

McKinney-Vento vs. Foster Care

How are they different?
How are they similar?



Meet Your Presenters



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McKinney-Vento Homeless Education
Trainer Program Supervisor



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Office of Superintendent of Public
Instruction (OSPI)



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



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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.





Poll Time! Are you...

- McKinney-Vento liaison
- Foster Care Liaison
- McKinney-Vento and Foster Care Liaison
- Counselor
- Teacher
- District Administration
- Child Welfare
- Other



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Foster Care Students and McKinney-Vento Students Qualifications



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Students Who Qualify as Foster Care

Students who are the “subject of a dependency proceeding” and under the placement and care authority of **DCYF**:

- Foster Home
- Residential Facility
- Relative
- Group Home
- Emergency Shelter- DCYF run or contracted
- Pre-adoptive Home
- Trial-return-home

*Including Tribal Child Welfare and Unaccompanied Refugee Minors (aka Federal Foster Care)



Tribal Child Welfare and Unaccompanied Refugee Minors

- Are students in foster care
- Are NOT part of the DCYF system
- Will not show up on the CEDARS Foster Care Report
- Each Tribe has their own Tribal Child Welfare – [Tribal Contacts](#)
- [Unaccompanied Refugee Minors Program](#) is through DSHS

Students Who Qualify as McKinney-Vento

The McKinney-Vento Act defines children experiencing homelessness as "individuals who lack a fixed, regular, and adequate nighttime residence." This includes children and youth who:

- Are sharing housing due to loss of housing, economic hardship or a similar reason
- Are living in motels, hotels, trailer parks, or campgrounds due to lack of alternative accommodations
- Are living in emergency or transitional shelters
- Are abandoned in hospitals
- Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations
- Are migratory children and youth living in any of the above situations



Program Comparisons



Foster Care or McKinney-Vento?

In 2015, with the authorization of [Every Student Succeeds Act \(ESSA\)](#), the phrase "awaiting foster care" was completely removed from McKinney-Vento Education of Homeless Children and Youth Assistance Act. ESSA includes separate provisions for students in foster care, which are very similar to McKinney-Vento. Aside from the exceptions noted below, students in foster care do not qualify as McKinney-Vento eligible.

So which program is the right one for your student's situation?

Foster Care	McKinney Vento
<p>In WA, students under the placement and care authority of the Division of Children, Youth, and Families (DCYF) or Tribal Child Welfare including students in:</p> <ul style="list-style-type: none"> • Foster homes • Relative placements • Group homes • Emergency shelters • Residential facilities • Childcare institutions • Pre-adoptive homes • Trial-return-home placement <p>Unaccompanied Refugee Minors are also eligible</p> <p>The U.S. Department of Education issued its Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care</p> <p>OSPI Foster Care Education Site</p>	<p>Students experiencing homelessness, defined by the McKinney-Vento Act as "individuals who lack a fixed, regular, and adequate nighttime residence." This includes children and youth:</p> <ul style="list-style-type: none"> • Sharing housing or "doubled-up" • Living in motels, hotels, and campgrounds • Living in emergency or transitional shelters • Abandoned in hospitals • Accommodations not ordinary to be used by human beings • Living in cars, trains stations and similar settings • Migratory children and youth living in any of the above situations <p>The U.S. Department of Education has issued its Non-Regulatory Guidance for the Education of Homeless Children and Youth.</p> <p>OSPI Homeless Education Site</p>
Exceptional Situations	
<p>There are occasions when a student in foster care may also qualify as experiencing homelessness:</p> <ul style="list-style-type: none"> • Student was identified and served under MV prior to placement in foster care, • Student has run away from their foster care placement, • Student is placed in a shelter¹, or • Student is placed with a family who also meets the definition of homelessness according to the McKinney-Vento Act <p>These students should be dually qualified for both foster care and McKinney-Vento.</p>	

Still confused and need assistance? Email FosterCare@k12.wa.us or HomelessEd@k12.wa.us

DCYF: Reach out to your school district [Foster Care Liaison](#) or [McKinney Vento Liaison](#)



