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
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: • Foster homes • Relative placements • Group homes • Emergency shelters • Residential facilities • Childcare institutions • Pre-adoptive homes • Trial-return-home placement Unaccompanied Refugee Minors are also eligible The U.S. Department of Education issued its Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care OSPI Foster Care Education Site	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: • 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 The U.S. Department of Education has issued its Non-Regulatory Guidance for the Education of Homeless Children and Youth. OSPI Homeless Education Site

Exceptional Situations

There are occasions when a student in foster care may also qualify as experiencing homelessness:

- 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[1], or
- Student is placed with a family who also meets the definition of homelessness according to the McKinney-Vento Act

These students should be dually qualified for both foster care and McKinney-Vento.

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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[1] Student is placed in a supervised publicly or privately operated shelter designated to provide temporary living arrangements. This does not include a DCYF funded shelter.

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 1 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.