

# Illinois Plan for the Education for Homeless Children and Youths Program



Illinois State Board of Education  
May 29, 2002  
*Due May 31, 2002*



## Table of Contents

Application Signature Page	
Table of Contents	1
I. <i>Procedures for ensuring that homeless children and youth are given the opportunity to meet challenging State academic achievement standards.</i>	2
II. <i>Procedures ISBE will use to identify homeless children and youth in the State and to assess their special needs.</i>	4
III. <i>Procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth.</i>	5
IV. <i>Illinois' programs for school personnel to heighten their awareness of the specific needs of runaway and homeless youth.</i>	6
V. <i>Illinois' procedures for ensuring that eligible homeless children and youths are able to participate in Federal, State, or local food programs.</i>	6
VI. <i>Illinois' procedures for ensuring that: homeless children have equal access to the same public preschool programs, equal access to appropriate secondary education and support services; and participate in before- and after-school programs.</i>	7
VII. <i>ISBE's strategies for addressing problems set forth in its FY 2000 report provided to the Secretary under subsection 722 (f)(3) of the Act..</i>	8
VIII. <i>Strategies for addressing problems, including enrollment delays.</i>	10
IX. <i>Policies to remove barriers to the enrollment and retention of homeless children and youths in schools in the State.</i>	10
X. <i>Ensuring compliance with the requirements of paragraphs in Section 722(g)(3) through (g)(7) of the Act.</i>	11
XI. <i>Description of the technical assistance, and how the state will coordinate its compliance efforts with the required local liaisons.</i>	12
XII. <i>Description of how the state will use funds it receives under this program to carry out state-level activities and to make subgrants to local education agencies.</i>	13
Attachment A. Illinois Education for Homeless Children Act of 1994	
Attachment B. Policy on the Education of Homeless Children and Youths	

**McKinney-Vento Homeless Assistance Act**  
**Title VII, Subtitle B**  
**Illinois State Plan**

**Education for Homeless Children and Youths**

- I. *Procedures for ensuring that homeless children and youths are given the opportunity to meet the same challenging State academic achievement standards that all students in the State are expected to meet.*

The application for the McKinney-Vento Homeless Assistance Act is not included in the Illinois Consolidated State Application for the *No Child Left Behind* Act of 2001 (*NCLB*) ; however, the State Coordinator for the Illinois Homeless Education Program (HEP) has been a full partner in planning the consolidated application within the Illinois State Board of Education (ISBE).

ISBE has established procedures to ensure that homeless children and youths are afforded the same opportunities to be successful learners as other children and youths. Ensuring that all Illinois students develop the knowledge and skills necessary for success in the 21<sup>st</sup> Century is a challenge both broader and more difficult than the challenges that have faced the public schools in the past. Achieving success will require long-term strategic plans that seek quantum leaps as well as continuous improvement, and actions that combine research and educational best-practices with creativity and innovation. Cross-coordination of programs is essential to the goal in *NCLB* that all students will meet state academic standards by 2014, including homeless children and youths.

In January 1995, the Illinois Education for Homeless Children Act of 1994 (Attachment A) became law. In January 2002, most provisions of the Illinois law were incorporated into the federal McKinney-Vento Homeless Assistance Act. In December 1995, the State Board of Education adopted its “Policy on the Education of Homeless Children and Youth” (Attachment B), requiring all school districts to comply with this policy as well as federal and state laws regarding the education of homeless children and youths.

Since 1995, homeless children and youths in Illinois have, by state law and board policy, been given every opportunity to continue their education, without interruption, in their school of origin. Their current learning environment may well be the only part of their lives that is not disrupted. One of the most important ways Illinois’ schools can help students experiencing homelessness meet challenging state academic standards is to reduce their mobility and provide a stable school setting in which to learn. Therefore, transporting them to their school of origin has been essential for their educational success.

For those homeless children and youths whose parents/guardians choose to enroll their children in schools other than the school of origin, these children are enrolled immediately. Schools then work with the homeless family and the previous schools to obtain needed records. This work is

extremely important in assuring that these displaced children are afforded every opportunity to achieve state academic standards.

Getting important information on the rights of homeless children and youths to school officials, community organizations, and other local service providers for the homeless population has been a challenge. In 1996, ISBE awarded a coordinated statewide awareness grant, called *Opening Doors: Statewide Access to Education for Homeless Children and Youths (Opening Doors)*, to three entities for implementation -- the Center in Des Plaines, the Regional Office of Education (ROE) in Macomb, and the Social Work Department of the University of Illinois (U of I) in Champaign. Each of them had a specific role to complete for overall state awareness.

