

ECYEH/Foster Regional Meeting

Spring 2026

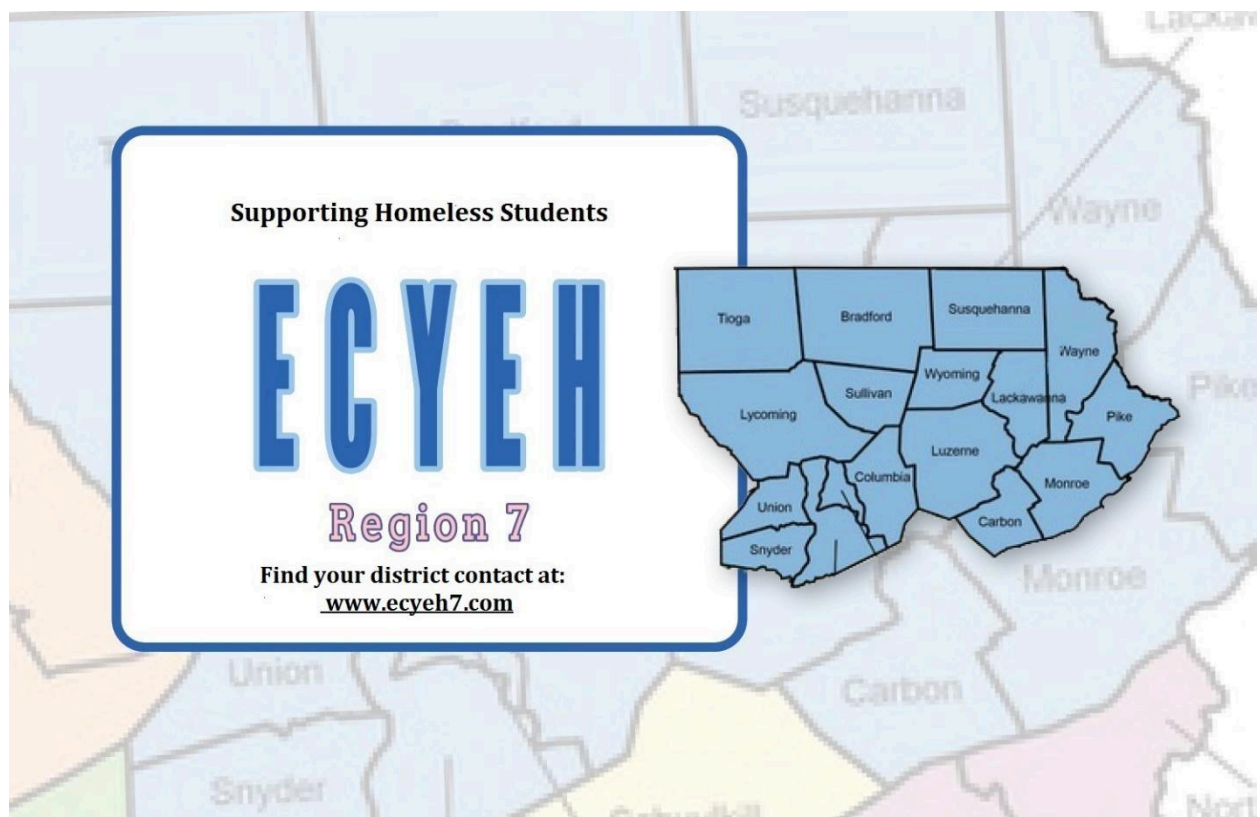


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Act 1-Homeless

Did you know?

Children and youth experiencing homelessness who have experienced “education instability” — meaning one or more school changes in school entity enrollment during a single school year — are eligible for assistance under Pennsylvania law. i

Act 1 of 2022 (Act 1) promotes timely high school graduation and facilitates equal access to academics and extracurricular activities and the removal of systemic barriers for students who experience education instability as defined by the legislation. This includes children and youth experiencing homelessness.

Children and youth experiencing homelessness have a **right to school stability** and other school protections under the McKinney-Vento Homeless Assistance Act. ii While experiencing homelessness, a change in schools is sometimes necessary or appropriate for the student.

Under Act 1, school entities must work with these students experiencing homelessness who have experienced education instability **to remove a variety of barriers** that could impact their success in school.

Why is Act 1 important?

Educators play a critical role in creating a school environment that is safe and supportive for students experiencing housing instability, including knowledge and understanding of the stress and trauma that often accompanies homelessness.

Educators are often the first to notice signs that a student’s housing status has changed and can connect with the Homeless Liaison immediately to help collaborate with other staff, the student, and family on other resources, services, and supports as needed.

When a change in school enrollment is necessary or appropriate for children and youth experiencing homelessness, schools can reduce education barriers caused by housing instability. The law requires schools to facilitate equal access to academic and extracurricular activities, and to promote grade retention and on-time high school graduation.

What does the law provide children and youth experiencing homelessness?

Point of Contact

Establishes a Point of Contact for the student. The Point of Contact established by the student's school entity ensures that the student receives all benefits of the law, and this information is added to the student's education record. School entities already have an identified McKinney-Vento Homeless Liaison. ⁱⁱⁱSchools must determine the most appropriate Point of Contact for the student, which may include a building-level Point of Contact, to ensure eligible students receive all benefits of the law.

Equal Access

Ensures equal access for the student to participate in school-sponsored and extracurricular activities if they meet placement and qualification requirements. This includes lifting registration deadlines due to attending a prior school or other barriers that may be caused by experiencing school instability.

Fees Assistance

Eliminates fees that create a barrier for students to participate in school and school-sponsored activities.

Fees may include school identification fees, uniform fees, fees for athletics, extracurricular activities, school-sponsored trips, library fees, materials fees, fees for lost or damaged materials, and graduation regalia fees. **Title I, Part A funds must be used only as a last resort** after other funding sources have been exhausted.

Timely Graduation

Assesses graduation progress to ensure **timely graduation** of students. This includes adopting more flexible policies regarding course credits, credit transfers, and developing a student-specific graduation plan for youth experiencing homelessness in grades 9-12.

Pathways to Graduation

Considers alternative pathways to graduation for students, including a diploma issued by the student's prior school or a Keystone Diploma issued by the Pennsylvania Department of Education (PDE).

How to put Act 1 into Action

Address fees

School entities should explore the allowability of Title I or other funding sources to address fees covered under Act 1.

School entities may collaborate with their Pennsylvania Education for Children and Youth Experiencing Homelessness (PA ECYEH) Program Regional Office to inquire if assistance may be available. ^{iv}

School entities are required to set-aside Title I funds for McKinney-Vento students. **Title I, Part A funds must be used only as a last resort** when funds or services are not available from other public or private sources such as the United States Department of Agriculture's (USDA) National School Lunch Program, USDA's School Breakfast Program, public health clinics, or local discretionary funds used to provide similar services for other special student populations.

Title I, Part A services must be reasonable and necessary to assist students experiencing homelessness to take advantage of educational opportunities. Schools may use Title I, Part A to defray the excess cost of school of origin transportation.

School entities can learn more about serving students experiencing homelessness under Title I, Part A, including allowable usages, from the National Center for Homeless Education. ^v

Identify and name a Point of Contact

School entities may identify their Homeless Liaison as the Act 1 Point of Contact. However, to ensure completion of all tasks required by the law, school entities may consider appointing a building level Point of Contact. School entities may use Title I homeless funds (reservation) to fund a local Homeless Liaison's salary and expenses.

For more information, visit the webpage for Pennsylvania Department of Education's Basic Education Circular, "Act 1 of 2022".

Contact RA-EDDOP@pa.gov.

Build a community of support

When children and youth experiencing homelessness begin at a new school, the student's established Act 1 Point of Contact and Homeless Liaison should meet to review all available resources and participation opportunities to promote belonging and inclusion in their new school community.

Assess all prior work and award credits

The Act 1 Point of Contact works with relevant school staff to carefully assess the student's academic history and investigate whether the student has already completed partial credit or a course that meets a requirement at the current school.

Develop pathways to graduation

The Act 1 Point of Contact works with relevant school staff to create a graduation plan for students in grades 9-12 that thoroughly assesses and specifies the courses necessary for a student to graduate on time. The graduation plan is developed and reviewed with the student and parent.

Consider Act 1 and special education

School entities should carefully work with children and youth experiencing homelessness with Individualized Education Programs (IEPs) or 504 Plans to ensure that Act 1 does not conflict with these applicable laws. Importantly, students who have IEPs may elect to remain in school until age 22, even if Act 1 offers an earlier pathway to graduation. ^{vi}

Act I Addendum

“In January, the General Assembly enacted Act 1 of 2022 (Act 1) (24 P.S. § 13-1331.1) to remove educational and graduation barriers for students who move between school entities due to homelessness, adjudication, foster care, and juvenile justice or court-ordered placements. Act 1 requires school entities assign a point of contact, adopt clear policies and practices to apply credit for satisfactorily completed coursework, and develop a graduation plan for students experiencing education instability. Act 1 also includes protections to facilitate equal access to school, including participation in extracurricular opportunities.”

