

McKinney-Vento Transportation: Meeting the Needs of Students Experiencing Homelessness

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Vision

All students prepared for post-secondary pathways, careers, and civic engagement.

Mission

Transform K–12 education to a system that is centered on closing opportunity gaps and is characterized by high expectations for all students and educators. We achieve this by developing equity-based policies and supports that empower educators, families, and communities.

Values

- Ensuring Equity
- Collaboration and Service
- Achieving Excellence through Continuous Improvement
- Focus on the Whole Child



Washington Office of Superintendent of
PUBLIC INSTRUCTION

Equity Statement

Each student, family, and community possesses strengths and cultural knowledge that benefits their peers, educators, and schools.

Ensuring educational equity:

- Goes beyond equality; it requires education leaders to examine the ways current policies and practices result in disparate outcomes for our students of color, students living in poverty, students receiving special education and English Learner services, students who identify as LGBTQ+, and **highly mobile student populations**.
- Requires education leaders to develop an understanding of historical contexts; engage students, families, and community representatives as partners in decision-making; and actively dismantle systemic barriers, replacing them with policies and practices that ensure all students have access to the instruction and support they need to succeed in our schools.



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Tribal Land Acknowledgement

We would like to acknowledge the Indigenous people who have stewarded this land since time immemorial and who still inhabit the area today, the Steh-Chass Band of Indigenous people of the Squaxin Island Tribe.



Today we will discuss...

- What is the McKinney-Vento Act?
- Who is homeless?
- What is a best interest determination?
- Transportation of students experiencing homelessness
- Strategies and best practices
- Resources



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What is the McKinney-Vento Act?

Federal law protecting the educational rights of children and youths experiencing homelessness.

- Legislation initially passed in 1987.
- Most recently reauthorization in 2015 with Every Student Succeeds Act (ESSA)
<https://www.ed.gov/ESSA>
- Ensures immediate enrollment and equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth.
- Provides specific protections for children and youth experiencing homelessness regarding identification, enrollment, provision of services and opportunity to meet the same challenging academic standards to which all students are held.



Washington State Data Trends

(As annually reported by OSPI to US Dept of Education)

2003-04: 8,141

2004-05: 12,274

2005-06: 13,942

2006-07: 16,853

2007-08: 18,670

2008-09: 20,780

2009-10: 21,826

2010-11: 26,049

2011-12: 27,390

2012-13: 30,609

2013-14: 32,539

2014-15: 35,511

2015-16: 39,127

2016-17: 40,934

2017-18: 40,365

2018-19: 39,972

2019-20: 36,685

2020-21: 32,931

2021-22: 37,614

2022-23: 43,871



Who is Homeless?

Children who **lack a fixed, regular, and adequate nighttime residence** –

- Sharing the housing of others due to loss of housing, economic hardship, or similar reason
- Living in motels, hotels, trailer parks, camping grounds due to lack of adequate alternative accommodations
- Living in emergency or transitional shelters
- Abandoned in hospitals
- Living in a public or private place not designed for sleeping
- Living in cars, parks, abandoned buildings, public spaces, substandard housing, bus or train stations, etc.
- Migratory living in circumstances described above



Local Homeless Liaisons

- Every district must designate a liaison for students in homeless situations
- Responsibilities
 - Ensure that children and youth in homeless situations are identified.
 - Ensure that students are immediately enrolled in school and have full and equal opportunity to succeed.
 - Provide services and supports to homeless students, provide referrals, arrange transportation, post notice of the rights of homeless students, resolve disputes, and more.



Key Provisions

Children and youth experiencing homelessness can stay in their **school of origin** or enroll in any public school that students living in the same attendance area are eligible to attend, according to their **best interest**.

- **School of origin** – school attended when permanently housed or in which last enrolled, including a preschool.
- **Best Interest** – keep students who are homeless in their school of origin unless against the parents' or guardians' wishes or (in the case of an unaccompanied youth) the youth.



Best Interest



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When determining best interest, the district shall:

“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 youth, giving priority to the request of the child’s or youth’s parent or guardian or (in the case of an unaccompanied youth) the youth.”



Best Interest... Considerations

- Continuity of instruction
- Age of the child or youth
- Safety of the child or youth
- Length of stay at the shelter
- Likely area where family will find permanent housing
- Student's need for special instructional programs
- Impact of commute on education
- School placement of siblings
- Time remaining in the school year



Why is School Stability Important?

- Students who switch schools frequently score lower on standardized tests (average of 20 points lower.)
- Mobility also hurts non-mobile students (average test scores for non-mobile students were significantly lower in high schools with high student mobility rates.)
- It may take several months to recover academically after changing schools.



Research and School Mobility

- Psychological, social and academic problems
- Mobile students are less likely to participate in extracurricular activities and more likely to act out or get into trouble.
- Students who changed high schools even once were less than half as likely as stable students to graduate (even controlling for other factors.)



