

Timeline for Implementation of the Homelessness and Foster Care Provisions in the McKinney-Vento Act and Title I Part A, as amended by the Every Student Succeeds Act of 2015

McKinney-Vento Act Timeline	
October 1, 2016	All amendments to the McKinney-Vento Act take effect, except the deletion of “awaiting foster care placement” from the definition of “homeless children and youths.”
December 10, 2016	“Awaiting foster care placement” is deleted from the definition of “homeless children and youths” in every state except AR, DE and NV. ¹
December 10, 2017	“Awaiting foster care placement” is deleted from the definition of “homeless children and youths” in AR, DE and NV. ²

Title I, Part A Timeline	
December 10, 2016 ³	<p><u>State Title I Plan amendments:</u></p> <ul style="list-style-type: none"> • State plans describe collaboration with the state child welfare agency to ensure foster youth can remain in their school of origin if in their best interest, or enroll immediately in a new school. • SEAs designate a point of contact for child welfare agencies, who may not be the McKinney-Vento State Coordinator. <p><u>LEA Title I Plan amendment:</u></p> <ul style="list-style-type: none"> • LEAs that receive Title I Part A funds must designate a point of contact for the local child welfare agency, if the local child welfare agency notifies the LEA, in writing, that it has designated a point of contact for the LEA. • LEAs that receive Title I Part A funds must collaborate with child welfare agencies to develop and implement procedures for how transportation to maintain foster youth in their schools of origin, when in their best interest, will be provided, arranged and funded, including using child welfare funding to pay for such transportation, and LEAs providing such transportation if: <ul style="list-style-type: none"> • They are reimbursed by the child welfare agency; • The LEA agrees to pay the costs; or • The LEA and the child welfare agency agree to share the costs.
Effective when states and LEAs begin using FY 2017 funds (no later than the start of the 2017-18 school year.) ⁴	<p><u>State Title I Plan amendment:</u></p> <ul style="list-style-type: none"> • State report cards disaggregate graduation rates and academic achievement of homeless children and youth. <p><u>LEA Title I Plan amendments:</u></p> <ul style="list-style-type: none"> • All LEAs that receive Title I Part A funds must reserve funds to support homeless students. • The amount of Title I funds reserved for homeless children and youth may be determined based on a needs assessment, and must be based on the total allocation received by the LEA and reserved prior to any allowable expenditure of transfers by the LEA.

¹ ESSA, §9105(b)(1). In practice, this change means that as of Dec. 10, 2016, children in any stage of foster care proceedings will not be eligible for McKinney-Vento Act protections for “homeless children and youths” by virtue of their involvement in the child welfare system. As of Dec. 10, 2016, children in the child welfare system will be considered permanently housed for the purposes of the McKinney-Vento Act, unless they meet the other elements of the definition of “homeless.” Students who were identified as “awaiting foster care placement” from the first day of the 2016-17 school year until Dec, 9, 2016, will remain eligible for McKinney-Vento services provided to formerly homeless students who are now permanently housed, for the rest of the 2016-17 school year.

² ESSA, §§9105(b)(2), (c).

³ U.S. Departments of Education and Health and Human Services, Letter to Chief State School Officers and Child Welfare Directors, June 23, 2016.

⁴ Amendments to Title I, Part A will take effect after the 2016-2017 academic year, pursuant to the Consolidated Appropriations Act of 2016 (Pub. L. 114-113), §312.