To qualify for Act 1, students must meet at least one of the criteria listed under column A **and** column B:

A	B
Student has been: <input type="checkbox"/> Identified under McKinney-Vento <input type="checkbox"/> Placed in foster care <input type="checkbox"/> Adjudicated	Student has: <input type="checkbox"/> Missed a significant amount of time <input type="checkbox"/> Changed school districts

ACT 67 -- STUDENTS' RIGHTS DURING RESIDENCY DISPUTES

Every school age child who is a resident of a Pennsylvania school district is entitled to a public school education. A school district may ask a family to provide documents to establish residency and may challenge whether the family lives in the district, **except when a child is experiencing homelessness**. Under Pennsylvania's Act 67, children have the right to remain in their current school during the pendency of a residency dispute.

WHAT IS ACT 67?

Act 67, enacted in 2024, mandates that school districts and charter schools must allow a child to remain in their current school until full resolution of any residency dispute. This law also requires schools to notify parents of their right to a residency hearing, their opportunity to participate in that hearing, and their right to appeal a hearing decision. In addition, **the law requires schools to determine whether the child whose residency is being challenged is experiencing homelessness and to provide families with information about the rights and protections available to students experiencing homelessness**.

HOW DO SCHOOL DISTRICTS DETERMINE STUDENT RESIDENCY?

A student is considered a resident of the school district where their parent or legal guardian lives. If parents reside in different school districts due to separation, divorce, or other reasons, the child may attend school in the district where the parent who they live with a majority of the time resides — unless a court order or court-approved custody agreement specifies otherwise. If joint custody is evenly shared, the child may attend school in either district where a parent resides.

For children in foster care, residency is based on the location of their foster home.

If a child resides with a non-parent adult (such as a grandparent or family friend), the child is entitled to enroll in the school district where that non-parent adult resides. The child year-round without compensation and will be responsible for the child with regard to school requirements. The non-parent adult must also establish either legal guardianship of the child **OR** demonstrate that they are supporting the child year round without compensation and will be responsible for the child with regard to school requirements.

Children and youth in residential placements (including hospitals, residential treatment facilities, and juvenile justice or dependency placements) are entitled to receive an education from the local public school where that facility is located. However, the school district of residence for that student remains the district where the child's parent or guardian resides, and that district is responsible for reimbursing the "host" school district where the child is currently residing.

WHAT HAPPENS IF THE SCHOOL CLAIMS THE FAMILY DOES NOT LIVE IN THE DISTRICT?

If a school district or charter school believes that a student is **not** a resident and **does not qualify as homeless**, it **cannot disenroll** the student without complying with all the requirements under Act 67 and providing the family with due process.

Before any disenrollment, the following actions must occur:

Step 1: Advise Families of the McKinney-Vento Act and the Right to School Stability

Act 67 mandates that a school district or charter school may not disenroll a student without first considering whether the child qualifies as homeless. Act 67 also mandates that the district or charter school must provide the parent or guardian with information regarding the educational rights of children and youth experiencing homelessness.

Under the federal McKinney-Vento Act, all students from preschool through high school graduation who are experiencing homelessness have a legal right to attend school at the school they attended before becoming homeless. This right to attend the same school applies even if the child is no longer living in the same school district or catchment area. This protection applies for the duration of homelessness and until the end of the school year, even if the child finds permanent housing

Step 2: Notice of Residency Dispute and Hearing Information

To comply with Act 67, a school district or charter school must provide sufficient notice to families if it believes that the student is not a current resident of the school district and is not otherwise permitted to enroll as a student experiencing homelessness. At a minimum, the notice must include the basis for the school district or charter school's claims regarding non-residency of the student, and it should notify the parent, guardian, or student of their right to a residency hearing before any disenrollment by the school district. The notice should include the applicable school grievance policy and include the time, date, and location of the residency hearing. The notification must provide families with sufficient advance notice to prepare for the hearing, and the notice must be translated into a language that the parents can understand. If, after receiving this notice of a residency hearing, the parent declines to participate in the hearing process or any appeal, then the school district or charter school may disenroll the student due to residency concerns.

Step 3: Residency Hearing

Because the right to attend school is a statutory property interest, a parent is entitled to a formal due process hearing. The "sole purpose" of the residency hearing is to establish whether the school district's determination of non-residency is supported by sufficient evidence. At a residency hearing, parents and guardians have the right to explain their position that the student is entitled to attend school in the district/charter school, testify at the hearing, present any documents and

testimony from witnesses supporting their position, and ask questions of any witnesses the school presents. If appropriate, parents may present documents showing they are residents or are permitted under other laws to enroll their child in the district, and they may present witnesses who will testify that they are current residents. Parents may bring an attorney to represent them at the hearing at their own cost or bring a non-attorney advocate to assist during the hearing. Before the hearing date, the school should provide its witness list to the family, as well as copies of any documents, videos, or exhibits that it will rely on.

The hearing must be decided by an impartial decision-maker. An important note: If the parent presented documents sufficient to satisfy the requirements for enrolling a child in the school district or charter school in the first place, the parent meets an initial burden of proof. After that, the burden shifts to the district or charter school to present evidence to substantiate its determination that a parent or caregiver is not currently a resident of the district. In a residency hearing, “substantial evidence of that non-residency is required,” and excluding a student from the district cannot be based on evidence that simply “suggests or speculates that there *could be* a ‘residency concern.’”

Step 4: Notice of Residency Hearing Decision and Right to Appeal

After the hearing, the hearing officer will issue a decision with findings of fact and conclusions of law. This decision will need to be approved by the school board, and the family must receive the written decision that explains the basis for the determination and how to appeal it.

The decision, which is an “agency decision,” may be appealed to the Court of Common Pleas of the county where the school is located within 30 days. Parents may appeal if they disagree with the determination that their child is not eligible to attend school due to residency issues and/or parents believe that they were deprived of their right to due process (such as lack of notice of the time and place of the hearing). Parents have the right to request a copy of the residency-hearing transcript. Parents who are indigent and cannot pay for the transcript can receive a copy of it free. The student is entitled to remain enrolled in the school district/charter school during the entire appeal process.

WHAT IF THE FAMILY OR STUDENT IS EXPERIENCING HOMELESSNESS?

Under Act 67, a school district/charter school may not disenroll a student until it considers whether the student may qualify as homeless and provides parents with information on the educational rights of students experiencing homelessness in a manner and form understandable to parents and guardians. This is important because under the McKinney-Vento Act, students experiencing

homelessness may be entitled to attend a school even if they are not living within a school district or charter school’s catchment area. Schools must ensure that students experiencing homelessness are promptly and proactively identified.

Educational Rights Under the McKinney-Vento Act

Students are considered homeless under the act if they lack a consistent, adequate, fixed nighttime residence. This includes, but is not limited to ,students who are: “living doubled-up” with friends or family due to economic hardship or loss of housing; “couch-surfing”; living in temporary or emergency shelters; living on campgrounds (including those who are unsheltered, in a tent, recreational camper, or other inadequate accommodations); living in a car, or hotel; living in a place that is not ordinarily used for sleeping; living unsheltered; or living in housing that is legally recognized as substandard. Students who are living on their own without a fixed nighttime residence are considered “unaccompanied youth” and are entitled to additional protections. Once a family notifies the school of their housing situation, the school must:

- Provide the parent with understandable information about the child’s educational rights,
- Keep the child enrolled during any disputes,
- Support school stability, including providing transportation.

All students attending public schools from preschool until age 21 (age 22 for students receiving special education) or high school graduation qualify for additional rights under the McKinney-Vento Act if they are experiencing homelessness. The act applies to all students in charter schools or who are educated in school programs operated by Intermediate Units (IUs). These protections apply for as long as the student experiences homelessness, and certain protections — such as the right to school stability with transportation provided if needed — apply for the remainder of the school year when the child secures permanent and adequate housing. Courts have specifically recognized that there is no time limit to homelessness, even if it lasts several years or recurs.

If a school determines that a child is not eligible as a student experiencing homelessness and the student and/or family disagree with that decision, a family can file a complaint and seek review of the decision from the McKinney-Vento state coordinator.

Educational Rights Under Act 1

If a child is experiencing homelessness, in foster care, or in the juvenile justice system, the child may also be eligible for additional support under Act 1 of 2022. Supporting Graduation and Equal Access for Students Experiencing Homelessness, in Foster Care, or in the Juvenile Justice System. This law requires school entities to identify eligible students who experience “education instability” and to provide certain supports for these students. A student experiencing educational instability is a student who has one or more school entity changes during a single school year as a result of homelessness, as defined in the McKinney-Vento Act; an adjudication of dependency; an adjudication of delinquency as disclosed at the discretion of the parent or guardian of the student, or an adjudication as part of court-ordered services under a voluntary placement or custody agreement.

Act 47 Compulsory Attendance Policies

Act 47 includes various changes to compulsory attendance laws, including new notice requirements to inform parents of students who are habitually truant that they may not transfer to a cyber-charter school unless certain exceptions are met. The law will also prohibit habitually truant students from transferring to cyber charters during the school year.

