

Kansas State Department of Education

**STATE PLAN FOR THE EDUCATION
FOR HOMELESS CHILDREN AND YOUTH PROGRAM**

*SUBTITLE B OF TITLE VII OF
MCKINNEY-VENTO HOMELESS ASSISTANCE ACT*

AS AMENDED BY

THE NO CHILD LEFT BEHIND ACT OF 2001

McKinney-Vento Homeless Education Act of 2001
Title X, Part C of the *No Child Left Behind Act*
Public Law 107-110
State Plan for Kansas Department of Education

Introduction

The Education for Homeless Children and Youth program in Kansas is intended to ensure that homeless children and youth have access to the same free, appropriate public education, including public preschool education, as provided to other children and youth. Kansas will review and revise their laws and policies to eliminate barriers to the enrollment, attendance, and success in school of children and youth experiencing homelessness and provide such children and youth with the opportunity to meet the same challenging State student academic achievement standards to which all students are held. Students in homeless situations must not be separated from the mainstream school environment because of their homelessness.

Policy Statement

Section 721(1)(2) of the McKinney-Vento Homeless Education Act:

The following is the policy of the Congress which Kansas supports:

- 1) Each State educational agency shall ensure that each child of a homeless individual and each homeless youth have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth.
- 2) In any state that has a compulsory residency requirement as a component of the State's compulsory school attendance laws or other laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youth, the State will review and undertake steps to revise such laws, regulations, practices, or policies to ensure that homeless children and youth are afforded the same free, appropriate public education as provided to other children and youth.
- 3) Homelessness alone is not sufficient reason to separate students from the mainstream school environment.
- 4) Homeless children and youth should have access to the education and other services that such children and youth need to ensure that such children and youth have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.

Definitions

Homeless Children and Youth

According to Section 752(2) of the McKinney-Vento Homeless Education Act, the term “homeless children and youth” –

- A. Means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1) [‘one who (1) lacks a fixed, regular, and adequate residence or (2) has a primary nighttime residence in a supervised publicly or privately operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.’] and**
- B. Includes -**
- i. Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;**
 - ii. Children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C));**
 - iii. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and**
 - iv. Migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).”**

In Section 725(6), “the term ‘unaccompanied youth’ includes a youth not in the physical custody of a parent or guardian.”

A fixed residence is one that is stationary, permanent, and not subject to change. A regular residence is one which is used on a regular (i.e., nightly basis). An adequate residence is one which is sufficient for meeting both the physical and psychological needs typically met in home environments. According to the McKinney-Vento Act, children who lack a fixed, regular, and adequate residence are considered homeless.

Section 103(c) of the Act specifically excludes from the definition of homeless individuals any person who is imprisoned or otherwise detained by act of Congress or State law. Therefore, children who are incarcerated or in Kansas Juvenile Justice Authority facilities are generally not to be considered homeless.

Free and Appropriate Public Education

Based on the Act's definition, "free and appropriate public education" in Kansas means the provision of services for which the child would be eligible if not homeless in the same manner as that provided to other students who are similarly eligible for the service. Therefore, homeless children shall be eligible for transportation services, compensatory education services, bilingual education services, special education services, school meal programs, preschool programs, or any other programs offered by the local school division for which the homeless child or youth is otherwise eligible.

School Age

Kansas Code K.A.R. 72-1107 states individuals who are the age of five on or before August 31st of any school year are considered eligible for school enrollment. School age, for the purposes of this plan, exceeds this limit whenever the school district offers services to children younger or older than the required ages. For instance, if the local educational agency offers a preschool program to three- and four-year olds, then homeless three- and four-year-olds shall be considered to be of school age if they would otherwise qualify the district's preschool program. Special education services, as provided under the Individuals with Disabilities Act, would apply to children experiencing homelessness from birth through age 21.

Residency Requirements

Kansas Code K.S.A. 72-1046 assigns residency to homeless children and youth.

