TEA Texas Education for Homeless Children and Youth (TEHCY) Program

McKinney-Vento 201
Monday, December 12, 2022 | 2:00 – 3:30 pm
Presenters

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Objectives and Outline

To review state provisions that assist school districts and open-enrollment charter schools to support students experiencing homelessness.

- Family Code: Consent to Treatment
- Truancy Prevention
- Student Discipline
- Webpage Requirements
- TEHCY Program Updates and Resources
Family Code: Consent to Treatment
Consent to Treatment of Child by Non-Parent

**Family Code § 32.001**
People who may consent for *any* child, including homeless and unaccompanied youth.

- a grandparent of the child
- an adult sibling of the child
- an adult aunt or uncle of the child
- an adult who has actual care, control, & possession of the child & has written authorization to consent from a person having the right to consent

*Does not apply to consent for the immunization of a child.*
FAM § 32.003
A child may consent to medical, dental, psychological, and surgical treatment for the child by a licensed physician or dentist if the child is:

16 years of age or older and resides separate and apart from the child's parents, managing conservator, or guardian, with or without the consent of the parents, managing conservator, or guardian and regardless of the duration of the residence; and

AND

Managing their own financial affairs, regardless of the source of income.
Next Steps and Considerations: Consent to Treatment

- Bookmark **FAM § 32.001** and **FAM § 32.003** for easy access.
- Utilize these resources:
  - To support adults who are caring for unaccompanied youth experiencing homelessness.
  - For instances when unaccompanied youth experiencing homelessness who are 16+ youth to support their access to medical treatment.
Truancy Prevention
Truancy Prevention Measures

**TEC § 25.0915(a-1)**

As a truancy prevention measure under Subsection (a), a school district shall take one or more of the following actions:

**Impose:**

- A behavior improvement plan on the student that must be signed by an employee of the school, that the school district has made a good faith effort to have signed by the student and the student's parent or guardian; or
- School-based community service.

**Refer the student to** services aimed at addressing the student's truancy, such as:

- counseling, mediation, mentoring, a teen court program, community-based services, or other in-school or out-of-school services
A school district must offer additional counseling to a student and may not refer the student to truancy court under this section, Section 25.0951, or any other provision if the school determines that the student's truancy is the result of:

- Pregnancy
- Being in the state foster program
- Homelessness
- Severe or life-threatening illness or related treatment
- Being the principal income earner for the student's family
Chapter 129. Student Attendance

Subchapter BB. Commissioner's Rules Concerning Truancy

§129.1041. Definitions.
For the purposes of this subchapter, the term "school district" includes a school district not operating a public school, including a school district not operating an open-enrollment charter school.
Statutory Authority: The provisions of this §129.1041 adopted under the Texas Education Code, §25.0915.
Source: The provisions of this §129.1041 adopted to be effective January 1, 2017, 41 TexReg 10278.

§129.1043. Minimum Standards.
The minimum standards for the truancy prevention measure(s) implemented by a school district under Texas Education Code, §25.0915, include:
(1) identifying the root cause of the student's unexcused absences and actions to address each cause;
(2) maintaining ongoing communication with students and parents on the actions to be taken to improve attendance;
(3) establishing reasonable timelines for completion of the truancy prevention measure; and
(4) establishing procedures to notify the admission, review, and dismissal committee or the Section 504 committee of attendance issues related to a student with a disability and ensure that the committee considers whether the student's attendance issues warrant an evaluation, a reevaluation, and/or modifications to the student's individualized education program or Section 504 plan, as appropriate.
Statutory Authority: The provisions of this §129.1043 adopted under the Texas Education Code, §25.0915.
Source: The provisions of this §129.1043 adopted to be effective January 1, 2017, 41 TexReg 10278.

§129.1045. Best Practices.
(a) A school district shall consider the following best practices for truancy prevention measures:
(1) Develop an attendance policy that clearly outlines requirements related to truancy in accordance with Texas Education Code (TEC), Chapter 25, Subchapter C, and communicate this information to parents at the beginning of the school year.
(2) Create a culture of attendance that includes training staff to talk meaningfully with students and parents about the attendance policy and the root causes of unexcused absences.
(3) Create incentives for perfect attendance and improved attendance.
(4) Educate students and their families on the positive impact of school attendance on performance.
(5) Provide opportunities for students and parents to address causes of absence and/or truancy with district staff and link families to relevant community programs and support.
(6) Develop collaborative partnerships, including planning, referral, and cross-training opportunities, between appropriate school staff, attendance officers, program-related liaisons, and external partners such as court representatives, community and faith-based organizations, state or locally funded community programs for truancy intervention or prevention, and law enforcement to assist students.
(7) Determine root causes of unexcused absences and review campus- and district-level data on unexcused absences to identify systemic issues that affect attendance.
The minimum standards for the truancy prevention measure(s) implemented by a school district under Texas Education Code, §25.0915, include:

