McKinney-Vento Homeless Assistance Act

The McKinney-Vento Homeless Assistance Act of 1986 is a federal law that provides money for homeless shelter programs. “Homeless” children are also entitled to the protections of the McKinney-Vento Act.

The McKinney-Vento Act defines homeless as “individuals who lack a fixed, regular, and adequate nighttime residence.” The act provides examples of children who would fall under this definition:

1. Children sharing housing due to economic hardship, loss of housing or similar reason;
2. Children living in “motels, hotels, trailer parks, or camp grounds due to lack of alternative accomodations”
3. Children living in “emergency or transitional shelters”
4. Children whose primary nighttime residence is not ordinarily used as a regular sleeping accommodation (eg. Park benches, etc)
5. Children living in “cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations…”
6. Migratory children and youth living in any of the above situations.

The McKinney-Vento Act ensures homeless children transportation to and from school free of charge, allowing children to attend their school of origin (last school enrolled or the school they attended when they first become homeless) regardless of what district the family resides in. It requires schools to register homeless children even if they lack normally required documents, such as immunization records or proof of residence.

Local School District’s must appoint Liaison contacts to ensure that school staff are aware of these rights, to provide public notice to homeless families (at shelters and at school) and to facilitate access to school and transportation services.

Nespelem School District Homeless Liaison is Desirae Bear Eagle, MSW, and can be reached at dbeareagle@nsdeagles.org or (509) 634-4541 ext 137.

Foster Care

The Foster Care Program at OSPI supports students in foster care by encouraging innovative practices that reduce educational disruptions, strengthen school stability, and improve academic performance. Schools, child welfare agencies, communities, and families must work together to provide the equitable opportunities, specialized services, and useful supports that are essential for students in foster care to be successful in school and in life.

As part of the Student Support division, the Foster Care Education Program partners with educators, foster parents, social workers, state agencies, and advocates as they work to support the whole child through evidence-based, best-practices and collaboration. The collaboration is between the Foster Care Liaison and Department of Child Family Services (DCFS), in making sure the student is receiving care and needs are being met in a shared capacity by Colville Tribal DCFS, Washington State DCFS and Nespelem Foster Care Liaison.

Foster Care Liaison for Nespelem School is Virginia Lezard, vlezard@nsdeagles.org or (509) 634-4541.

Section 504

Section 504 of the Rehabilitation Act of 1973, commonly called “Section 504,” is a federal law that protects students from discrimination based on disability. Section 504 assures that students with disabilities have educational opportunities and benefits equal to those provided to students without disabilities. To be eligible, a student must have a physical or mental impairment that substantially limits one or more major life activity.

What is a Disability under Section 504?

Section 504 defines disability as a physical or mental impairment which substantially limits one

or more major life activities. This definition of disability should be interpreted broadly.

Major life activities are activities that are important to most people’s daily lives. Caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, bending, reading, concentrating, thinking, and communicating are some examples of major life activities. Major life activities also include major bodily functions, such as functions of the digestive, bowel, bladder, brain,

circulatory, reproductive, neurological, or respiratory systems.

Substantially limits should also be interpreted broadly. A student’s impairment does not need to prevent, or severely or significantly restrict, a major life activity to be substantially limiting.

If you would like to know more about your students’ rights, please click on the link for further information.

<https://www.k12.wa.us/policy-funding/equity-and-civil-rights/information-families-civil-rights-washington-schools/section-504-students-disabilities>

Your child has the right to an evaluation before the school determines if he or she is eligible under Section 504. If you disagree with the district’s decisions regarding your child’s identification, evaluation, educational program, or placement under Section 504, you may request mediation or an impartial due process hearing. You and your child have the right to take part in the hearing and have an attorney represent you. Hearing requests and other concerns can be made ot your district’s Section 504 Coordinator:

Desirae Bear Eagle

229 School Loop Rd

Nespelem, WA 99155

(509)634-4541 ext. 137