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Side by Side Comparison Provisions for Foster Care and McKinney Vento

Foster Care	McKinney-Vento
District Liaison and Building Point of Contact	
Each school district must designate a District Liaison and a Building Point of Contact in each school.	Each school district must designate a liaison and a point of contact in each school.
School of Origin Rights	
School of origin is the school the student was enrolled in when first placed into foster care. If a child's foster care placement changes, the school of origin would then be considered the school in which the child is enrolled at the time of the placement change.	Students experiencing homelessness are entitled to remain in their school of origin or enroll in the neighborhood school where they are currently residing. School of origin is defined as the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.
Transportation	
Districts must provide transportation to/from school of origin, even if outside of school/district boundaries.	Districts must provide transportation to/from school of origin, even if outside of school/district boundaries.
Immediate Enrollment	
Students in foster care must be enrolled immediately , even when documents normally required are not available (e.g., immunization records, health plan, updated IEP, etc.).	Students experiencing homelessness must be enrolled immediately, even when documents normally required are not available (e.g., immunization records, health plan, transcripts, updated IEP, etc.).
Best Interest Determinations	
Best Interest Determinations must be held prior to changing the school placement of a student in foster care.	A district must educate a homeless child or youth in their school of origin, unless doing so is contrary to the wishes of the parent or guardian.
Free Meals	
All students in foster care qualify for free breakfast/lunch.	All students experiencing homelessness qualify for free breakfast/lunch.
Title I Services	
Students in foster care are categorically eligible for Title I funding. Districts also can develop an (optional) Title I foster care set aside.	Students experiencing homelessness are categorically eligible for Title I funding and districts must develop a Title I set aside to support identification and services.
Dispute Resolutions Process and On-Time Grade Level Progression and Graduation	
Dispute Resolution Process and On-time grade level progression and graduation	Dispute Resolution Process and On-time grade level progression and graduation
Fees and Fines	
DCYF is responsible for fees/fines.	Fines and fees that present a barrier to enrollment and full participation in school activities must be removed (Section 722(g)(3)(C)(i); see also 722(g)(1)(H)). They can be paid by using Title I or other funds; or they must be waived.
Attendance	
Monitor Attendance School districts must review unexpected or excessive absences and proactively support students in foster care.	Districts are required to remove barriers to full participation in school. Absences due to homelessness must be excused.

[Foster Care or McKinney-Vento?](#)

District Liaison and Building Point of Contact

Foster Care

Each school district must designate a [District Liaison](#) and a [Building Point of Contact](#) in each school.

- Foster Care and Building Point of Contact **Toolkits** on the [Foster Care Resources and Training](#) page
- [RCW 28A.320.148: Foster care liaison—Building point of contact.](#)

McKinney-Vento

Each school district must designate a liaison and a point of contact in each school.



School of Origin Rights

Foster Care

School of origin is the school the student was enrolled in when first placed into foster care. If a child's foster care placement changes, the school of origin would then be considered the school in which the child is enrolled at the time of the placement change.

- School of Origin – school where the student was enrolled prior to entering foster care OR school where the student was enrolled when a student changes placement while in foster care.
- Student change in placement triggers a Best Interest Determination
- [RCW 74.13.550: Child placement—Policy of educational continuity.](#)
- [RCW 74.13.631: Students subject to a dependency proceeding—School placement options.](#)

McKinney-Vento

Students experiencing homelessness are entitled to remain in their school of origin or enroll in the neighborhood school where they are currently residing. School of origin is defined as the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.



Transportation

Foster Care

Districts must provide transportation to/from school of origin, even if outside of school/district boundaries.

- Collaboration among school districts if student doesn't retain school of origin
- [Foster Care Transportation Guidance](#)

McKinney-Vento

Districts must provide transportation to/from school of origin, even if outside of school/district boundaries.