- The Center in Des Plaines created written materials appropriate for school personnel and other materials appropriate for community organizations and then distributed materials throughout the state.
- The ROE started a web page and developed training videos.
- At the beginning of the project, the U of I surveyed principals, teachers and school social workers on their awareness of the legal rights of homeless children and youth. Two years later, in 1998, the U of I conducted a second survey of school personnel and learned that *Opening Doors* had been very successful in getting its message into Illinois communities and schools, greatly increasing the percentage of the surveyed school staff that had become aware of the educational rights of homeless children and youths.

Since that time, ISBE has continued to and will continue to mail awareness materials at least twice a year to all local education agencies (LEAs) and at least once a year to shelters and other service providers throughout Illinois.

Now that many provisions of Illinois law have been incorporated into federal law, the focus in Illinois will be to continue to educate schools and communities on the rights of homeless children and youth. A provision in the new federal law that was not part of Illinois law is the requirement to have a homeless education liaison in every school district. Most of Illinois' 893 school districts have already identified their liaison as part of completing their application for federal Titles I, II, IV and V funds for 2002-2003 (*NCLB* local application). The few school districts that do not receive federal funds will be required to identify a liaison as well. The state superintendent will request those district superintendents to appoint a local liaison and provide contact information for him/her.

One of the key roles for a district liaison will be to ensure all homeless children and youth in his/her district receive the services they need to be successful in school. The State Coordinator for the HEP worked with the staff writing the statewide *NCLB* local application to make sure that LEAs were required in the application to set aside Title I funds to serve homeless children and youths attending schools that do not receive these funds. The HEP State Coordinator has continued to be involved with the planning group for ISBE's Consolidated State Application for the *NCLB* and will make sure that coordinated efforts with the HEP are included in that plan.

Starting in Fall 2002, ISBE will begin the process of training the homeless education liaisons. As these liaisons become familiar with their required roles, they will be key individuals to enhance the educational opportunities of homeless children and youth. The liaisons will make sure that homeless students are included in the statewide achievement testing. This will translate

into homeless children having increased likelihood of meeting the state’s academic achievement standards. The liaison’s role to work with unaccompanied youth and help them make important decisions regarding their education is vital to improving the educational opportunities of this hard-to-serve population.

To measure the states’ progress in meeting the educational needs of homeless children and youth, the state will begin gathering valid and reliable data on the educational achievements of homeless children and youth. ISBE will provide the United States Department of Education (USDE) with its initial baseline data as required by January 31, 2003. Beginning in the 2002-2003 school year, ISBE will collect data from HEP-funded LEAs based on the indicators of program quality developed during Summer 2001 by a work group convened by the National Center for Homeless Education. In future years, Illinois will gather data from all school districts regarding services for homeless children and youths-based on guidance from USDE.

**Figure 1.**

<b>Activities</b>	<b>Timelines</b>
1. Distribute materials to school district liaisons.	At least twice annually
2. Distribute to shelter providers and other local providers to homeless families.	At least once annually
3. Train local education liaisons.	Ongoing
4. Collect data due to the secretary by January 31, 2003.	Data to ISBE by December 31, 2002
5. Collect data from ISBE funded providers, including achievement test data.	Annually
6. Collect data from all school districts.	Based on USDE guidance

*II. Procedures ISBE will use to identify homeless children and youth in the State and to assess their special needs.*

Homeless children and youths in Illinois will be identified by school personnel and through coordination activities with other entities such as community service agencies. To ensure that these children and youths are identified, the liaisons will be trained to educate and then work closely with all front-line school personnel within their district (e.g., principals and school secretaries) as well as with community social service agencies and Continuum of Care programs. The U.S. Department of Housing and Urban Development-funded Continuum of Care programs are represented in every Illinois community and are responsible for locally coordinating services to homeless families. A close working relationship between school liaisons and staff of the Continuums is critical to meeting the educational and support services needed by homeless families. A key part of trainings will be to emphasize the need to sensitively identify families in homeless situations and the need to be respectful of the families’ privacy. (i.e., speaking to families in a private office instead of a crowded setting.)

The liaisons will disseminate information on the McKinney-Vento Act by means of posters, brochures and other print materials. The liaisons will be trained to ensure that public notice of the educational rights of homeless children and youths is disseminated where such students

receive services such as schools, family shelters and soup kitchens. Materials developed at the national level coordinated through the National Center for Homeless Education as well as materials developed through the *Opening Doors* project will be appropriately displayed in all schools and throughout local communities. All Continuum of Care programs have received and used *Opening Doors* materials in the past and will continue to work with the liaisons to disseminate information in their communities. The federal definition of homelessness now part of the McKinney-Vento Act will be reflected in all materials and the liaisons will receive training on understanding this definition. This assures that once homeless children and youths are identified, they will receive available assistance within the community and, most importantly, information on their rights to continue their education without interruption.