WHAT ARE THE CONSEQUENCES OF PROVIDING FALSE RESIDENCY INFORMATION?

It is a summary offense if a person *knowingly* provides false information in a sworn statement to enroll a child into school. Upon conviction of this summary offense, a person may be fined no more than \$300, ordered to perform up to 240 hours of community service, or both. A convicted person may also be required to pay all court costs and may be liable to the school district for tuition for the time when the child attended school in a district they did not have the legal right to attend. In determining fines and court costs, courts must consider a party’s ability to pay.

Child Accounting/ Registration Guidelines for Homeless Students

"Child accounting" for McKinney-Vento students refers to specific procedures for tracking enrollment, attendance, and residency data to ensure proper funding, tuition billing, and compliance with the federal McKinney-Vento Act, which guarantees educational rights for children experiencing homelessness.

Key aspects of child accounting for McKinney-Vento students include:

- **Residency Determination:** Homeless students are reported as resident students in various circumstances, including when educated by their school district of origin or when living temporarily in the district where they are educated (e.g., in a motel, car, campground, or doubled-up). Students living in a shelter or institution and educated in the district where the facility is located are typically reported as non-resident.
- **Tuition Billing:** When a student is educated as a non-resident, the host school district can bill the district of origin for tuition. If residency is disclaimed, the host district may request a state determination, which could result in the state covering tuition costs if the student is deemed a "ward of the state".
- **Data Reporting:** Data like membership and attendance are reported to state systems to help calculate state subsidies and tuition rates.
- **Barrier Removal:** School districts must review and revise policies that impede the enrollment and retention of homeless students, such as those related to absences or required documentation. Absences due to homelessness should not be counted under typical attendance rules.
- **Confidentiality:** Information about a student's homelessness is generally confidential and shared only with staff who have a legitimate need to know, unless consent is given.

Proper child accounting is essential for providing McKinney-Vento students with a free, appropriate public education and ensuring schools receive funding for their services.

The "**Education for Homeless Youth 42 U.S.C. §11431**" Basic Education Circular (BEC) provides definitions for homeless children and youth who lack a fixed, regular and adequate nighttime residence.

Homeless children are entitled to a Free Appropriate Public Education (FAPE), from **either** the school district in which their person or the shelter is located, **or** the school district of origin.

According to the McKinney-Vento Act the term "school of origin" means the school the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled. 42 U.S.C. §11432(g) (3) (G).

- The parent has a choice in deciding whether the child is educated in the school of origin or in the school within the attendance area where they are living. This would depend upon **feasibility and best interest** of the child (e.g. age, safety, siblings, special needs, the commute, how much time is left in the school year, etc.).
- Homeless families are not required to prove residency regarding school enrollment; however, the Homeless Act does not prohibit a local education agency (LEA) from requiring a parent or guardian of a homeless child to submit contact information.
- A child who has been identified as homeless shall continue to be considered homeless until it is reported to the LEA that the child is no longer homeless or until the LEA proves non-homelessness through investigation.
- In cases when the student becomes permanently housed during the academic year and the student's parent or guardian requests that the student continues in the school of origin, which is not in the school district of new residence, the educating school district will continue to educate the formerly homeless student until the end of the academic year, and should maintain the homeless student on its rolls as a **non-resident** student. The educating school district should advise the new school district of residence of its financial responsibility for this student and send a tuition bill.
- The burden of proof for establishing non-homelessness is on the LEA. Usually this responsibility rests with the home and school visitor, pupil personnel specialist, social worker, principal, vice-principal, or the local educational homeless liaison in every LEA. The regional coordinator or the state coordinator for the Education for Children and Youth Experiencing Homelessness Program at PDE can offer technical assistance on this matter.

Understanding the Role of Child Accounting/ Registration Staff

School staff play a vital role in supporting homeless students by facilitating enrollment, assisting with forms, and connecting families with resources, while ensuring sensitivity and confidentiality. In Pennsylvania, each school district must have a designated homeless liaison who coordinates services under the McKinney-Vento Act. The LEA Liaison has the responsibility of determining the homeless status of the student. Office staff should be trained to identify potential warning signs of homelessness, understand federal and state laws, and approach students and families with compassion to foster a supportive environment.

- **Confidentiality and Discretion:**

School staff should handle sensitive information with discretion and avoid bringing undue attention to a student's homeless situation.

- **Enrollment and Paperwork:**

They should help with the enrollment process and assist parents in completing necessary forms, offering sensitivity to potential challenges in completing them.

- **Resource Connection:**

Staff can help connect students and families with campus or community resources, such as food pantries, counseling services, or housing assistance, if available.

- **Identify and Support:**

Be aware of potential warning signs of homelessness, such as changes in attendance, hygiene, or behavior, and report them to the McKinney-Vento liaison.

- **Know the Law:**

Understand the rights of homeless children and youth under federal and state laws, such as the McKinney-Vento Act, which mandates their enrollment and access to education.

- **Foster a Welcoming Environment:**

Contribute to creating a school atmosphere where students feel valued and supported, helping to minimize disruptions to their education.

- **Work with the Liaison:**

Work closely with the designated homeless liaison to coordinate services and ensure students receive the support they need.

Child Accounting Procedures

1. Homeless students **educated by the school district of origin** shall be reported as resident students (these students may or may not be living in a shelter, facility, or institution).
2. Homeless students living in a motel, hotel, car, campground, doubling-up, or sharing housing with a resident family and educated by the school district in which they are temporarily living, shall be reported as resident students (these students are not living in a shelter, facility, or institution).
3. Homeless students **educated by the school district of origin** shall be reported as resident students (these students may or may not be living in a shelter, facility, or institution).
4. Homeless students living in a motel, hotel, car, campground, doubling-up, or sharing housing with a resident family and educated by the school district in which they are temporarily living, shall be reported as resident students (these students are not living in a shelter, facility, or institution).

NOTE: Reasons why school districts must properly identify homeless students within their internal systems: (1) homeless students are entitled to utilize the free/reduced lunch program; (2) homeless students are eligible for services under the federal McKinney-Vento Homeless Assistance Amendments to the Elementary and Secondary Education Act; and (3) homeless students must be reported by grade-level for Pennsylvania System of School Assessment (PSSA) purposes.

Below is general guidance in establishing homelessness that is in addition to information provided in the BEC "Education of Homeless Youth." These four key questions can help resolve most cases.

1. Was there an event?
2. Is the current living arrangement due to a lack of housing?
3. Is this situation temporary?
4. Is the parent in control of the event?

The following are different scenarios regarding homelessness:

1. **Parent(s) and child move in with another family (doubled-up) in another school district outside the geographical area of the school district of origin (Scranton to Williamsport). Which school district is responsible for educating the child and what about multiple occupancy?**

In this situation, since it **would not be feasible** to transport the child to the school district of origin, the school district in which the family is living doubled-up would be responsible for the education. Since the child is not in a shelter, facility, or institution, the child shall be **reported as a resident**.

2. **Parent(s) and child remove themselves (evicted, fire, flood, loss of job, etc.) from their place of residence, and move into a neighboring school district's *shelter*. Which school district is responsible for educating the child?**

Parents have a **choice** between the school district of origin (resident school district/school district attended when permanently housed), or the school district for the attendance area of the shelter. If the school district of origin is chosen (feasible, best interest), the child should be reported as a resident of the school district of origin.

If the school district for the attendance area of the shelter is chosen, this educating school district should send a PDE-4605 to the school district of origin.

3. **Does the McKinney-Vento Act apply to Pennsylvania charter schools?**

Yes. A Pennsylvania charter or cyber charter school ("charter school") must follow the Act's requirements for LEAs, including designating a liaison, identifying homeless students, and ensuring immediate enrollment.

Effective July 1, 2015, if the student is enrolled in a charter school, the school district of

origin will remain financially responsible for the education of the student unless and until the student is no longer deemed homeless.

The charter school must enroll a homeless student as long as other students living in the same area would be eligible to attend the school if classroom space is available. If the charter school has particular skills-related entrance requirements, the student must meet those criteria (for example, a fine arts charter school with requirements related to artistic ability). However, enrollment deadlines must be waived for students experiencing homelessness.

Reference

PA School Code Article XIII, Pupils and Attendance.