- [McKinney-Vento TAP 2 \(ospi.k12.wa.us\)](https://ospi.k12.wa.us)



Transportation Differences

McKinney-Vento

Districts share responsibility with each other

Both

Right to receive transportation to school of origin

Foster Care

Districts share responsibility; child welfare reimburses 50% of excess cost*

*See [RCW 28A.225.350](#): Students subject to a dependency proceeding—Best interest determinations section 8(a)(b)



Regional Transportation Coordinators

Serving districts in ESD 112 and Capital Region ESD 113

- [Rodney McKnight](#)
360-952-3595

Serving districts in Olympic ESD 114 and Puget Sound ESD 121

- [Chris Jose](#)
253-686-1126

Serving districts in Northwest ESD 189

- [Mark Dennis](#)
360-299-4008

Serving districts in ESD 105, ESD 123, and N. Central ESD 171

- [Dan Payne](#)
509-454-3105

Serving districts in Northeast Washington ESD 101

- [Eric Engle](#)
509-789-3558

Immediate Enrollment

Foster Care

Students in foster care must be [enrolled immediately](#), even when documents normally required are not available (e.g., immunization records, health plan, updated IEP, etc.).

- Want to minimize educational discontinuity and impact of disruption
- If student has an IEP work with Special Education Department
- [RCW 28a.225.330: Enrolling students from other districts—Requests for information and permanent records—Immunity from liability—Rules.](#)

McKinney-Vento

Students who qualify under McKinney-Vento must be enrolled immediately even if they are unable to provide paperwork normally required for enrollment [42 U.S.C. § 11432(g)(3)(C)(i)(I)].

- Immediate enrollment and appropriate placement decisions require a quick look at information. We want to minimize disruption.
- Unaccompanied Homeless Youth: the absence of a parent or guardian is not sufficient reason to delay or deny enrollment.
- IDEA contains specific timelines that begin as soon as students with disabilities enroll. Work with your special education department.

Best Interest Determinations

Foster Care

[Best Interest Determinations](#) must be held prior to changing the school placement of a student in foster care.

- [RCW 28A.225.350: Students subject to a dependency proceeding—Best interest determinations.](#)
- [RCW 74.13.560: Educational continuity—Protocol development.](#)
- [RCW 74.13.631: Students subject to a dependency proceeding—School placement options.](#)

McKinney-Vento

The district's designated McKinney-Vento liaison is responsible for making the determination of whether the student should remain enrolled in their school of origin. According to the McKinney-Vento Act, the district is to presume that keeping the student in their school of origin is in the student's best interest, except when the parent or guardian, or in the case of an unaccompanied youth, the youth, requests otherwise.



Best Interest Determinations Process

- Student goes into foster care or has a change of placement
- School zone or district changes
- DCYF notifies Foster Care Liaison with School Notification Form and/or Foster Care Liaison runs CEDARS Foster Care Report and identifies student
- DCYF and Foster Care Liaison work together to schedule Best Interest Determination



Foster Care Best Interest Determination

Best Interest Determination Toolkit

- [Best Interest Determination: Process \(PDF\)](#)
- [Best Interest Determination: Format and Participants \(PDF\)](#)
- [Best Interest Determination: Student Centered Factors \(PDF\)](#)
- [Best Interest Determination: Attendee Input Form \(Fillable\) \(PDF\)](#)
- [Best Practices: Considerations for Best Interest Determination Meeting \(PDF\)](#)
- [Best Interest Determination: Placement Decisions Fillable Form \(PDF\)](#)
- [Example: Email for Scheduling of Best Interest Determination \(PDF\)](#)
- [Example: Best Interest Determination Meeting Agenda \(PDF\)](#)
- [Example: Best Interest Determination Tracking Database \(XLSX\)](#)
- [Best Practices: Foster Care and School Selection \(PDF\)](#)
- [Best Practices: Foster Care and Immediate Enrollment \(PDF\)](#)
- [Best Interest Determination: Tips and Troubleshooting \(PDF\)](#)
- [Infographic: Best Interest Determination Meeting \(PDF\)](#)
- [Infographic: Best Interest Determination Format and Participants \(PDF\)](#)
- [Best Interest Determination Follow Up Checklist \(PDF\)](#)
- [Foster Care Transportation \(PDF\)](#)
- [Best Interest Determination Training \[🔗\]\(#\) | \[Presentation Slides \\(PDF\\)\]\(#\)](#)



Free Meals

Foster Care

All students in foster care qualify for free breakfast/lunch.

