

Designating LEA McKinney-Vento Liaisons: Considerations Under the Every Student Succeeds Act of 2015

The Law: The Every Student Succeeds Act (ESSA) creates new requirements for the capacity, training and duties of LEA McKinney-Vento liaisons. Federal Guidance offers additional suggestions for implementing those requirements.

- **Every local educational agency (LEA)** must designate a McKinney-Vento liaison for homeless students.¹

- Under ESSA, **liaisons must be “able to carry out their duties”** described in the law.² ESSA specifies **ten liaison duties** (see *text box*), including an overarching requirement “to ensure that... homeless children and youths are enrolled in, and have a full and equal opportunity to succeed in, schools of that local educational agency.”³

- To ensure liaisons are “able to carry out their duties,” the [U.S. Department of Education Guidance](#) states that LEAs “should **allocate sufficient time for... liaisons to do their jobs effectively and should support them in fulfilling their duties** as outlined in the law and in making timely decisions.” To determine the time needed to carry out the liaison’s duties, the Department directs LEA administrators to review:

- The legal requirements for the position;
- Data indicating the prevalence and needs of homeless children and youths (including efforts that may be necessary to improve the identification of such children and youths);
- Past technical assistance provided to the LEA... to determine how much time the McKinney-Vento program requires to be managed well;

McKinney-Vento liaisons must ensure that:

- (i) homeless children and youth are identified by school personnel through outreach and coordination with other entities and agencies;*
- (ii) homeless children and youth are enrolled, and have a full and equal opportunity to succeed, in school;*
- (iii) homeless families, children and youth receive educational services for which they are eligible, including Head Start, early intervention, and other preschool programs administered by the LEA;*
- (iv) homeless families, children and youth receive referrals to health, dental, mental health, housing, substance abuse, and other appropriate services;*
- (v) parents or guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate;*
- (vi) public notice of homeless students’ rights is disseminated in locations frequented by parents, guardians and unaccompanied youth, including schools, shelters, libraries and soup kitchens, in an understandable manner and form;*
- (vii) enrollment disputes are mediated;*
- (viii) parents, guardians and unaccompanied youth are informed of and assisted in accessing transportation services, including transportation to the school of origin;*
- (ix) school personnel providing McKinney-Vento services receive professional development and other support; and*
- (x) unaccompanied youth are enrolled in school, have opportunities to meet the same challenging academic standards other children and youth, including through receiving partial credits, and are informed of their status as independent students for the FAFSA and receive verification of that status.*

42 USC §11432(g)(6)(A)

¹ 42 USC §11432(g)(1)(J)(ii).
² 42 USC §11432(g)(1)(J)(ii).
³ 42 USC §11432(g)(6)(A)(ii).

- The number of schools and students in the district; and
- The number of identified homeless students in the district as a percentage of students living in poverty.”⁴
- States and LEAs must “ensure participation by liaisons... in professional development and other technical assistance activities... as determined appropriate by” the State Coordinator.⁵

The Implementation: Considerations in designating LEA McKinney-Vento liaisons and ensuring they have sufficient capacity and support to carry out their duties include:

- How well is the current McKinney-Vento liaison able to carry out the duties described in the law? Does the liaison’s current implementation indicate sufficient capacity? Conducting a needs assessment of students experiencing homelessness in the LEA can help administrators determine how the liaison is meeting current and anticipated needs.
- How much additional time will the liaison need to implement *new* McKinney-Vento duties enacted in ESSA? (New liaison responsibilities under ESSA include: providing professional development and other support to school personnel; ensuring the award and accrual of partial credits; ensuring unaccompanied youth receive verification of their status as independent students for the FAFSA.)
- How will the liaison allocate time to participate in required professional development and technical assistance?
- How many students have been identified as experiencing homelessness in the LEA, and how does that number compare to the poverty rate? Does that comparison indicate gaps in identification? ESSA contains several new provisions to promote LEA identification of homeless students. Studies suggest approximately 10% of children in poverty experience homelessness over the course of a year.
- Can the LEA designate school building-level liaisons to assist the LEA liaison in carrying out his/her duties?
- The McKinney-Vento liaison *cannot* serve as the LEA’s point of contact for children in foster care if the liaison’s position is paid in full by McKinney-Vento funds.⁶ In addition, administrators *should not* designate the liaison as the foster care point of contact, *unless* the LEA has made a specific finding, based on the number and needs of both homeless students and those in foster care, that the liaison is able to carry out the duties prescribed in the McKinney-Vento Act, in addition to serving as the foster care point of contact.⁷
- More considerations in designating McKinney-Vento liaisons are explained in the National Center for Homeless Education’s publication, “[Local Homeless Liaisons for School Districts: Making the Right Selection and Supporting their Effectiveness.](#)”

⁴ U.S. Dept. of Educ. (2016). *Education for Homeless Children and Youths Program Non-Regulatory Guidance*, p. 15.

⁵ 42 USC §11432(g)(1)(J)(iv).

⁶ 42 USC §11433(a)(1), (d).

⁷ Effective December 10, 2016, ESSA requires LEAs to designate contacts for children in foster care, if the corresponding child welfare agency notifies the LEA in writing that it has designated a contact for the LEA. 20 USC §6312(c)(5)(A).