- Section 1302, Residence and right-to-free-school privileges
- Section 1306, Non-resident inmates of children's institutions

Basic Education Circulars (BEC) Determination of Residence of Children Living in Pennsylvania Institutions, 24 P.S. § 13-1308

- Education of Homeless Youth, 42 U.S.C. §11431
- Enrollment of Students, 24 P.S. § 13-1301 - 13-1306
- Nonresident Students in Institutions, 24 P.S. § 13-1306

For Further Information

Child accounting questions should be referred to:

Child Accounting Section
Division of Subsidy Data and Administration
Bureau of Budget and Fiscal Management
Pennsylvania Department of Education
607 South Drive, Harrisburg, PA 17126-0333
(717) 787-5423 x1 | ra-CAD@pa.gov

Specific homeless questions should be referred to your LEA's Homeless Liaison and Regional Homeless Coordinator. If necessary, contact:

Jeff Zimmerman, Region 7 Coordinator
(570) 718-4613
jzimmerman@liu18.org ecyeh7.com

Storm Camara, State Coordinator
Education for Children and Youth Experiencing Homelessness
Division of Student Services
Bureau of Curriculum, Assessment and Instruction
Pennsylvania Department of Education
607 South Drive, 5th Floor - Rotunda, Harrisburg, PA 17120
(717) 783-6466 | scamara@pa.gov

Choosing a McKinney-Vento Liaison

Choosing a McKinney-Vento liaison involves selecting an individual with the knowledge, time, and authority to ensure homeless children and youth receive education rights, services, and support for academic success. Key considerations include selecting someone capable of identifying students, facilitating enrollment, and providing direct services to overcome barriers to education.

Key Responsibilities and Skills

- **Identification & Enrollment:** Proactively identify students, ensure immediate enrollment, and help with transportation, school records, and school choice.
- **Support & Advocacy:** Provide support for academic, social-emotional, and logistical needs (e.g., uniforms, school supplies).
- **Communication:** Clearly communicate with parents, guardians, and youth, including providing written explanations of rights and dispute resolution.
- **Collaboration:** Build partnerships with community agencies, shelters, and housing programs.

Selection Considerations for Administrators

- **Time & Capacity:** Allocate sufficient time for the role, recognizing that the volume of students may require dedicated hours.
- **Experience & Attributes:** Choose someone with strong, diplomatic interpersonal skills, compassion, and a deep understanding of the legal, financial, and educational challenges faced by families experiencing homelessness.
- **Authority:** Ensure the designee has the authority to make decisions, such as immediate enrollment or providing transportation, to avoid delays.
- **Legal Knowledge:** The liaison must have a firm understanding of the McKinney-Vento definition of homelessness—lacking a "fixed, regular, and adequate" nighttime residence.

Common Pitfalls to Avoid

- **Overloading the Liaison:** Do not assign this role to someone with another full-time, high-demand position.
- **Restricting Access:** Ensure the liaison is easily accessible to families and staff.

Identifying McKinney-Vento Eligible Students in Doubled Up Situations

1. **Gather Facts**—what is the family or student’s situation?

- Use standard enrollment form and district residency questionnaire to gather initial information.

2. **Analyze the facts**--- Is the student eligible for McKinney-Vento Services?

Doubled Up is defined as *“Sharing the housing of other persons due to loss of housing or economic hardship”*.

Sharing the housing of another person

- Did the student move into this housing as an urgent measure to avoid being on the street?
- Is the situation temporary?

McKinney-Vento eligible if yes to both the questions.

Due to loss of housing

- An eviction
- Had to leave due to domestic violence, infestations, inadequate physical environment (no utilities)
- Destruction to home (fire, flood, etc.)
- Absence of parent/guardian due to abandonment

McKinney-Vento eligible if yes to any of these questions.

Economic Hardship: The way that shared housing came about and intention is very significant.

- Limited resources forced families to leave their personal housing to share housing with others due to inability to pay.
- Such as an accident, illness, loss of employment or benefits forced affected family to share housing temporarily

McKinney-Vento eligible if yes to these questions

A long-term, cooperative living arrangement among family or friends **should not** be considered a homeless situation, even if the parties live together for economic reasons.

Sample Questions to ask:

1. Why are you staying at your current place?

If answer contains anything from above, they may be eligible.

2. Are you on lease or rental agreement?

If no, possibly eligible

3. Are you sharing the house equally or considered guests?

If yes, they may be eligible

4. Could host ask you to leave at any time?

If Yes, likely eligible

LEA Procedures for Designation and Processing McKinney Vento Eligible Student

Identification

New Enrollment

Information in Registration Form
Identifies that family living conditions
Indicate Homeless Status.
Registration Staff will immediately contact
LEA Homeless Liaison.

Current Student

LEA Staff becomes aware of a
student with living conditions
That may indicate homeless
status. Staff will immediately
Contact LEA Homeless Liaison.

Immediate Notification made to LEA Homeless Liaison

Support Immediate Enrollment
Assess needs of student/family
Communicate educational and related opportunities to student/family
Confirm Transportation (as needed)
Coordinate with other agencies (as needed)
Ensure free meals
Connect family with preschool for siblings
Create process and schedule for ongoing communication

Begin documentation of student in ECYEH Data system

Contact Region 7 Coordinator if additional support is needed

Liaison will initiate contact with school staff: The following is considered to be best practice. Actual process is dictated by size of LEA, school organization as well as existing policies and procedures. District Liaisons and Administration are advised to modify and revise to best conform to LEA policies.**Administration:**

- All building level administrators must be made aware of McKinney Vento students.
- Attendance should be monitored closely.
- Discipline issues should be reviewed to determine if homelessness is a root cause.
- Review for Act I eligibility.

Guidance/Social Work:

- If academic records were not provided, immediately request from previous school. (Use previous school liaison for expedited transfer of records)
- Refer student to in-school support (Child Study, SAP, Trauma informed)
- Review student records for missing credits. Arrange credit recovery if possible.
- Maintain contact with liaison to provide on-going support and monitoring.

Nursing/ Health Services:

- If health records were not provided, immediately request from previous school. (Use previous school liaison for expedited transfer of records)
- Provide initial screening ASAP (note: Homeless students often lack current dental and vision checks and may be staying in environments that may be unhealthy.)
- Assist parents or guardians in obtaining health care for students.

Academic Instructional Staff

- Provide student with class schedule, rules and expectations.
- Assess student levels, arrange tutoring or supplemental instruction as needed.
- Communicate with parents or guardians.
- Maintain contact with liaison.

Special Education

- Review student records as to ensure proper placement.
- Expedite testing.

Child Accounting

- Ensure student status is updated in Student Information System.
- Ensure student status is reported correctly in PIMS.

- Verify that all students listed with LEA as McKinney-Vento are also in State ECYEH data system.

Title I

- Title I staff should be periodically updated with McKinney-Vento student data.
- Title I staff should keep Liaison aware of available support and resources.
- Liaison and Title I staff should collaborate based on trends and current needs.

Transportation

- Immediate transportation should be provided to McKinney-Vento students.
- Liaison should be informed of problems or changes.
- Transportation providers should be aware that Liaison must be notified if students are not using provided transportation or changing stops.

Food Service

- Ensure McKinney-Vento eligible students receive free meals immediately upon identification.
- Maintain students’ confidentiality regarding living condition.

All Staff is reminded that the following list of services provided to McKinney-Vento students/families are to be recorded in the ECYEH data site. Any service provided should be reported to the Liaison (or person responsible for ECYEH data reporting).

The following is the list of reportable services:

- Expedited Evaluations
- Referrals for medical, dental and other health services
- Transportation (outside of normal routes)
- Early Childhood Programs
- Assistance with participation in school programs
- Before, after-school, tutoring, mentoring, summer programs
- Obtaining or transferring records necessary for enrollment
- Coordination between schools and agencies
- Counseling (specific to living situation)
- Addressing needs related to domestic violence
- Clothing to meet school requirements
- School supplies (beyond provided to all students)
- Referral to other programs and services
- Emergency assistance related to school attendance
- Other services

Summer Checklist for McKinney-Vento Homeless Liaisons

- Verify all 2025-2026 school year has been recorded in the state data system.
- Update individual student records for all homeless students in Liaison files.
- Review LEA policies and procedures, modify as needed.
- Review McKinney-Vento Information available on LEA website, in handbooks and other documents. Revise as needed.
- Review new monitoring questions and required documents (found on ECYEH website), revise as needed.
- Contact all McKinney-Vento families and revise demographic information as needed. If student will not be considered McKinney-Vento for 2026-2027 school year, family should be notified in writing. Consider using “End of Year verification letter” found on Region 7 website: www.ecyeh7.com
- Meet with LEA administrators (Transportation Director, Title I Coordinator, etc.) to review and plan McKinney Vento activities.
- Plan LEA McKinney-Vento professional development for 2026-2027 school year. If training is desired from Region 7 staff, please schedule in advance.

Contact Region 7 Coordinator for additional information and support.

Act 1-Foster Care

Did you know?

Students in foster care placement who have experienced “education instability” — meaning one or more school changes in school entity enrollment during a single school year — are eligible for assistance under Pennsylvania law. ⁱ

Act 1 of 2022 (Act 1) promotes timely high school graduation and facilitates equal access to academics and extracurricular activities and the removal of systemic barriers for students who experience education instability as defined by the legislation. This includes students in foster care placement.

Foster care includes a variety of placement settings including placement in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. ⁱⁱ

While students in foster care placement have a right to school stability under federal law, ⁱⁱⁱ sometimes a change in schools is necessary and appropriate. Under Act 1, school entities must work with these students **to remove a variety of barriers** that could impact their success in school.

Why is Act 1 important?

Students in foster care placement face several systemic barriers which are compounded by their exposure to trauma and adverse childhood experiences (ACEs).