Each LEA has a policy/procedure on how they identify students in foster care. The Foster Care Liaison and school district nutrition services usually work together on identification.

McKinney-Vento

All students experiencing homelessness qualify for free breakfast/lunch.

Local liaisons must assist homeless children and youths with activities such as enrolling in school and accessing school services, including free meals through the U.S. Department of Agriculture's (USDA's) National School Lunch Program and School Breakfast Program.



Title 1 Services

Foster Care

Students in foster care are categorically eligible for Title I funding. Districts also can develop an **(optional)** Title I foster care set aside.

McKinney-Vento

Students experiencing homelessness are categorically eligible for Title I funding and districts **must** develop a Title 1 set aside to support identification and services.

Homeless children and youths are automatically eligible for services under Title I, Part A of the ESEA, whether or not they live in a Title I school attendance area or meet the academic standards required of other children for eligibility. (ESEA section 1115(c)(2)(E)).



Title 1 Services: McKinney-Vento

Examples of Allowable Supplemental Title IA Expenditures for McKinney-Vento Students

1. Academic Support Services:
 - Tutoring & Extended Learning: After-school or weekend programs for academic help.
2. Educational Stability Support:
 - Additional Transportation Costs: To maintain school of origin if in the student's best interest.
 - Immediate Enrollment Support: Fees for school supplies, uniforms, or other essentials when transitioning schools.
3. Social-Emotional Support:
 - Counseling/Mentorship: Programs addressing emotional needs, supporting academic progress.
 - Behavioral Support: Services from specialists to help manage classroom behavior.
5. Professional Development:
 - Training for Staff: Trauma-informed practices and strategies for supporting foster care students.
6. Technology & Resources:
 - Supplemental Learning Materials: Textbooks, workbooks, and online resources.
7. Transition & Wraparound Services:
 - College/Career Readiness: Counseling and support for post-secondary planning.
 - Health/Wellness Support: Mental health or nutrition programs linked to academic success.



Title 1 Services: Foster Care

Collaborate with Child Welfare Agencies and Point of Contact (POC) LEA Staff

- Ensure coordination between LEA's (POC) and child welfare agencies to assess the needs of foster care students.

Examples of Allowable Supplemental Title IA Expenditures for Foster Care Students

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Dispute Resolutions Process

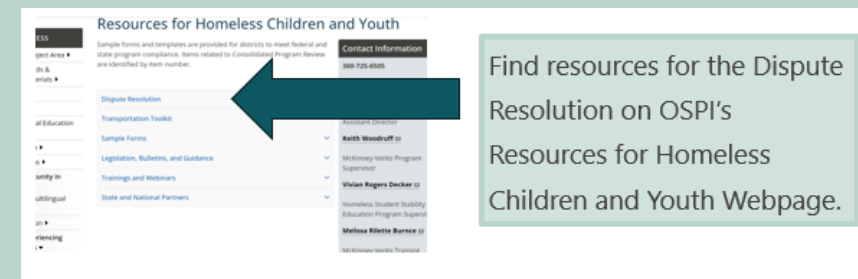
Foster Care

[Foster Care Education: Dispute Resolution Process](#)

[Foster Care Dispute Resolution Flow Chart](#)

McKinney-Vento

Students and families may disagree with a school district on issues related to eligibility for McKinney-Vento services, school enrollment, and school selection. The McKinney-Vento Act includes dispute resolution among the required duties of the school district homeless liaison.



The screenshot shows the OSPI website's navigation menu for 'Resources for Homeless Children and Youth'. The 'Dispute Resolution' link is highlighted in the sidebar. A blue arrow points from a text box on the right to this link. The text box contains the instruction: 'Find resources for the Dispute Resolution on OSPI's Resources for Homeless Children and Youth Webpage.'

