID meeting, it was determined to be in Michael's best interest to remain in the school of origin. The foster care POC emails you to arrange transportation. You were not included in the BID meeting.

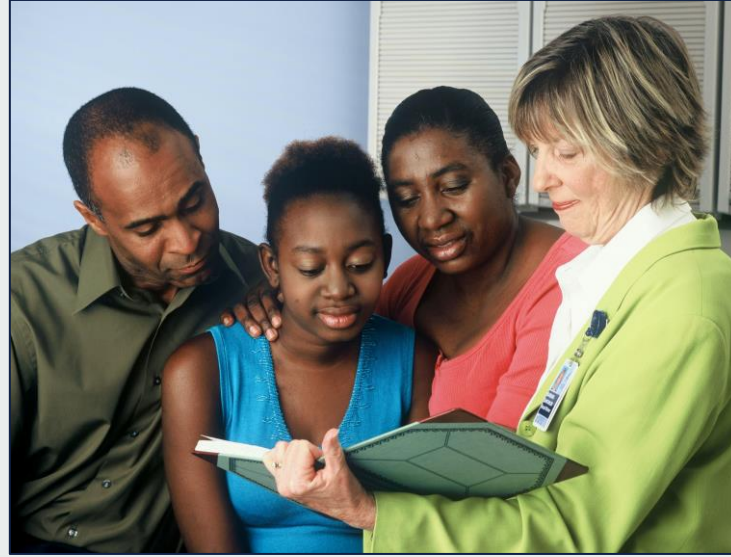
- How would you handle this?



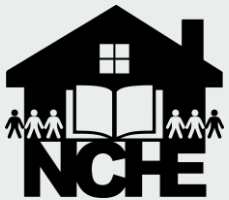
Funding for Students in Foster Care

Transportation and Funding Responsibility – Foster Care

- Clear, written procedures – Cost sharing determination between LEA and CWA
- Set aside Title I funding (LEA)
- Per pupil spending
- Title IV-E funding (CWA)
- History of transportation expenses shared by agencies



Importance of Good Communication: Serving Students Experiencing Homelessness and in Foster Care



Communication Protocol to Serve Students Experiencing Homelessness and in Foster Care

Have annual meeting with liaison/POC to ensure your full involvement

- Communication
 - Include liaison/POC in your staff training and ask to be included in their staff training
 - When student is originally identified or moves
 - Who will notify transportation department that a student needs transportation?
 - Who will involve transportation staff in best interest discussions?
- How to determine and use setaside funds
- Process of working with other LEA staff and CW agencies to arrange and fund transportation

NC and ED Foster Care Resources

- <https://serve.uncg.edu/foster-education-summit/>
- <https://serve.uncg.edu/projects/nc-foster-care/>

Final Questions on Foster Care