1) Identifying the root cause of the student's unexcused absences and actions to address each cause;

2) Maintaining ongoing communication with students and parents on the actions to be taken to improve attendance;

3) Establishing reasonable timelines for completion of the truancy prevention measure; and

4) Establishing procedures to notify the admission, review, and dismissal committee or the Section 504 committee of attendance issues relating to a student with a disability and ensure that the committee considers whether the student's attendance issues warrant an evaluation, a reevaluation, and/or modifications to the student's individualized education program or Section 504 plan, as appropriate.
(2) Create a culture of attendance that includes training staff to talk meaningfully with students and parents about the attendance policy and the root causes of unexcused absences.

(5) Provide opportunities for students and parents to address causes of absence and/or truancy with district staff and link families to relevant community programs and support.

(6) Develop collaborative partnerships, including planning, referral, and cross-training opportunities, between appropriate school staff, attendance officers, program-related liaisons, and external partners for truancy intervention or prevention, and law enforcement to assist students.

(7) Determine root causes of unexcused absences and review campus- and district-level data on unexcused absences to identify systemic issues that affect attendance.
(9) At the beginning of each school year, conduct a needs assessment and identify services and programs available within the school district and community that staff, students, and families may access to address barriers to student attendance.

The information must include, but is not limited to:
(B) Services for students experiencing homelessness.
(11) School districts should ensure that personnel, including truancy prevention facilitators or juvenile case managers, attendance officers, McKinney-Vento Liaisons, foster care liaisons, Title IX coordinators, 504 coordinators, pregnancy and parenting coordinators, dropout prevention coordinators, special education staff, and other appropriate student services personnel, meet to contribute to the needs assessment and discuss internal and external collaboration opportunities.
Next Steps and Considerations: Truancy Prevention

- LEA Support Teams should monitor the attendance of students experiencing homelessness on a regular basis.
- Identify systemic issues that affect attendance.
- Educate students and families on the positive impact of school attendance on performance.
- Develop collaborative partnerships with internal and external stakeholders to develop truancy intervention and prevention programs.
- Provide opportunities for families to discuss circumstances that may be impacting attendance.
Student Discipline
The LEA Student Code of Conduct must specify:

- Circumstances in which a student may be removed from classroom, campus, DAEP, or vehicle owned or operated by the district.

- Conditions that authorize or require principal or administrator to transfer a student to a DAEP.

- Conditions under which a student may be suspended or expelled.

- Consideration will be given to a student’s status as homeless as a factor in each decision concerning suspension, removal to DAEP, expulsion, or placement in JJAEP program, regardless of whether the decision concerns a mandatory or discretionary action.
Suspension: **TEC § 37.005(d)**

LEAs **cannot** place a homeless student on out of school suspension unless the student engages in conduct described by Subsections **TEC §37.005(c)(1)-(3)**

- Conduct that contains the elements of an offense related to weapons under Section 46.02 or 46.05, Penal Code
  - Unlawfully carrying a handgun under Penal Code 46.02.
  - Commits an offense with a prohibited weapon under Penal Code 46.05.

- Conduct that contains the elements of a violent offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code
  - Assault, Sexual Assault, Aggravated Assault, Aggravated Sexual Assault

- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of: marijuana or a controlled substance, a dangerous drug, an alcoholic beverage

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Next Steps and Considerations: Student Discipline

- The campus behavior coordinator may coordinate with the LEA McKinney-Vento liaison to identify appropriate alternatives to out-of-school suspension students experiencing homelessness. (TEC § 37.005(d)).

- LEAs should explore all available options, such as ISS and alternative means of receiving coursework, to meet the individual needs of each student.

TEA Student Discipline Contact Information

Mary Scott

StudentDisciplineSupport@tea.texas.gov

https://tea.texas.gov/texas-schools/health-safety-discipline/student-discipline
State Requirements **TEC § 33.906**

Each school that maintains a webpage must post information regarding local programs and services (including charitable programs and services) available to students who are homeless.