In General,

- School is a safe and stable environment when families are in unstable housing situations.
- Schools can provide necessary services, meals, special education, medical and dental referrals, etc.
- Schools provide consistency with peers, teachers, etc.
- All kids have a right to a quality education.



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McKinney-Vento and School Selection – Key Provisions

- Students can stay in their school of origin the entire time they are homeless, and until the end of any academic year in which they move into permanent housing
- If the district seeks to send a student to a school other than the one requested by a parent or guardian, the district must provide a written explanation to the parent or guardian of its decision and the right to appeal

School Districts Must...

- Review and revise policies to remove barriers to the enrollment and retention of homeless children and youths.
- Adopt local policies and practices to ensure that homeless children and youths are *not stigmatized or segregated* based on their homelessness.



School Districts Must, cont.

- Designate a liaison for homeless children and youth.
- According to the student's best interest, maintain enrollment in the school of origin. (The law assumes the school of origin is the most appropriate placement.)
- Enroll homeless students immediately even if they lack school records.
- **Provide transportation to and from the school or origin.**



Transportation – Key Provisions

- If the student's temporary residence and the school of origin are in the same LEA, that LEA must provide or arrange transportation. If the student is living outside of the school of origin's LEA, the LEA where the student is living and the school of origin's LEA must determine how to **divide the responsibility and share the cost, or they must share the cost equally.**



Transportation – Key Provisions, Cont.

- LEAs must provide students experiencing homelessness with transportation to and from their school of origin, at a parent's or guardian's request (or at the liaison's request for unaccompanied youth.)
- If a student finds permanent housing during the academic year, the student has a right to remain enrolled in their school of origin *and receive transportation* for the duration of the year in which housing was secured.



Transportation – Key Provisions, Cont. 2

In addition to providing transportation to the school of origin, LEAs must provide students in homeless situations with transportation services comparable to those provided to other students.

(Note: "Comparable" does not mean identical...)



And what about co-curricular activities?

- The terms “enroll”, and “enrollment” include attending classes and participating fully in school activities...
 - If the lack of transportation creates a barrier to full participation, the district must address the barrier.
 - The district may need to provide (extracurricular) transportation services to homeless students, even if the district does not provide such services to other students.



Key Changes with ESEA

- With reauthorization, changes in the McKinney-Vento Act may impact your district's approach to transportation for students experiencing homelessness:
 - School of origin now includes preschool students
 - School of origin now includes feeder schools



Transportation Strategies

- Develop close ties among LEA homeless liaisons, school staff, pupil transportation staff, and shelter workers.
- Communication between districts is important, especially when students live in one district and attend school in another district.
- Re-route school busses (including special education, magnet schools and other busses.)
- District provided passes for public transportation.



Transportation Strategies, cont.

- Shelter vans accompanied with reimbursement for gas and mileage from the school district.
- Approved van or taxi services.
- Seek economical and creative solutions.
- Explore all methods...
 - Yellow bus
 - Taxi / Ride Share
 - Transit
 - In lieu mileage reimbursement ([WAC 392-141-350](#))



What about gas cards?

- Allowable use of funds (McKinney-Vento, ARP-HCY, HSSeP, other)
- District controls must be in place
- Liaison must work closely with business office
- Often gas cards are donated by local charities
- Effective way to cover interim transportation (the time between enrollment and getting yellow bus set up)
- Some gas stations provide cards that can only be used for fuel



Forms, Agreements, Documentation

- When students are “shared” between two districts:
 - **District of enrollment takes the lead**
 - Districts are to work together to apportion the cost and responsibility of transportation
 - If districts cannot agree, cost is shared 50/50
 - Written agreements between districts are best practice (can be simple in nature)
 - OSPI looks at transportation documentation during routine Program Review and Support monitoring
 - Avoid surprises... communicate proactively
 - Prepare for odd situations (snow days, early release, etc.)
 - OSPI provides a “Transportation Toolkit” of sample forms/agreements



Forms, Agreements, cont.

- Transportation Tool Kit on OSPI Website
 - Parent transportation request form
 - In lieu agreement between parents and district
 - Written agreements between districts for shared transportation

Best Practice

- Signature lines for both districts
- Citations (i.e. In Lieu WAC 392-141-350, or M-V references)
- Parent communication
- **Consider school breaks, emergencies, teacher workdays, etc. that may alter schedules**



What about inclement weather?

OSPI posed the question

...Concerning a situation in which a student in a homeless situation lived in one LEA that was closed due to inclement weather while the LEA in which the student's school of origin was located remained open. Under normal operations, both LEAs share in the responsibility and cost of providing transportation to the school of origin. Due to inclement weather, however, the LEA in which the student lived had closed its schools and, accordingly, was not providing transportation to students residing in that LEA. OSPI's approach has been that if a district needed to close because it was not safe to go to school that day, then that LEA would not be responsible for providing transportation to students residing in or attending school in that district. However, the SEA would like clarity on this question and asked how it is addressed in in other States with more inclement weather.