Schools can reduce these barriers and contribute to positive childhood experiences by facilitating equal access to academic and extracurricular activities, and to promote grade retention and on-time high school graduation.

What does the law provide students in foster care placement?

Point of Contact

Establishes a Point of Contact for the student, the placing child welfare agency, foster care parents, education decision maker(s), and other systems or individuals involved in the education, protection, and care of the student in foster care placement. The Point of Contact established by the student’s school entity ensures that the student receives all benefits of the law, and this information is added to the student’s education record.

Equal Access

Ensures equal access for the student to participate in school-sponsored and extracurricular activities if they meet placement and qualification requirements. This includes lifting registration deadlines due to attending a prior school or other barriers that may be caused by experiencing school instability.

Fees Assistance

Eliminates fees that create a barrier for students to participate in school and school-sponsored activities. Fees may include school identification fees, uniform fees, fees for athletics, extracurricular activities, school-sponsored trips, library fees, materials fees, fees for lost or damaged materials, and graduation regalia fees. School entities must use **Title I, Part A funds as a last resort** to offset fees after other funding sources have been exhausted.

How to Put Act 1 Into Action

Timely Graduation

Assesses graduation progress to ensure **timely graduation** of students. This includes adopting more flexible policies regarding course credits, credit transfers, and developing a student-specific graduation plan for students in foster care placement experiencing education instability in grades 9-12.

Pathways to Graduation

Considers alternative pathways to graduation for students, including a diploma issued by the student's prior school or a Keystone Diploma issued by the Pennsylvania Department of Education (PDE).

Address fees

School entities should explore the allowability of Title I, regional and local resources, or other funding sources to address fees covered under Act 1.

School entities may set aside Title I funds for students in foster care placement. **Title I, Part A funds must be used only as a last resort** when funds or services are not available from other public or private sources such as the United States Department of Agriculture's (USDA) National School Lunch Program, USDA School Breakfast Program, public health clinics, or local discretionary funds used to provide similar services for other special student populations. **Title I, Part A services must be reasonable and necessary** to assist students in foster care placement to take advantage of educational opportunities. Schools may use Title I, Part A to defray the excess cost of school of origin transportation.

School entities may also explore regional and local foster care serving organizations for possible support. A list of organizations by county is available or contact your Educational Stability for Children and Youth in Foster Care Program Regional Office. ^{iv}

Schools may also collaborate with the student's placing child welfare agency to inquire if support may be available from the child welfare agency.

Identify and Name a Point of Contact

School entities may identify their foster care Point of Contact as the Act 1 Point of Contact. However, to ensure completion of all tasks required by the law, school entities may consider appointing a building-level Point of Contact. School entities may use Title I foster funds (reservation) to fund a local Foster Care Point of Contact's salary and expenses.

Build a community of support

When students in foster care begin at a new school, the student's established Act 1 Point of Contact and school foster care Point of Contact should meet to review all available resources and participation opportunities to promote belonging and inclusion in their new school community.

Assess all prior work and award credits

The Act 1 Point of Contact works with relevant school staff to carefully assess the student's academic history and investigate whether the student has already completed partial credit or a course that meets

a requirement at the current school. This includes education received in residential treatment facilities or children's institutions.

Develop pathways to graduation

The Act 1 Point of Contact works with relevant school staff to create a graduation plan for students in grades 9-12 that thoroughly assesses and specifies the courses necessary for a student to graduate on time. The graduation plan is developed and reviewed with the student and shared with the student's education decision maker and caseworker.

Consider Act 1 and special education

School entities should carefully work with students in foster care with Individualized Education Programs (IEPs) or 504 Plans to ensure compliance with these applicable laws. Importantly, students who have IEPs may elect to remain in school until age 22, even if Act 1 offers an earlier pathway to graduation.

Agency Guide for Collaboration with Schools for the Education of Children in Foster Care

The Pennsylvania (PA) Office of Children, Youth and Families (OCYF) oversees County Children and Youth Agencies (CCYAs). CCYA staff and contracted private providers are responsible to make certain that the educational needs of the children and youth that they serve are met by collaborating with schools, children, youth, and families to:

- Ensure school enrollment and attendance for children of compulsory school age (6-18);
- Ensure access to education for all eligible children (including those 0-5 and 18-21);
- Maintain updated school records in a family/child's case record;
- Address concerns related to truancy and habitual truancy;
- Assess educational strengths and needs;
- Arrange and/or advocate for services to address educational needs such as tutoring, special education, language services, gifted services, or credit recovery;
- Participate in planning for the transition to adulthood with youth and young adults to include education and career goal setting;
- Provide guidance about and assistance accessing higher education and career opportunities (see more below); and
- Promote educational stability of children in foster care.

Educational Stability for Children in Foster Care

Provisions for students in foster care under The Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) and The Every Student Succeeds Act of 2015 (ESSA) (P.L. 114-95) require CCYAs and schools to collaborate to ensure school stability for students in foster care. Key factors for school stability are listed below.

School Stability

A positive, stable school experience provides structure and nurtures students to learn and grow. With fewer school disruptions, students in foster care can be provided with a familiar setting for learning, remain connected to school peers and supports, are more likely to access appropriate coursework, and remain on a path to achieve a high school diploma and college and career readiness.

Best Interest Determinations

When students enter or change foster care placement, students are presumed to remain in their current educational setting unless a collaborative best interest determination (BID) among parties produces an alternative decision. A collaborative BID must take place each time school placement may be impacted due to entry or change in foster care placement. BIDs are child-centered and do not consider costs.

Immediate Enrollment

If determined to be in a student's best interest to enroll into a new school, the school of origin, placing child welfare agency, and the enrolling school must collaborate to ensure that the student is immediately enrolled in their new school. Enrollment must not be denied or delayed if documents normally required for enrollment are not provided.

Transportation

Students who enter foster care or who change foster care placements are entitled to receive transportation when transportation is needed to remain in their school of origin. School and child welfare partners must work together to implement clear procedures to ensure that transportation is provided, arranged, and funded in order to ensure educational stability.

Data Sharing

ESSA includes provisions which require the Pennsylvania Department of Education (PDE) to collect and report data regarding the academic achievement and graduation rates of children and youth in foster care. OCYF collaborates with PDE to make data collection and reporting possible while maintaining the confidentiality of children and youth.

Uninterrupted Scholars Act

In 2013, the Federal Uninterrupted Scholars Act amended the Family Educational Rights and Privacy Act (FERPA) to authorize a child welfare agency caseworker or other representative of a state or local child welfare agency to have access to certain student's educational records without having to obtain parental consent or a court order. This exception applies to children and youth for whom a CCYA has legal custody and whom are placed in out-of-home care.

Access to Higher Education

Youth and young adults in foster care or formerly in foster care who seek post-secondary education may be eligible for financial assistance through the Chafee Employment and Training Grant and the Fostering Independence Tuition Waiver. Both programs are administered by the Pennsylvania Higher Education Assistance Agency

CHECKLIST FOR CYA

Does the CCYA have an Education Liaison in place with the ability to fulfil the roles and responsibilities as defined in current legislation?

Are all appropriate CCYA staff trained in the navigation of school policies and procedures for enrollment?

Does the CCYA identify all enrolled students in foster care?

Are all appropriate CCYA officials aware and familiar with pertinent legislation? (ESSA, Uninterrupted Scholars Act, Fostering Connections Act)

Does CCYA initiate and participate in Best Interest Determination meetings?

Does CCYA have clear and consistent communication with LEA staff?

Does CCYA understand and follow mandated transportation plan?

Does CCYA monitor academic progress of students in foster care?

Does CCYA communicate with Regional PA Foster Care in Education office for support and information?

Roles and Responsibilities

Individuals identified as the CCYA Liaison should have the capacity (time, access to resources) to adequately fulfill the anticipated roles and responsibilities as designated by the CCYA to ensure educational stability, best interest, and school success of students in foster care.

*Although each CCYA must appoint a Liaison, CCYAs may assign some anticipated responsibilities to other designated staff. Best practice recommendations for CCYA Liaisons are listed below:

- Promote educational stability for students in foster care, including supporting best practices for local policies and procedures that remove barriers to education for students in foster care;
- Serve as one of the primary contacts between students in foster care and school staff, district personnel, and other service providers;
- Coordinate regularly with the Local Education Agency (LEA) Point of Contact (POC);
- Notify the LEA POC when a student is placed in foster care or when a foster care placement changes;
- Communicate contact information changes with LEA POCs when these changes may affect school stability or the education of students in foster care;
- Initiate the Best Interest Determination (BID) process with appropriate participants;
- Ensure CCYA representation in the BID process;
- Utilize court documents to confirm who holds educational decision-making rights and provide this information to the LEA POC, when applicable;

- Inform parents or education decision makers of the student's education rights;
- Coordinate BIDs and transportation cost agreements with LEAs;
- Assist to resolve disputes, as needed, including ensuring that disputes among agencies do not interrupt the educational stability of the student in foster care;
- Collaborate with LEAs to ensure that a transportation plan is in place, which outlines a plan to provide, arrange, and fund transportation for students in foster care to remain in their school of origin, unless changing schools is determined to be in the student's best interest;
- If changing schools is determined to be in the student's best interest, ensure the LEA POC receives records needed for enrollment including the student's current medical, immunization, and education records, and IEPs/504 plans, if applicable, consistent with Federal and State confidentiality laws;
- Coordinate with LEA POCs regarding data sharing for students in foster care, consistent with State and Federal confidentiality laws;
- Ensure that students in foster care are enrolled in and regularly attending school;
- Serve as a resource/link to caseworkers and private providers to ensure educational stability policies and procedures are followed and documented;
- Participate in trainings and convening related to the education of students in foster care; and
- Serve as a resource to front line child welfare staff handling day-to-day education issues (i.e., attendance, discipline).

