

Title X, Part C – Education of Homeless Children and Youth
I Just Need a Little Help!
Scenarios and Responses
May 6, 2015

Demonstration Scenario

1. **Brittney's mom is moving out of state to work. Brittney is going to live with her grandmother during this time. Would she be considered an MV student?**

Response:

If the parent is moving out of state to work (and it does not have to do with the family losing its home), and she has arranged for her child to live with the grandparent to finish school, then this student would not be considered homeless. She would be unaccompanied, but not homeless.

Practice Scenario

2. **Amanda, one of our students has been living on her own since the age of 16. She rented a room, and now lives in an apartment. She pays her own expenses and has a full-time job. Amanda has been living in this apartment for one year. She is currently 18. She wants to apply as an independent student for FAFSA, can she?**

Response:

Because she has an apartment, which is fixed, regular, and adequate, unless you determine that it is not, the student is not homeless.

For the purposes of FAFSA, based on the information provided, yes, the student can apply for financial aid on her own. She will need to complete a Dependency Status Appeal. Since she has stable housing, and is self-supporting she will need to indicate the reason that she is not living with and supported by her parents. In terms of FAFSA completion she would need to leave all of the questions blank regarding her Dependency Status and submit the FAFSA with no parental information, it will be incomplete. She will then need to follow-up with the aid office to do the Dependency Override.

Here is the link for FAQ's for a Dependency Override

<http://naehcy.org/sites/default/files/images/dl/dep-stat-app.pdf> (see pages 123-126).

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Group Scenarios

Scenario 1

We have a Youth Shelter in our district. Some of the students are runaways and others are unaccompanied homeless youth (they are at the shelter because they have nowhere else to go). We also have others placed there by CINS/FINS, DJJ, DCF, Truancy Court, or the court. Some of these come from out of county. Additionally, we have students placed there because they are behavioral problems and their parents placed them there for respite. Most of them stay there for 30 days or less. Since they all live in a shelter, are they automatically considered unaccompanied homeless youth?

Response:

It is important to look at each on a case-by-case basis to determine the category under which the student would be covered. To determine which students would be McKinney-Vento eligible, the following should be considered:

- If the student is a runaway, then, yes, in all likelihood, the student would be considered homeless.
- If the student has lost his or her home and the shelter is the only place the student has to go, then, yes, the student would be considered homeless.
- If the student has been placed in the shelter by an authority (CINS/FINS, DJJ, DCF, Truancy Court, parent, or the court), then, no, the student would not be considered homeless, because the authority figure made the arrangement and decision to place the student at the shelter. A good rule of thumb is to look at who is paying for the bed for that student in the shelter.
- If the student has been removed from his or her home by DCF and is temporarily placed in the shelter, while DCF is searching for a more permanent placement while the student is under DCF's care, then the student may be considered "Awaiting Foster Care Placement" (AFCP). You would want to look at each situation like this on a case-by-case basis to determine whether it is AFCP. Remember, youth who are AFCP for the first time only would qualify as homeless. Youth who come to the shelter from a foster care placement and are awaiting a second or third placement would not qualify as homeless.

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Scenario 2

We have a high school student (Maria) that shared with her counselor that she is missing 1st block because she has to pay people gas money to drive her to school. Her grandmother kicked her out and she is living with her mom in the mom's boyfriend's house. Would you consider her homeless? What about unaccompanied?

Response:

The McKinney-Vento Act defines children and youth who lack a fixed, regular, and adequate nighttime residence. This includes temporarily living with others because the student has nowhere else to go. Regarding this situation, is the residence that the student is now staying fixed, regular, and adequate for her? Has this student been shuffled back and forth throughout the year, creating a homeless situation? Is it highly likely that this student will be moved again? If so, I would consider her homeless.

Scenario 3

We have several MV students who don't ride the bus consistently. Many times the transportation for MV students is spread out. Is it reasonable to ask parents/students to contact transportation if the child is not going to ride? If we did this, wouldn't we be required to do this for all students?

Response:

The district's McKinney-Vento Act obligation regarding transportation to the school of origin is met when the transportation is arranged or provided (Section 722(g)(1)(J)(iii)(I)). After that, the students are under the authority of the school district's policies. How would the district handle this situation for a non-homeless student?

If you continue to have issues with this, the district may decide to have as part of its process/procedure that the parent signs a transportation agreement. Examples from the National Center for Homeless Education are below. As always, consistent application of any process or procedure is advised.