By January 2003, ISBE will develop and then annually review a needs assessment instrument with the assistance of the appointed liaisons, Continuum of Care programs, advocacy organizations and other community agencies. The needs assessment will be conducted at the end of each school year to assist local decision makers to determine service gaps locally and assist the state coordinator in state-level planning.

**Figure 2.**

<b>Activities</b>	<b>Timelines</b>
1. Train liaisons to identify homeless children and youth.	Ongoing
2. Provide information to other local services.	At least once annually
3. Develop needs assessment.	January 2003
4. Review needs assessment and conduct needs assessment.	Annually

*III. Procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth.*

Illinois has had a dispute resolution process in place since enactment of the Illinois law. Illinois has recognized the importance of handling disputes at the local level where issues and parties involved are most likely to be clearly known, and therefore the best interest of the student should be served.

Under Illinois law, each regional superintendent of schools, serving one or more of Illinois' 102 counties, is to act as an ombudsperson to resolve disputes regarding educational placement of homeless children and youths. If a school denies a student enrollment or transportation, he or she must be *immediately* enrolled in and transported to the school chosen until final resolution of the dispute.

Liaisons will be trained to carry out or mediate the resolution process as expeditiously as possible by assuring that the ombudsperson convenes a meeting of all parties and attempts to resolve the dispute within five school days as required by the Illinois law. If a dispute arises, the liaisons will also be trained on the requirement to inform parents and/or guardians and youth on sources of low cost or free legal assistance and other advocacy services in the community. The liaisons will also be trained to meet the requirements in *NCLB* to provide a written explanation of the school's decision, including the right of the parent, guardian or youth to appeal. The

liaison’s duties also include ensuring that an unaccompanied youth, as defined in the McKinney-Vento Act, is *immediately* enrolled in school pending resolution of the dispute.

**Figure 3.**

<b>Activities</b>	<b>Timelines</b>
1. Train liaisons on dispute resolution processes.	Ongoing
2. Train liaisons on their duties to represent homeless youths.	Ongoing

*IV. Description of the Illinois’ programs for school personnel (including principals, attendance officers, teachers, enrollment personnel, and pupil services personnel) to heighten their awareness of the specific needs of runaway and homeless youth.*

ISBE funded a statewide project called ***Opening Doors: Statewide Access to Education for Homeless Children and Youths*** in 1996. As mentioned previously, this project’s main goal was and is dissemination of information on the educational rights of homeless children and youths to all school districts as well as to shelters and other local community agencies within Illinois. This information includes print materials such as tip sheets for school personnel and awareness-raising videos which are used for in-service trainings and presentations by Opening Doors partners across the state. Posters outlining educational rights have been distributed to schools, shelters and social service agencies for several years now.

With the McKinney-Vento Act’s special emphasis on runaway and homeless youths, ***Opening Doors*** is currently designing a new poster meant to appeal to such youths and their friends/peers who may be in school. Chicago Public Schools has also developed a relevant poster. The plan is to put posters in every high school and alternative high school across the state, and also distribute them to shelters that accept youths, organizations that work with youths on the streets, and Continuum of Care programs.

In a recent meeting of the Illinois Homeless Education Committee, a committee required by the Illinois Education for Homeless Children Act to review and revise current and future state plans, a homeless youth advisory committee was established for 2002-03 to help review and revise the parts of the plan relevant to them.

**Figure 4.**

<b>Activities</b>	<b>Timelines</b>
1. Train local liaisons on specific needs of runaway and homeless youths.	Ongoing
2. Distribute homeless youth posters.	Summer 2002 and ongoing
3. Establish a homeless youth advisory committee.	Fall 2002

*V. Description of Illinois’ procedures for ensuring that homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local food programs.*



The materials developed and disseminated by Opening Doors have, from the beginning, included information regarding the right of homeless children and youth to receive services under the free and reduced lunch program. This material will be reviewed and revised to include current changes in laws and procedures (e.g., Illinois schools can serve/pay for after-school snacks and suppers).