Inclement weather, cont.

Response:

There are many different circumstances that may cause an LEA to close temporarily, and we are therefore unable to provide you with a blanket rule applicable to all of the potential circumstances that may arise. We would recommend instead that the SEA have a policy that addresses this situation and requires an LEA to establish, as part of its transportation plan, **how it will provide for alternative arrangements, either through alternative transportation methods or, if travel is unsafe altogether, through virtual instruction or other means so that a homeless student does not fall behind in his, her or their coursework at the school of origin.** Given the unique circumstances that may arise in an LEA, however, we cannot say that an SEA must always require an LEA to provide school of transportation in emergency circumstances.

OESE: Office of General Counsel, March 2023.



Making it Happen...

Q. How far is too far?

A. The federal law does not impose a limitation on the distance between the child's residence and the school of origin.

The district liaison needs to assess the best interest of the child.

Q. How long is too long?

A. The federal law does not impose a limitation on the time it takes to transport the child.

The district liaison needs to assess the best interest of the child.

Q. How much is too much?

A. The federal law does not impose a limitation on the cost associated with transportation.

The district liaison needs to assess the best interest of the child.



Making it Happen... Cont.

Q. According to the McKinney-Vento Act, who has the authority to determine a student's homeless status?

A. The designated district homeless liaison.

Q. According to the McKinney-Vento Act, who has the authority to determine a student's best interest?

A. The designated district homeless liaison.

Q. According to the McKinney-Vento Act, who has the authority to determine eligibility for transportation (and other services?)

A. The designated district homeless liaison.



Creativity is great, until...

- Ask yourself, "Is this a King 5 moment?"
- Would this be considered a "gift of public funds?"
- How would an auditor view my district's practice?
- Have I worked with my district's business office to ensure proper documentation of all claims, reimbursements, etc.?
- What about fueling private vehicles at the district bus barn?
- Is there a difference in in-lieu mileage reimbursement for a Prius vs. a Ford F- 350 pickup?
- How many round trips per day should I reimburse a family?

[WAC 392.141.350](#) (a) Mileage and tolls for home to school transportation (in whole or part) for **not more than two necessary round trips per school day**, unless additional trips are required due to the provisions of the student's individualized education program;



Districts are Required to Address Barriers...

"I live with my kindergartener in an apartment not far from school. The district tells me we are in a 'walk zone'..."

" My middle school daughter has a band concert tonight at 7:00, and if she doesn't show up, she'll get an "F" for a performance grade."

"My high school student is on the basketball team. She needs a ride home after the game."

"I have a son with autism, and he needs _____(fill in the blank...) "



Transportation and Funding

Are transportation costs in Program 99 broken out by basic/special/ homeless, etc?

No. Program 99, as reported to OSPI, combines all allowable to/from transportation costs.
(Some districts may keep detailed records internally)

Is transportation funding broken out by basic/special/homeless, etc?

No. Operation is funded as a “whole”



What is an “allowable to/from expenditure”?

- Because the funding system relies heavily on expenditures as an input, the 2007 legislature passed a law requiring districts to remove non-to/from costs from Program 99.
- WAC 392-141-310 defines to/from transportation:
- (6) "To and from transportation" means all transportation between route stops and schools both before and after the school day. To and from transportation includes transportation between home and school and transportation between schools, commonly referred to as shuttles.



For Example:

- Transit Passes / Tokens
- “In-Lieu of” transportation agreements
- Cab Fares
- Private Party Contracts



If the district reports higher costs in Program 99, does that mean they get more funding?

- **Not necessarily.** If a district is “not fully funded” before incurring additional costs (doing new work) they will not likely receive additional money for that work.
- If a district is “fully funded” before the additional costs, they MAY see additional money for that work.
- Every district’s funding status is different.

How do things get “coded” to Program 99?

The determination of what Program any particular expenditure should be coded to, happens in the business office, usually in coordination with the person in charge of that Program (ie. The Transportation Director)



Important Dates and Information

- The 2024 SchoolHouse Connection Application Is Now Open! [The SchoolHouse Connection Leadership and Scholarship Program - SchoolHouse Connection](#)

- HSSeP Grant Applications:

The application period will open May 1st and close June 13th

- **ARP-HYC Spend! Spend! Spend!**
ARC-HCY funds must be used by September 30, 2024



Need more information?

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Regional Transportation Coordinators

<https://www.k12.wa.us/policy-funding/student-transportation/contact-information>

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OSPI Homeless Education Website: <http://www.k12.wa.us/HomelessEd/default.aspx>

National Center for Homeless Education (NCHE) <https://nche.ed.gov/>

Schoolhouse Connection <http://schoolhouseconnection.org/>

National Association for the Education of Homeless Children and Youth (NAEH CY)

<http://naehcy.org/>



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