WHY IMMEDIATE ENROLLMENT IS IMPORTANT

Delays and challenges in enrollment significantly impact the educational experience and outcomes of students in foster care. Enrollment delays are common, despite state and federal laws and practices established in the education and child welfare systems to prevent them.

Challenges to enrollment include the following issues:

- Partial and missing records.
- Lack of knowledge regarding the process and mandatory provisions for students in care.
- Lack of clarity about who may enroll a student living in out-of-home care.
- Unclear directions as to who is responsible for transfer of records.
- Misinformation about foster care generally.

School staff have a key role together with caregivers, educational liaisons and caseworkers to ensure students experience as little disruption as possible when starting at a new school.

TIMEFRAME FOR ENROLLMENT AT A NEW SCHOOL

DO NOT DELAY — IMMEDIATELY ENROLL students in foster care.

Under Pennsylvania state law and the Federal ESSA (2015), students in foster care are entitled to immediate enrollment when arriving at a new school or district, regardless of whether they have the necessary documentation or paperwork. If a student's placement in out-of-home care

or a change of placement necessitates a move to a new school, caregivers, educational liaisons or caseworkers should enroll the student immediately in the new school. Ideally this occurs within 24 hours.

The enrolling school must request the student records from the previous school as expeditiously as possible.

The sending school must send those records as quickly as possible. CYA must obtain any missing academic or medical records that are required for enrollment within 10 business days. In addition, the receiving school district must try to retrieve the student's educational history to assess any unique needs within two business days. Enrollment may not be denied or delayed because the student is missing records regularly required for enrollment.

The importance of placing a student in the correct educational setting, including any necessary accommodations, cannot be overstated. This process may require more extensive efforts in some cases than in others. However, district, school and CA staff, as well as caregivers, should strive to ensure it is completed expeditiously.

REGISTRATION IN APPROPRIATE CLASSES AND PROGRAMS

In addition to ensuring immediate enrollment, school staff should work to obtain any information regarding a student's current academic standing and needs. This information includes the following:

- Transcripts and grade reports from previous schools.
- IEP and IEP team reports.
- 504 plan.
- Disciplinary history.
- Class schedules.

These materials will provide the receiving school with the information it needs in order to place a new student in classes matched to the student's previous achievement. In addition, the documents will enable the school to provide students with any additional assistance they require or adjust programs to better serve their needs.

If the student has any unpaid fines or fees, the school of origin may withhold a student's official transcript until any fine has been paid. CYA may pay any unpaid fines or fees due to the school or school district while the student is in foster care. The school district should approach CYA to request that they settle those fines or fees.

Enrollment should proceed with or without the official transcript.

WHY IS MAINTAINING SCHOOL STABILITY IMPORTANT?

School stability is a valuable component of educational success and is closely linked to the increased graduation rates of students in foster care. Individual schools and districts are essential partners. In teaming with child welfare agencies, educational liaisons and caregivers, can help implement federal and state legislation that makes it possible for students to stay in their original schools even after changes in residence take place.

Frequently, school is the most stable environment for children in foster care. Consistent relationships with teachers, school staff and peers offer the support necessary to keep those students in school.

CAN STUDENTS IN FOSTER CARE STAY IN A PARTICULAR SCHOOL OR DISTRICT EVEN WHEN PLACED OUTSIDE OF THE ATTENDANCE ZONE?

Yes, federal and state laws require that students moving to a new residential placement remain in the school in which they were enrolled at the time of entering foster care unless it is not in their best interest. The educational provisions of the federal Fostering Connections to Success and Increasing Adoptions Act, as well as guidelines in ESEA, promote school stability, and Pennsylvania enacted legislation to fulfill that responsibility. Some local board policies regarding enrollment may be contrary to the intent behind the Fostering Connections Act, which allows ALL students to stay in the school in which they were enrolled at the time of placement in foster care. Local districts should analyze policies and make sure that they are consistent with federal and state laws. Caseworkers should consult with the school district foster care liaison, student, caregiver, educational liaison and others to determine a plan that promotes school stability. **If enrollment disputes occurs, immediately contact the Region 7 coordinator for assistance.**

WHY DO SCHOOLS NEED TO IDENTIFY STUDENTS IN FOSTER CARE?

Identifying which students are in foster care may be challenging in the school setting, but it is an important part of improving educational outcomes for this at-risk population.

Identification is necessary for these reasons:

- For proof of legal authority of the caregiver during enrollment.
- To implement many state and federal educational provisions enacted to support students in foster care.

Without knowing that a student is in foster care, school personnel may fail to comply with the following:

- State laws including requirements for school stability, enrollment (even in cases of missing records or identifying information) and transmittal of records to C&Y.
- Federal laws including the Fostering Connections Act, Uninterrupted Scholars Act and ESEA.
- To identify students who are eligible for supplemental instructional services such as Title I, etc.
- To facilitate successful transitions for students.
- To facilitate high school completion and overall student success in school.
- To facilitate planning and transitioning into postsecondary education.
- To be in compliance with data disaggregation requirements mandated in state and federal reporting.

WHY DO STUDENTS SOMETIMES HAVE MISSING RECORDS?

- When students enter foster care, the change can be abrupt and immediate and may not afford caregivers the opportunity to formally withdraw students from the previous district.
- The student may have experienced inconsistency and significant lapses in education and school attendance or may have moved schools prior to entering the foster care system.

- The previous district may not be informed of the student's departure, or the receiving district may not know where the student was previously enrolled.
- Transitions in foster care rarely occur at semester breaks, so the receiving districts may ask for current records before grades are available.
- Special education departments are sometimes left out of the loop and unaware of the student's departure, resulting in IEP transfers being overlooked or delayed.
- When a student enters foster care, school staff may be confused about who is legally allowed to have the student's records as well as who has the legal authority to make education-related decisions. Some school officials may be hesitant to release educational records without the consent of a parent or guardian.

However, if C&Y has care and custody of the student, department staff have the legal authority to view and to receive those records in addition to the caregiver.

School staff should work with caregivers, caseworkers and others involved in the life of a student in foster care to ensure that the student's education is disrupted as little as possible, despite missing records.

The Key ESSA Provisions to Ensure Educational Stability are:

- Dual-agency collaboration between education (LEAs) and child welfare partners (CCYAs);
- Making a Best Interest Determination (BID) for children in foster care who experience or are anticipated to experience a change in foster care placement;
- Ensuring immediate enrollment for children in foster care when a change in foster care placement is determined to be in the best interest of the student;
- Establishing and maintaining foster care points of contact at the state and local levels; and
- Ensuring that transportation is provided, arranged, and funded for the duration of a child's time in foster care.

MAKING INFORMED DECISIONS In order to make informed decisions about selecting the school that is in the best interest of the student in foster care, it is important to have as much information as possible. Best Interest Determination Meeting participants play a valuable role in helping choose the school that is in a student's best interest.

BEST INTEREST DEFINITION Although there is no standard definition of "best interest of the child," the term generally refers to the deliberation when deciding what type of services, actions, and orders will best serve a child as well as which LEA best suits the overall needs of the child. Best interest determinations are generally made by considering a number of factors related to the child's circumstances and the parent or caregiver's circumstances and with the child's ultimate safety and well-being the paramount concern.

GUIDING PRINCIPLES OF BEST INTERESTS DETERMINATIONS

Participants may be able to:

Provide input on the academic, social, and emotional impact that transferring to a new school may have on the child.

If the child has special education needs, provide input on the impact that changing schools may have on the child's progress and services. If a school change is deemed in the best interest, the special education services, evaluations and/or services must not be interrupted.

Help determine which programs at the two schools are comparable and appropriate for the child.

Work with caseworkers to develop immediate and long-term plans for the student, ensuring that the student's education is not interrupted and considering the anticipated duration of the child's out-of-home placement and permanency plan.

Expedite the transfer of school records when it is determined that it is in the best interests of a child to transfer to a new school.

DEFINING THE PURPOSE AND IMPORTANCE OF THE BID MEETING

The WHAT

- A Best Interest Determination (**BID**) meeting is set up to provide students in foster care the opportunity to have a meaningful and collaborative participation between their Education Decision Maker (**EDM**) and the school of origin (**SOO**) to determine the best plan for school stability .
- The Every Student Succeeds Act (**ESSA**) does not provide a specific process on how to conduct a BID meeting. The purpose of this site is to guide the viewer through the process of how to conduct a BID meeting when working with a student in foster care who wants to stay at their SOO.
- Students in foster care may remain in their school of origin unless there is a determination that it is not in their best interest to do so.