- Must be compiled in a format and style that is easily understandable by students or parents, as appropriate based on the grade levels the school offers.
- This section does not apply to a school within an LEA that:
  - Has an enrollment of fewer than 3,000 students; and
  - Is primarily located in a county with a population of less than 50,000.
Information for the LEA McKinney-Vento Webpage

Ensure the following information is included and up to date:

- McKinney-Vento Liaison contact information.
- LEA program services available to students and families and how to access them.
- McKinney-Vento posters (digital format can be accessed on the TEHCY webpage).
- Local community resources (e.g., shelters, housing authority, charitable organizations, etc.)
What is a local program or service?

District Services
- McKinney-Vento Liaison contact information
- McKinney-Vento services
- Nutrition services
- Academic program eligibility and services
- After-school programs and tutoring services

Local Community Resources
- Shelters
- Food banks
- Local Workforce Solutions
- Local Housing Authorities
- Clinics and mental health services
- Other charitable organizations
FAMILIES IN TRANSITION

This program provides assistance to families meeting criteria for the McKinney-Vento Act implemented to ensure all students the right to an education regardless of their living situation.

The term “homeless children and youth” is defined as individuals who lack a fixed, regular, and adequate nighttime residence. This includes children and youth who are:

- sharing the housing of others due to loss of housing or economic hardship
- living in motels, hotels, trailer parks, campgrounds, or similar settings
- living in emergency or transitional housing
- living in cars, parks, public spaces, abandoned buildings, or substandard housing

Our department staff work in collaboration with campus staff and other departments to facilitate student access to:

- Nutrition Services
- Enrollment (Immediately)
- Transportation Assistance (School of Origin)
- Student Case Management
- School-Wide Programs
- Transition Planning

LAWS AND GUIDANCE

FEDERAL LAW - MCKINNEY VENTO HOMELESS ASSISTANCE ACT

This federal legislation was originally authorized in 1987 and most recently re-authorized in December 2015 by the Every Student Succeeds Act (ESSA). This legislation ensures children and youth experiencing homelessness have immediate and equal access to public education.

STATE LAW – TEXAS EDUCATION CODE
FREQUENTLY ASKED QUESTIONS

- How is homeless defined under McKinney-Vento?
- What living situation is considered homeless under McKinney-Vento?
- What are the student rights under McKinney-Vento?
- How are students and families identified within our district?
- How long are students and families eligible to receive services?
- Who are the designated staff on campuses providing services to students/families through the Families in Transition program?
- How can students and families be referred for homeless assistance?

RESOURCES FOR FAMILIES IN TRANSITION

- Arlington Charities
- Arlington Housing Authority
- Arlington Life Shelter
- Arlington Urban Ministries
- Big Brothers Big Sisters
- Catholic Charities Diocese of Fort Worth
- Center for Transforming Lives
- Hearts and Hands Community Ministry
- Mission Arlington
- National Association for the Education of Homeless Children and Youth
- National Center for Homeless Education
- Promise House Youth Shelter
- Safehaven of Tarrant County
- School House Connection
- Tarrant County Homeless Coalition
- Texas Education for Homeless Children and Youth
- Texas Homeless Network
- The Salvation Army

TIPS FOR EDUCATORS AND SCHOOL STAFF

- Identification Tool for School Staff - Sample identification tool that will provide increased awareness of possible indicators and risk factors of students and families experiencing homelessness.
- Homeless Students in Texas Public Schools
- TEHCY Directory of Homeless Liaisons
- Supporting the Success of Homeless Children and Youth
- FAQ Education Rights and amendments by ESSA
Next Steps and Considerations: McKinney-Vento Webpage

- Determine if your LEA has a McKinney-Vento webpage.
- Evaluate current content and organize key resources.
- Assess additional information needed to support students and families.
- Develop a process to review and update webpage content on a regular basis.
- Utilize the regional McKinney-Vento webpage to find additional local resources.
- Collaborate with your Regional McKinney-Vento Liaison to support this process.
Texas Education for Homeless Children and Youth (TEHCY) Program Updates
LEA TEHCY Program Technical Assistance Process

LEAs contact ESC Regional McKinney-Vento Liaisons with technical assistance questions.

ESC Technical Assistance Requests

ESC Regional McKinney-Vento Liaisons provide technical assistance to LEA questions.

ESC Regional McKinney-Vento Liaisons contact TEA if additional guidance is needed.