State Plan

Section 722(g) of the McKinney-Vento Homeless Education Act

Each State shall submit to the Secretary a plan to provide for the education of homeless children and youth within the State. Such plan shall include the following:

- A. A description of how such children and youth are (or will be) given the opportunity to meet the same challenging State academic achievement standards all students are expected to meet.**
- The Kansas State Department of Education (KSDE) and the Kansas State Board of Education (KSBE) have adopted standards and assessments that set the same expectations for all enrolled students. Current standards and assessments will be reviewed and revised as necessary to meet the expectations of the *No Child Left Behind Act* of 2001. Timeline: July 2002 and ongoing.
 - The state coordinator will review with the KSDE attorney current laws, regulations, practices and policies that may act as barriers to the enrollment, attendance and academic success of homeless children and youth. Timeline: July 2002 and ongoing.
 - The state coordinator will work with the State and Federal Programs Coordinator in the SEA to ensure that homeless children and youth are included in statewide assessment and accountability systems. Timeline: July 2002 and ongoing.

- B. A description of the procedures the State educational agency will use to identify such children and youth in the state and to assess their special needs.**
- The state coordinator will inform local educational agency liaisons of their duties as described in section 722(6)(A) and provide them with actual copies of briefs that have been developed by the NCHE, as well as provide copies of the *Local Homeless Education Liaison Toolkit* developed by the National Center for Homeless Education (NCHE). Timeline: July 2002 and ongoing.
 - The state coordinator will require identification of numbers of homeless children within each district to be included on the Local Consolidated Plan Application and Annual Report. Timeline: August 2002 and ongoing.
 - The state coordinator will require McKinney-Vento subgrantees to continue to provide an annual evaluation that includes the number of children and youth served and an identification of the needs and services provided or required, including continuing barriers. (Appendix C) Timeline: November 2002 and ongoing.
- C. A description of procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth.**
- The state coordinator will review with the KSDE attorney the current dispute resolution to align with new legislative requirements and thereafter disseminate the information to LEA liaisons. Timeline: July 2002 and ongoing.
 - The state coordinator will work with liaisons of local educational agencies to ensure that homeless children and youth will be enrolled immediately in the school of their choice and provided transportation in accordance with the law, pending resolutions of the dispute. Timeline: September 2002 and ongoing.
- D. A description of programs for school personnel (including principals, attendance officers, teachers, enrollment personnel, and pupil services personnel) to heighten the awareness of such personnel of the specific needs of runaway and homeless youth.**
- The state coordinator will advertise the KSDE homeless website link to allow for access to program information and links. (Appendix D) Timeline: June 2002 and ongoing.
 - The state coordinator will develop and disseminate, via the KSDE homeless website, a database of contact information of all local educational agency liaisons for homeless children and youth to include district name and number, contact addresses, phone numbers, and email addresses. Timeline: September 2002 and ongoing.
 - The state coordinator will disseminate information briefs to Kansas public schools, LEA contacts and shelters. Timeline: July 2002 and ongoing.
 - The state coordinator will facilitate requested assistance, including the provision of information packets upon request that contain legislative and program information related to the education of children and youth experiencing homelessness. Timeline: September 2002 and ongoing.
- E. A description of procedures that ensure that homeless children and youth who meet the relevant eligible criteria are able to participate in federal, state or local food programs.**
- The state coordinator will collaborate with local educational agency liaisons to ensure that homeless students receive services comparable to those provided to other students. Timeline: September 2002 and ongoing.

- The state coordinator will collaborate with KSDE School Food Service to ensure that homeless students are included in school meal programs. Timeline: September 2002 and ongoing.
- The state coordinator will disseminate recent and updated information to local liaisons via KSDE homeless website updates. Timeline: July 2002 and ongoing.

F. A description of procedures that ensure that –

- (i) **homeless children have equal access to the same public preschool programs, administered by the State agency, as provided to other children in the State;**
- (ii) **homeless youth and youths separated from the public schools are identified and accorded equal access to appropriate secondary education and support services; and**
- (iii) **homeless children and youth who meet the relevant eligibility are able to participate in federal, state, or local before- and after-school care programs.**
- The state coordinator will coordinate with other relevant educational programs, including preschool programs, and with the providers of services to homeless children and youth and their families, such as providers of shelters and youth centers, to improve comprehensive services for the homeless. Timeline: September 2002 and ongoing

G. Strategies to address problems identified in the report provided to the secretary under subsection (f)(3).

- The state coordinator will review with the KSDE attorney current laws, regulations, practices and policies that may act as barriers to the enrollment, attendance and academic success of homeless children and youth. Timeline: July 2002 and ongoing.
- The state coordinator will monitor the local educational agency designations of homeless liaisons for the education of homeless children and youth. Timeline: September 2002 and ongoing.
- The state coordinator will monitor the required reservation of Title I funds for districts with homeless children and youth. Timeline: July 2002 and ongoing.