The WHY

- A BID is important because it gives all parties involved in the child's life the opportunity to discuss the advantages and disadvantages of the SOO or the school of residence (**SOR**). It also provides a more meaningful process of participation for the ERH, the school district, and the student (when applicable) when determining the SOO.
- ESSA only states that the staff from the SOO, the EDM, and the student in foster care are to be included a BID meeting, however it is always best practice to include the Children's Social Worker (**CSW**) or other key player(s) that may have some valid interest in the student's education.

- Another important reason why a BID is so important is that it creates a plan. This plan will be written out and agreed upon by the stakeholders at the meeting. The student will be able to have their voice heard and will be provided with documentation showing that his or her needs have been discussed.

The WHO

As previously mentioned above, ESSA states that the following should be present when a BID meeting is held:

- District- SOO Liaison
- EDM
- Student in Foster Care (when applicable)

Please remember it is always in the best interest to think about including the following stakeholders: Caregiver, CSW, wrap service representatives (if applicable), teachers, counselor, school psychologist, advocate, or any person with strong knowledge of the student.

The WHERE

The location where a BID should take place is not specified in ESSA. Best practice would state that all parties be "physically together" in a meeting room, ready to engage and discuss what the best interest is for the student.

As we all know, gathering the required parties may prolong the meeting and be impossible in some cases. Should this occur, below are some alternative ideas on how to best meet and discuss what's in the student's best interest:

- A phone conversation with all parties being able to hear one another clearly (use of a speakerphone, device, etc.)
- Using a video conferencing application such as: Zoom, Adobe Connect, Skype, Google Hangouts, etc.
- A written statement is sent on behalf of the missing party signed by the individual, if they are unable to be present.

Keep in mind the ability to use any of the above mentioned alternatives. You would want to make sure you are not using a method that is not understood fully by the missing party.

Key Questions to Consider

1. How long is the child's current placement expected to last?
2. What is the child's permanency plan?

3. How many schools has the child attended over the past few years
4. How many schools has the child attended this year?
5. What is the age and grade level of the student?
6. How have the school transfers affected the child emotionally, academically, socially, and physically?
7. How strong is the child academically?
8. To what extent are the programs and activities at the potential new school comparable to or better than those at the current school?
9. Does one school have the programs and activities that address the unique needs or interests of the student that the other school does not have?
10. How deep are the child's ties to their current school (school of origin)?
11. Would the timing of the school transfer coincide with a logical juncture such as after testing, after an event that is significant to the child or at the end of the school year?
12. How would changing schools affect the student's ability to earn full academic credit, participate in sports or other extra-curricular activities, proceed to the next grade, or graduate on time?
13. How would the length of the commute to the school of origin or school under consideration impact the student, in terms of distance, mode of transportation, and travel time?
14. How anxious is the child about being removed from the home and/or any upcoming moves?
15. What school do the student's siblings attend?
16. Are there any safety issues to consider?
17. Which school can better serve the special education (504, IEP) needs of the student and related services?
18. If the student has special needs, what impact will transferring to a new school have on the student's progress and services?
19. What are the immediate and long-term educational plans of, and for, the student?
20. Which school does the student prefer?

- BIDs should be reviewed at established intervals.
- BIDs are not final or permanent and may be revised as determined by the team.
- BIDs are not "Transportation Meetings" Although transportation is a factor, final determination concerning the education of students should not be made with focus on any one factor.
- Note that transportation costs should not be a factor in determining the best interest of the student for the purposes of school selection.

SCHOOL SELECTION — A CHECKLIST FOR DECISION MAKING

Continuity of instruction

Student is best served due to circumstances that look to the past.

Age and grade placement of the student

Maintaining friends and contacts with peers is critical to the student’s meaningful school experience and participation. The student has been in this environment for an extended period of time.

Academic strength

The student’s academic performance is weak, and the student would fall further behind if transferred to another school.

Social and emotional state

The student is suffering from effects of mobility, has developed strong ties to the current school and does not want to leave.

Distance of the commute and its impact on the student’s education and/or special needs

The advantages of remaining in the school of origin outweigh any potential disadvantages presented by the length of the commute.

Personal safety of the student

The school of origin has advantages for the safety of the student.

Student’s need for special instruction

The student’s need for special instruction, such as special education and related services or Section 504, can be better met at the school of origin.

Length of anticipated stay in a temporary shelter or other temporary location

The student’s current living situation is outside of the school of origin attendance area, but the living situation or location continues to be uncertain. The student will benefit from the continuity offered by remaining in the school of origin.

Continuity of instruction

Student is best served due to circumstances that look to the future.

Age and grade placement of the student

Maintaining friends and contacts with peers in the school of origin is not particularly critical to the student’s meaningful school experience and participation. The student has attended the school of origin for only a brief time.

Academic strength

The student’s academic performance is strong and at grade level, and the student would likely recover academically from a school transfer.

Social and Emotional State

The student seems to be coping adequately with mobility, does not feel strong ties to the current school and does not mind transferring.

Distance of the commute and its impact on the student’s education and/or special needs

A shorter commute may help the student’s concentration, attitude or readiness for school. The local attendance area school can meet all of the necessary educational and special needs of the student.

Personal safety of the student

The local attendance area school has advantages for the safety of the student.

Student’s need for special instruction

The student’s need for special instruction, such as special education and related services or Section 504, can be met better at the local attendance area school.

Length of anticipated stay in a temporary shelter or other temporary location

The student’s current living situation appears stable and unlikely to change suddenly. The student will benefit from the developing relationships with peers in school who live in the local community

SCHOOL ENROLLMENT PROCEDURES FOR FOSTER YOUTH

SCHOOL REGISTRATION STAFF: Determine whether the child is in a **foster care** placement. Proof of placement in foster care may be provided to the school for purposes of determining residency. Some children living with relatives are officially placed in foster care through County Children and Youth Services.

Immediately enroll any child living in foster care, even if fees or materials are owed to the previous school or the child is unable to produce the records or clothing normally required for enrollment such as school records, immunization records, proof of residency, or uniforms.

When a foster child's home placement is changed, *the student may remain in his or her school of origin* for the duration of the school year when doing so will be in the child's best interest.

Immediately notify LEA Foster Point of Contact. The POC is trained in the rights of foster students as well as the responsibilities of the LEA. The POC will aid in the enrollment process.

Request records from the child's previous school and/or school district immediately. The former school must transfer the student out of the school, and deliver the student's educational records to the next school within two business days if records are not received within three business days, contact the former school, foster care POC, and/or the district office.

Inquire about **partial credits, which must be granted** for work in progress or completed with the previous school.

Inquire about the following in order to determine **appropriate educational placement:**

a. Special education needs:

If the child was in special education and has transferred to a new school, the child must be immediately provided with services comparable to the services required by the existing IEP. If the child is eligible for special education services but you do not have a copy of their IEP, you must still enroll them in school immediately while you obtain the records.

b. 504 accommodation plans

c. Current expulsion from school

d. Person who holds "educational rights" for the child, which could be the child's parent/guardian, someone appointed by the court, or someone appointed by the school district (keep this information on file)

Ask the person enrolling the student to **identify** the social worker or probation officer, legal guardian, person who holds educational rights. Add this contact information to student records.

Verify if the Foster Student is ACT I eligible. It is highly likely that a foster student maybe eligible for service under ACT I of 2022. If determined eligible a POC should be assigned and services such as a Graduation Plan should be provided.

ADDITIONAL INFORMATION FOR SCHOOL STAFF

Parental consent and court orders are *not* needed by case workers and probation officers in order to access a foster child's school records. Foster youth must have access to the same academic resources, services, extra-curricular and enrichment activities available to all students. This means that you should inform the child's caregiver (group home staff, foster parent, relative caregiver), social worker, probation officer, advocate, attorney, legal guardian, etc. of all school and afterschool activities, support, and services.

If a dispute arises as to the school placement of a foster child, the student has the right to remain in his or her school of origin pending resolution of the dispute.

A foster child's grade cannot be lowered due to absences caused by a change in placement, attendance at a court hearing, or a court ordered activity.

Records provided to schools in which a foster child is newly enrolled must include a determination of seat time, full or partial credits earned, classes, grades, immunizations, and, if applicable, special education or 504 plans.

All required records shall be provided to the new school regardless of any outstanding fees, fines, textbooks, or other items or money owed to the school last attended.

INFORMATION FOR SCHOOL ADMINISTRATORS

For special education students, use the 30-day interim placement period to identify the parent, legal guardian, or holder of educational rights, and/or to appoint an educational representative or surrogate parent if needed.

Referral for special education assessment may be made by a foster youth's parent, guardian, teacher or other service provider, or foster parent. [Assessment plans, IEPs, and 504 accommodation plans must be signed by the person who holds "educational rights".