McKinney-Vento Dispute Resolution Requirements

- “Students shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals” [42 U.S.C. § 11432(g)(3)(E)(i)].
- The parent, guardian, or unaccompanied youth must be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the LEA, or the SEA involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions [42 U.S.C. § 11432(g)(3)(E)(ii)].
- The parent, guardian, or unaccompanied youth must be referred to the local liaison, who will carry out the dispute resolution process as expeditiously as possible [42 U.S.C. § 11432(g)(3)(E)(iii)].

On Time Grade Level Progression and Graduation

Foster Care

McKinney-Vento

[On-time grade level progression and graduation](#)

[RCW 28A.320.192](#)

- School districts must **waive specific courses required for graduation if similar coursework has been satisfactorily completed in another school district** or must provide reasonable justification for denial.
- Should a waiver not be granted to a student who would qualify to graduate from the sending school district, the **receiving school district must provide an alternative means of acquiring required coursework so that graduation may occur on time.**
- School districts must **consolidate partial credit, unresolved, or incomplete coursework and provide opportunities for credit accrual** in a manner that eliminates academic and nonacademic barriers for the student.



Fees and Fines

Foster Care

DCYF is responsible for fees/fines.

- [Paying School Fees and Fines for Students](#)

McKinney-Vento

For McKinney-Vento eligible students, the district must: “review and revise, policies to remove barriers to the identification of homeless children and youths, and the enrollment and retention of homeless children and youths in schools in the State, including barriers to enrollment and retention due to outstanding fees or fines, or absences.” 42 U.S.C. § 11432(g)(1)(I).

If a student has fees or fines from a time when they were experiencing homelessness, but were not yet identified, those fees must be forgiven.

Attendance

Foster Care

[Monitor Attendance](#)

School districts must review unexpected or excessive absences and proactively support students in foster care.

- Foster Care Liaisons and Building Point of Contacts should be monitoring attendance
- [WAC 392-401-020](#) - Absence directly related to the student's homeless or foster care/dependency status
- [Legal Guidance](#) - including attendance

McKinney-Vento

Districts are required to remove barriers to full participation in school. Absences due to homelessness must be excused.

- Collaborate with attendance clerks to help monitor attendance for participation and signs of homelessness
- [WAC 392-401-020](#) - Absence directly related to the student's homeless or foster care/dependency status

When Do Students Overlap Programs?

- Student was identified and served under MV prior to placement in foster care
- Student has run away from their foster care placement
- Student is placed in a shelter (supervised publicly or privately operated shelter designated to provide temporary living arrangements, not a DCYF funded shelter)
- Student is placed with a family who also meets the definition of homelessness according to the McKinney-Vento Act