H. Strategies to address other problems with respect to the education of homeless children and youth, including problems resulting from enrollment delays that are caused by –

- (i) **Immunization and medical records requirements;**
- (ii) **Residency requirements;**
- (iii) **Lack of birth certificates, school records, or other documentation;**
- (iv) **Guardianship issues; or**
- (v) **Uniform or dress code requirements.**
- The state coordinator will encourage coordination and collaboration in the field by developing and disseminating, via the KSDE website, a database of contact information of all local educational agency liaisons for homeless children and youth to include district name and number, contact addresses, phone numbers, and email addresses. Timeline: September 2002 and ongoing.
- The state coordinator will review and revise the current KSDE homeless website to reflect current and updated information. Timeline: June 2002 and ongoing.

- The state coordinator will provide technical assistance through phone calls, emails and letters, as needed, to respond to calls from Liaisons, parents and/or service providers when questions or problems occur. Timeline: September 2002 and ongoing.
- I. A demonstration that the State educational agency and local educational agencies in the state have developed, and shall review and revise, policies to remove barriers to the enrolment and retention of homeless children and youth in schools in the state.**
- The state coordinator will review with the KSDE attorney current laws, regulations, practices and policies that may act as barriers to the enrollment, attendance and academic success of homeless children and youth. Timeline: July 2002 and ongoing.
 - The state coordinator will consult with appropriate KSDE staff to identify potential revisions to the state’s enrollment dispute resolution process to align with the McKinney-Vento Act. Timeline: July 2002 and ongoing.
 - The state coordinator will work with local educational agencies to ensure that homeless children and youth are not stigmatized or isolated from their peers.
- J. A description of how the State will ensure that LEAs will comply with the requirements of paragraphs in Section 722(g)(3) through (g)(7) of the Act (LEA requirements, comparable services, coordination, LEA liaisons, review/revisions).**
- The state coordinator will provide local educational agencies with actual copies of briefs that have been developed by the NCHE, as well as provide copies of the *Local Homeless Education Liaison Toolkit* developed by the National Center for Homeless Education (NCHE). Timeline: July 2002 and ongoing.
 - The state coordinator will provide technical assistance activities such as the KSDE homeless website and dissemination of resources. Timeline: July 2002 and ongoing.
 - The state coordinator will develop and disseminate, via the KSDE homeless website, a database of contact information of all local educational agency liaisons for homeless children and youth to include district name and number, contact addresses, phone numbers, and email addresses. Timeline: September 2002 and ongoing.
- K. A description of the technical assistance that the State will furnish to LEAs and how the SEA will coordinate its compliance efforts with the local educational agency liaisons designated under paragraph (1)(J)(ii) in Section 722 of the Act.**
- The state coordinator will provide a copy to designated liaisons of the Local Homeless Education Liaison Toolkit that provides guidance for LEA liaisons to review and revise policies to comply with the new McKinney-Vento Act. Timeline: September 2002 and ongoing.
 - The state coordinator will develop and disseminate, via the KSDE homeless website, a database of contact information of all local educational agency liaisons for homeless children and youth to include district name and number, contact addresses, phone numbers, and email addresses. Timeline: September 2002 and ongoing.
 - The state coordinator will review and revise current KSDE homeless website to reflect current and updated information. Timeline: July 2002 and ongoing.
 - The state coordinator will provide technical assistance through phone calls, emails, and letters, as needed, to respond to calls from liaisons, parents, and/or service providers when questions or problems occur. Timeline: July 2002 and ongoing.

L. A description of how the SEA will use the funds it receives under this program to carry out State-level activities and to make subgrants to LEAs.

- The state coordinator will make available an application for competitive subgrants to local educational agencies based on the need of such agencies for assistance and the quality of the application submitted. (Appendix A) Timeline: June 2002 and ongoing.
- A scoring/selection committee will utilize a rubric and scoring guide to determine the quality of such applications submitted. (Appendix B) Timeline: June 2002 and ongoing.
- The Kansas State Board of Education (KSBE) will review and approve recommendations for program funding. Timeline: August 2002 and yearly thereafter.
- The state coordinator will conduct site visitations of local educational agencies, when necessary; and require and review end-of-year narrative and fiscal reports. Timeline: September 2002 and ongoing.