County-employed social workers and probation officers **cannot** hold educational rights for a foster youth. Similarly, group home or other non-public agency employees who provide educational care to the youth or have a conflict of interest **cannot** hold educational rights.

Event	CCYA Action	District of Origin Action	District of Residency Action
Student is placed in Foster Care	Using "Placement Notification Form" the DOO is notified of placement into Foster Care. If placement is outside DOO, the DOR is notified. Notification should occur within 2 school days.	If DOO will remain as AD, LEA procedures for the education of Students in Foster Care are implemented. Student records are updated to reflect placement.	
Student is placed in Foster Care. Change of placement is possible	Immediately following completion of "Placement Notification Form" the BID (Best Interest Determination) process is initiated. CCYA should contact DOO and DOR to facilitate meeting.	LEA POC collects all data relative to BID process. Notifies LEA staff of upcoming BID meeting.	LEA POC prepares for BID meeting. Potential involved staff are notified
Out of County student, Student in Residential setting or Student placed by private fostering agency is placed in LEA	"Placement Notification Form" should be completed at time of student registration. BID meeting should be scheduled immediately to address student background and needs.	Provide all student records ASAP. Provide information needed for BID. Maintain copy of "Student Placement Form" in student records.	LEA POC prepares for BID meeting. Potential involved staff are notified
BID process determines student should remain in DOO	Initiate discussion on Transportation options. Refer to Educational Stability Plan for guidance.	POC explores transportation options internally. POC implements LEA procedures for the Education of Students in Foster Care. (ID to SAP, Trauma Informed Care, Student Services etc.)	

Change of Foster Placement occurs within the DOR	New "Placement Notification Form" issued to AD.		Student records are updated. LEA staff notified of changes.
Change of Foster Placement occurs outside the DOR.	New "Placement Notification Form" issued to AD and new DOR noting possible change of placement.	AD prepares student records and possible participating staff for BID	Participates in BID process
Ongoing placement	Facilitate the review of the BID. Frequency is on case-by-case basis. BID is reviewed to assure the Best Interest of the student is maintained.		Participate in BID review. Provide any/ all documentation. Collect staff input.
Student exits Foster Care	Notify AD of students exit. Participate in discussion if change of placement may occur.	POC is notified of possible return of student. Participate in discussion of transportation to SA for remainder of school year if feasible.	Document end of Foster Care in student records. Participate in discussion of transportation to SA for remainder of school year if feasible.
Placement or Collaboration between agencies requires additional support.	Contact Region 7, PA Educational Stability for Foster Care Youth at 570-718-4613 or jzimmerman@liu18.org	Contact Region 7, PA Educational Stability for Foster Care Youth at 570-718-4613 or jzimmerman@liu18.org	Contact Region 7, PA Educational Stability for Foster Care Youth at 570-718-4613 or jzimmerman@liu18.org

Educational Stability for Students in Foster Care

A Checklist for CCYA Staff

1. When a student is placed in foster care, the CCYA Point of Contact or caseworker must notify the Foster Care Point of Contact in District of Origin (DOO), (that is the current school of attendance), as well as the POC in new school (DOR) if placement is in a different school district. CCYA may use the "Placement Notification Form" which was issued by OCYF on 4/29/22.
2. The CCYA POC or caseworker shall immediately initiate the Best Interest Determination Process.
3. If placement is such that student remains in the DOO, contact with the LEA POC is still necessary to initiate additional school services to be provided to the student.
4. If school placement is in question, it is not to be assumed that either remaining in the DOO or transferring to the new DOR is in the student's best interest. All factors must be examined and considered.
5. Once the BID process has been initiated, the CCYA POC or caseworker shall facilitate collaboration between all parties to determine the best interest of the student.
6. It is recommended that the BID process uses the State BID form as a checklist to gather information.
7. If a Shelter Care Hearing or Adjudicatory Hearing are to be held every effort should be made to hold BID prior as to enable results of the BID to be presented at the hearing.
8. When feasible the student should remain in the DOO pending the results of the BID. CCYA, DOO and DOR may cooperate to provide transportation.
9. CCYA caseworker or POC should establish communication with LEA POC for ongoing collaboration for student's success. A timetable to revisit the students BID should be established.
10. The CCYA caseworker or POC should notify LEA POC if student exits foster care. If exiting foster care will result in change of school placement, the new LEA POC should be notified to have supports in place for student.
11. In the event of a BID dispute, the CCYA POC should contact the Regional Foster Care Coordinator for mediation. Dispute Resolution should be followed. If dispute cannot be resolved, the school placement decision rests with the CCYA.
12. CCYA is encouraged to maintain contact with the Regional office for support in dealing with LEAs.
13. Training for and support of the Best Interest Determination is available from the Regional Office.

Educational Stability for Students in Foster Care

A Checklist for District of Origin POC and Staff

1. When a student is placed in foster care, the CCYA Point of Contact or caseworker must notify the Foster Care Point of Contact in District of Origin (DOO).
2. The DOO POC shall immediately begin gathering data and information for the Best Interest Determination Process.
3. Once the BID process has been initiated, the DOO POC shall participate in collaboration between all parties to determine the best interest of the student.
4. If placement is such that student remains in the DOO, the LEA POC will initiate additional school services to be provided to the student. (This may include SAP, Child Study, Trauma Informed Care, additional support services)
5. The LEA POC should review student records, keeping an individual file of students in foster care. A Graduation Plan and post-graduation counselling should occur.
6. If placement is in a DOR that is not the DOO the DOO POC shall aid in the immediate transfer of student records.
7. When feasible the student should remain in the DOO pending the results of the BID. CCYA, DOO and DOR may cooperate to provide transportation.
8. CCYA caseworker or POC should establish communication with LEA POC for ongoing collaboration for student's success. A timetable to revisit the student's BID should be established.
9. The CCYA caseworker or POC should notify LEA POC if student exits foster care. If exiting foster care will result in change of school placement, POC should aid in immediate transfer of records and contact the new LEA POC to have supports in place for student.
10. In the event of a BID dispute, the CCYA POC should contact the Regional Foster Care Coordinator for mediation. Dispute Resolution should be followed. If dispute cannot be resolved, the school placement decision rests with the CCYA.
11. POCs are encouraged to maintain contact with the Regional office for support in dealing with CCYAs.
12. Training for and support of the Best Interest Determination as well as all aspects of the program are available from the Regional Office.

Educational Stability for Students in Foster Care

A Checklist for New District of Residence POC and Staff

1. When a student is placed in foster care, the CCYA Point of Contact or caseworker must notify the Foster Care Point of Contact in the potential new school (DOR). CCYA may use the "Placement Notification Form" which was issued by OCYF on 4/29/22.
2. The CCYA POC or caseworker shall immediately initiate the Best Interest Determination Process.
3. If school placement is in question, it is not to be assumed that either remaining in the DOO or transferring to the new DOR is in the student's best interest. All factors must be examined and considered.
4. Once the BID process has been initiated, the CCYA POC or caseworker shall facilitate collaboration between all parties to determine the best interest of the student.
5. It is recommended that the BID process uses the State BID form as a checklist to gather information.
6. When feasible the student should remain in the DOO pending the results of the BID. CCYA, DOO and DOR may cooperate to provide transportation.
7. If placement is such that student will transfer to the new DOR, contact with the LEA POC is necessary to initiate additional school services to be provided to the student.
8. The LEA POC will coordinate and document all services provided to the student. The POC should schedule a periodic review of student's progress. This includes communication with the student's caregiver and case worker.
9. CCYA caseworker or POC should establish communication with LEA POC for ongoing collaboration for student's success. A timetable to revisit the students BID should be established.
10. The CCYA caseworker or POC should notify LEA POC if student exits foster care. If exiting foster care will result in change of school placement, the LEA POC should facilitate immediate transfer of records.
11. POCs are encouraged to maintain contact with the Regional office for support in dealing with CCYAs.
12. Training for and support of the Best Interest Determination as well as all aspects of the program are available from the Regional Office.

Checklist After Identification

Building contact checklist

- Inform parent/student of McKinney-Vento rights (In writing)
- Provide community resources (Assist if needed)
- Set up transportation
- Make sure student is receiving free lunch/breakfast
- Fill out intake form
- Discuss academic needs (Remediation, credit recovery, bi-lingual services, etc.)
- Refer to necessary services (Trauma-informed, SAP, counseling, tutoring)
- Check Act 1 eligibility
- Make plan to routinely check on student (Discuss needs/progress)
- Inform liaison and other appropriate staff members (teacher, principal, etc.)
Discuss the living situation and any effect it will have on school work.
- Keep separate files for homeless/foster students

Services provided

- Tutoring or other instructional support
- Expedited evaluations
- Referrals for medical, dental or other health services
- Transportation
- Early Childhood Programs
- Assistance with participation in school programs
- Before, after-school, mentoring, or summer programming
- Obtaining or transferring records necessary for enrollment
- Coordination between schools and agencies
- Counseling
- Clothing to meet school requirement
- School supplies
- Referral to other programs or services
- Emergency assistance related to school attendance
- Other services