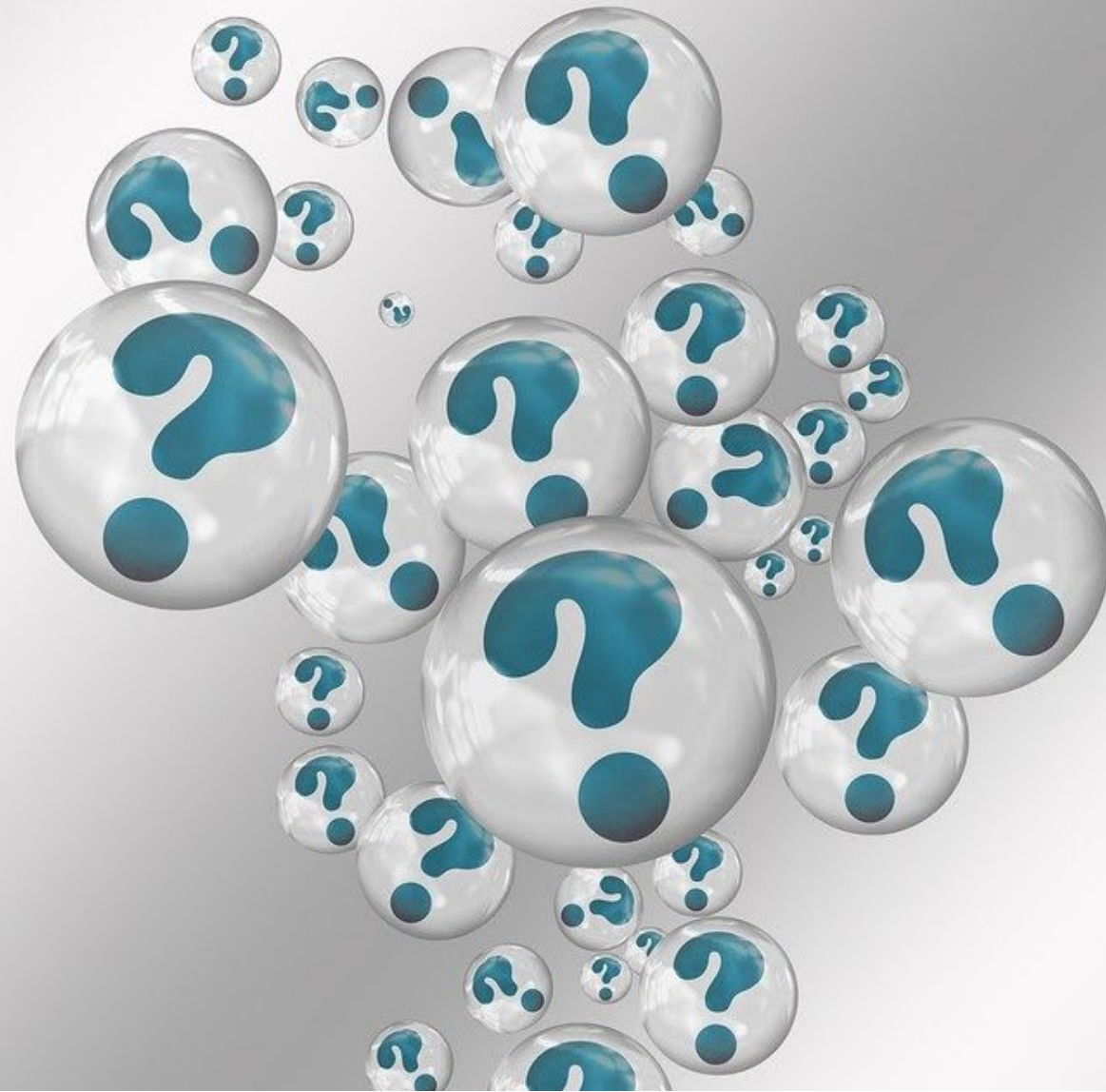


Image by Gerd Altmann from Pixabay



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Take a Break!



Image by Alexa from Pixabay



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Mock Scenario 1

Kira is a 15-year-old sophomore at Sasquatch High School. She has been in foster care through DCYF for 6 years. In September she ran away from her foster home and moved in with her best friend Callie. Callie's parents were worried about the responsibility of having Kira in their home, so she had to leave. Kira then lived with her friend Jessica for 3 weeks. She is now living with her friend Susan but can only stay there until the end of this week.

Is Kira:

- A. Foster Care student
- B. McKinney-Vento Homeless student
- C. Neither
- D. Both



Mock Scenario 2

Juan is a 12-year-old immigrant from Honduras attending Fern Middle School. He is here in the country without his parents. He is living in a placement through Catholic Charities as an Unaccompanied Refugee Minor.

Is Juan:

- A. Foster Care student
- B. McKinney-Vento Homeless student
- C. Neither
- D. Both



Mock Scenario 3

Shauna is a 9-year-old attending Cascadia Elementary. She was recently adopted by her foster family. Three weeks later, her now adopted parents, siblings and herself were evicted from their apartment. They are now sleeping in their car in a church parking lot.

Is Shauna:

- A. Foster Care student
- B. McKinney-Vento Homeless student
- C. Neither
- D. Both



Mock Scenario 4

Aaron is a 10-year-old attending Geoduck Elementary. Aaron was in a foster care home placement but is currently back living with his parents. They are all living with Aaron's paternal grandma while they look for housing.