<http://center.serve.org/nche/downloads/sc/hb/app-j1.pdf>

http://center.serve.org/nche/ibt/sc_transport.php

Note: It is important to find out the reasons why the students are not on the bus from the parent. Perhaps, it is not in the best interest of the student to remain in the school of origin.

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Scenario 4

Two elementary homeless students in one family attended different schools last year because one school is for grades 3-5 (School 1) and the other is for PreK-2 (School 2) only. The daughter was in 3rd grade and attended School 1, which was the school she attended when the family became homeless. The son was in 2nd grade and attended School 2 (PreK-2 school). They were enrolled as "homeless" in February 2014, due to their living in a campground.

Although housing was found for school year 2014-2015 in another area that is not zoned for either of the two schools the children were attending, these students were re-enrolled in the homeless program at the beginning of this year. This was due to their new home's substandard housing conditions. Although their new home was out of the attendance zone for School 1 (where both are now attending), the parents did not ask for help with transportation to the school of origin. In January of 2015, both parents lost their jobs and are currently on the verge of being evicted. Their vehicle has been repossessed, so the parents have requested School of Origin transportation.

We have a great transportation department and they handle school of origin requests promptly. However, one of the transportation staff does not agree with me that this family is homeless. He went by the house to set up the route, and told me he does not believe the home is substandard. From the outside, the house looks fine, but in my discussion with this family, they indicated multiple conditions that could be considered substandard, including lack of electrical outputs, septic tank seepage, and other safety issues with the house. The landlord refuses to correct these. Is our LEA required to provide School of Origin transportation for these children?

Response:

Based on the information provided, the homeless liaison determines the homeless status of the students. Secondly, the MVA requires school districts to arrange/provide transportation to the school of origin.

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Scenario 5

We have an 18-year-old male (Damien) who has been identified as an unaccompanied homeless youth and he is seeking enrollment at the traditional high school to where he is temporarily residing. He has attended this school in the past. Damien is returning from a juvenile justice commitment program where he has been incarcerated for over a year. He does not have enough credits to graduate in June. The school and I have talked with him about attending one of our alternative education sites or charter schools and explained to him that he would be able to graduate this summer if he attended one of these programs (versus an additional year in the traditional setting). He does not want to attend an alternative site.

We strongly feel an alternative placement is in his best interest. If he enrolls into the traditional school at this point in time, he will not earn credit for his coursework this semester (too late in the semester). We also have concerns about his enrollment into this particular school due to criminal history, school discipline history, and possible personal motivations (girlfriend history). We also have concerns behind his intent to enroll knowing he will not earn credit for this semester.

Response

You mentioned he was returning from a DJJ program. These programs should have transition plans for the student. Also, why would the student not receive credit for his coursework this semester? Lastly, you mentioned criminal history, would this result in the school not having to allow him back in? To determine options, more information and discussion is needed.

Scenario 6

One of our counselors is the ex-stepmother of Jason, one of our students. She believes Jason should be considered an unaccompanied homeless youth, even though he is living with her. She does not have custodial rights over the student. The ex-stepmother fears that if things get bad between them or things get too hard for her helping him out, she does not know what will happen. Jason is a temperamental teenager and she is doing her best.

When I asked her additional questions, she said that in terms of the arrangement, it's temporary, until his father can get a place to stay. The father currently rents a room from someone in Broward. The student was supposed to go every other weekend with him, but they don't have a bed, so he sleeps on the floor when he is there.

In addition his father lost his job and so did his two older brothers, who share a room with the father. Over Christmas, the student visited and witnessed a fight between his father and the homeowner's boyfriend because they were behind on the rent.

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His mother left when he was six months old and lives in another country. She talks to him on social media from time to time, but does not help out at all. The ex-stepmother is not sure what to do because she is trying to help Jason graduate and go onto college. His two older brothers dropped out their senior year.

Response:

More information is needed. How old is the student and what grade? If the residence is fixed, regular, and adequate, then the student would not be considered homeless, yet he would be unaccompanied. Is this living arrangement an agreement between the father and former stepmother to have the student stay with her? If so, again, he would not be considered homeless. What is the arrangement with his father and birth mother, why is he not living with one of them? Where would he be living if he did not live with the former stepmother? Why aren't his parents providing assistance to the former stepmother for his food and other incidentals?