TEA Technical Assistance Support
LEAs receives technical assistance support from ESC Regional McKinney-Vento Liaisons

ESC Technical Assistance Requests

ESC Regional McKinney-Vento Liaisons follow up on technical assistance inquiries on behalf of TEA

TEA forwards technical assistance inquiries to ESC Regional McKinney-Vento Liaisons

TEA Technical Assistance Support
# Texas Education for Homeless Children and Youth (TEHCY) Program

All Texas public schools, charter schools, and education service centers, collectively known as local education agencies (LEAs), must follow federal rules concerning the education of homeless students. These requirements are detailed in the McKinney-Vento Act.

## ARP Homeless II Federal Grant

The 2021-2024 ARP Homeless II Federal Grant application is now available in eGrants.

Visit the TEA Grants Opportunities page for detailed information about the 2021-2024 ARP Homeless II Grant application, including allocations for eligible applicants. Search by the grant application number. Information on how to apply for a grant is available on the Applying for a Grant page.

### Webinar
TEA hosted a webinar to provide information on ARP Homeless II for prospective grantees. During the TEA Grants Department provided an overview of the eGrant application and how to apply. TEA for Homeless Children and Youth Program (TEHCY) Program staff reviewed the requirements for funds, the timelines for submitting your application, and the allowable expenditures for grantees.

- [ARP Homeless II Grant Information (PDF Presentation)]
- [eGrant Application Process (PDF Presentation)]
- [ARP Homeless II Webinar Recording]
- [ARP Homeless II Program Guidelines]
- [McKinney-Vento Homeless Assistance Act - 16 Allowable Activities]

### Contact Information

<table>
<thead>
<tr>
<th>ESC</th>
<th>Name</th>
<th>Title</th>
<th>Email</th>
<th>Phone</th>
<th>Webpage</th>
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</thead>
<tbody>
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</tr>
</tbody>
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Regional McKinney-Vento Webpage Example
LEA McKinney-Vento Liaisons

All LEAs must designate a McKinney-Vento Liaison to carry out the duties listed in the federal McKinney-Vento Act.

LEAs must update the McKinney-Vento Liaison’s contact information in AskTED and should review this information annually.

Districts submit their liaison information to TEA through the district’s AskTED administrator.

Charter schools submit their liaison information to the Charter School Division at TEA directly via (512) 463-9575 or CharterSchools@tea.texas.gov.
McKinney-Vento 101 Resources

- September 2022 Webinar Recording and Slide Deck
- Sample Student Residency Questionnaire
- Sample Intake Form
- Immunization Flow Chart
- Sample Transportation Letter
- Dispute Resolution Resources
- Posters
- Infographic

McKinney-Vento 101 Resources

- McKinney-Vento 101 Webinar - September 27, 2022
  - Recording
  - PDF Presentation
- Sample Student Residence Questionnaire (PDF)
- Sample Intake Form (PDF)
- Immunization Flow Chart (PDF)
- Sample Transportation Letter (PDF)
- Sample FAFSA Verification Form (PDF)
- Dispute Resolution (PDF)

Homeless Student Identification Data

Every LEA must identify students experiencing homelessness within their district. This process must be done regularly and in a way that is auditable. In Texas, most districts choose to use a student residency questionnaire to help determine whether or not students qualify as homeless under the McKinney-Vento Act.

- 2018-2020 TEHCY Program Infographic (PDF)
- 2017-2019 TEHCY Program Infographic (PDF)

The Texas Education for Homeless Children and Youth (TEHCY) Program Infographic summarizes identification and graduation data for students experiencing homelessness enrolled in Texas public schools for the 2018, 2019, and 2020 school years.
Pause to Process

Comments?

Questions?
# TEHCY Upcoming Trainings and Events

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<tr>
<th>Training</th>
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<tr>
<td>TEHCY/ARP Homeless I Grant Coffee Chat</td>
<td>Wednesday, January 11(^{th}), 2023</td>
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<tr>
<td>ARP Homeless II Grant Coffee Chat</td>
<td>Tuesday, January 24(^{th}), 2023</td>
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<td>Highly Mobile and At-Risk Webinar</td>
<td>Thursday, February 16(^{th}), 2023</td>
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Sign Up for Updates!

- Special Student Populations
  - Foster Care and Student Success
  - Bilingual/ESL Education
  - Early Childhood Education
  - Special Education Updates
  - Gifted/Talented Education
  - Pregnancy Programs
  - Languages Other Than English
  - McKinney-Vento Homeless Education

The Latest TEA News

Emergency Support
- Coronavirus (COVID-19)
- Visiting TEA

Texas Schools

About
- General Public Health Resources

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Thank You for Attending our Session

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