Is Aaron:

- A. Foster Care student
- B. McKinney-Vento Homeless student
- C. Neither
- D. Both





Image by Gerd Altmann from Pixabay



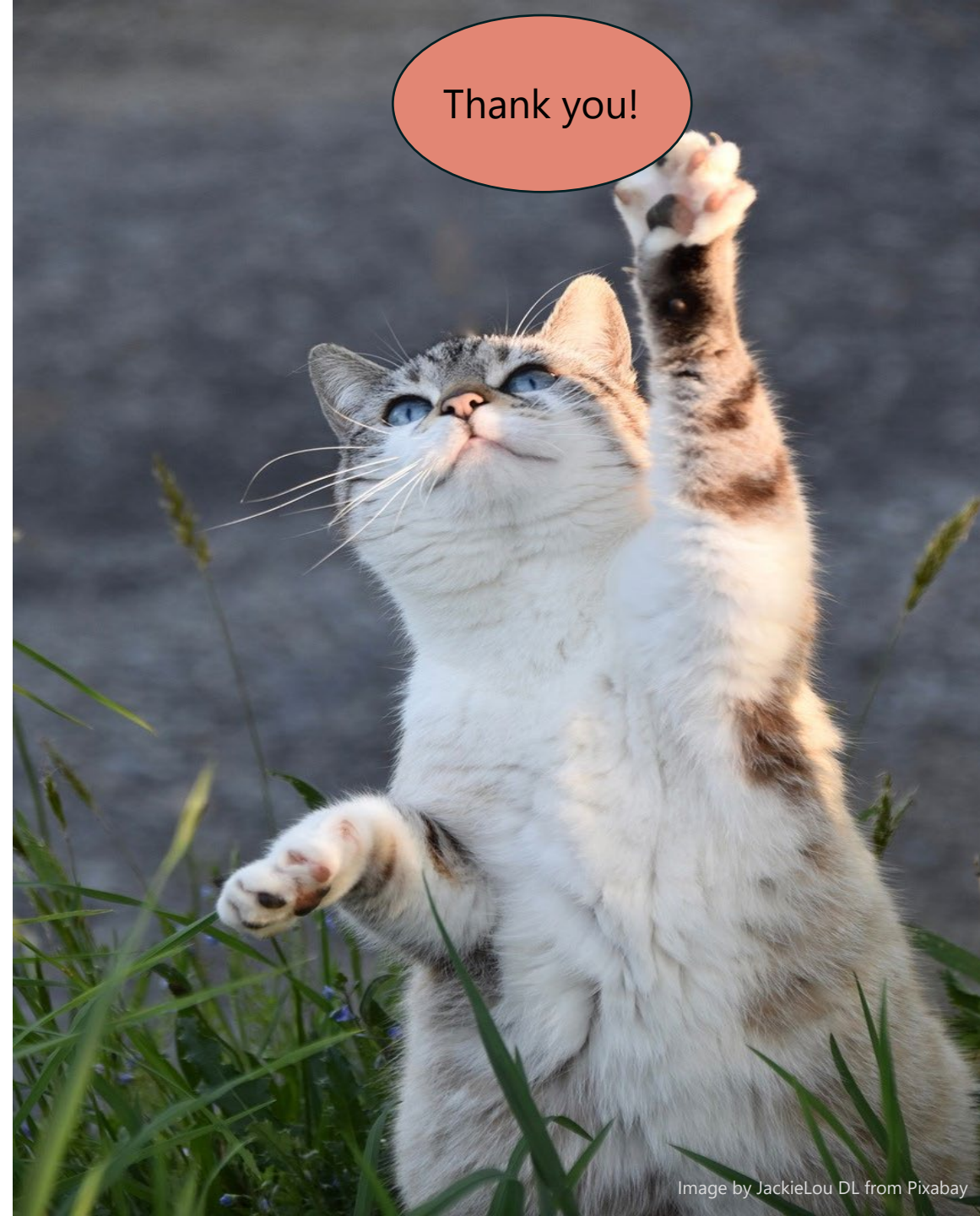
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Contact Us Anytime!

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Thank you!





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