On April 4, 2002, the United States Department of Agriculture (USDA) sent a memorandum to its local providers stating that *“To expedite the delivery of nutritional benefits, school officials may accept documentation that the children are homeless from the local education liaisons or directors of homeless shelters where the children reside. Documentation to substantiate free meal eligibility must consist of the child’s name or a list of names, effective date(s), and the signature of the local education liaison or the director of the homeless shelter. This documentation is acceptable in lieu of a free and reduced price meal application.”*

All local liaisons will be trained on using this USDA guidance and *Opening Doors* materials. The USDA guidance will also be used as a guide to state and local food programs. Staff of ISBE working with school nutrition programs will be trained in Summer 2002 on the McKinney-Vento Act and the role of the local liaisons, and then work with their contacts at the local schools to make sure that local nutrition staff are familiar with their local homeless education liaison.

**Figure 5.**

<b>Activities</b>	<b>Timelines</b>
1. Distribute USDE memorandum.	Summer 2002
2. Train local liaisons on procedures.	Ongoing
3. Train ISBE nutrition program staff.	Summer 2002

VI. *Description of Illinois’ procedures for ensuring that: homeless children have equal access to the same public preschool programs, administered by ISBE, as provided to other children in Illinois; homeless youths and youths separated from the public schools are identified and accorded equal access to appropriate secondary education and support services; homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local before- and after-school programs.*

The person most responsible at the local level for ensuring homeless children and youth receive services they need to be successful learners is the district liaison. Training these liaisons to be the key education resource for families experiencing homelessness is critical in the local planning process to provide comprehensive services for these families. The liaison will work with other service providers, particularly those within the Continuum of Care provider system, to keep current on local homeless populations.

By sharing with the Continuum of Care programs a list of their area liaisons and providing the liaisons with contacts in their local Continuums, two-way communication can occur. When a homeless family with preschool-age children is identified, it will be the responsibility of the liaison to assure that the homeless children and their families have equal access to ISBE- funded

preschools if available in their community. ISBE’s early childhood programs, funded through a competitive state grant process, emphasize the relationship among early childhood education, parenting education and involvement, and future school success.

The liaisons will also work with local sources to determine whether other preschool services such as Head Start are available. Head Start, as a result of a 1992 memorandum to its grantees and delegate agencies, has specific local criteria for meeting the needs of homeless children in their communities. This policy memorandum will be sent to every liaison and included in liaison trainings.

At the state level, the early childhood staff of ISBE will be trained on the McKinney-Vento Act and the importance of including opportunities for homeless children and their families to be able to enroll in preschool programs where available. The early childhood staff will also be provided with the list of liaisons, a description of their roles at the district level, and the need to have local early childhood providers work closely with them.

Liaisons will work within their communities to identify homeless youth not currently in school. As mentioned earlier, posters by *Opening Doors* targeting homeless youths, their friends and peers will be distributed in communities and at all high schools and alternative schools. In addition, the Opening Doors tip sheets on identifying homeless children and youths will be distributed to all liaisons that will be responsible for distribution to relevant school personnel. Once a community network of homeless service providers identifies out-of-school homeless youth, the liaison will be contacted and work on behalf of the homeless youth to assure they have every opportunity to complete their high school education. If extra help is needed, the liaison will ensure that these youth are connected to available services within the community and will help them get into available before- and after-school programs as appropriate.

**Figure 6.**

Activities	Timelines
1. Train liaisons on the importance of preschool for the very young homeless children.	Ongoing
2. Train state-level early childhood staff.	Summer 2002
3. Provide the liaisons with copies of the 1992 Head Start memorandum.	Summer 2002
4. Train liaisons on working with homeless youth, particularly runaway and throwaway youth.	Ongoing

*VII. Description of ISBE’s strategies for addressing problems set forth in its FY00 report provided to the Secretary under subsection 722 (f)(3) of the Act.*

The Illinois FY00 HEP report to USDE identified four barriers to school attendance/enrollment of homeless children and youths -- residency requirements, legal guardianship issues, lack of available preschool programs, and lack of awareness of the Illinois state law. As mentioned previously, this law was used in crafting the new McKinney-Vento Act. It has helped eliminate most school barriers for homeless children in Illinois.

In Illinois, ISBE has been persistent, through *Opening Doors*, in providing copies of the law and materials to help implement the law, but there have been some LEA personnel that have either misunderstood the law or thought that it did not pertain to their schools. Credit goes to attorneys with ISBE for clarifying issues regarding the law and its implementation.

In September 1999, ISBE's Legal Department issued a memorandum to regional superintendents regarding residency issues. Among other things, this memorandum underscored the law in Illinois that unless a child living apart from a parent or legal guardian is present in a school district solely for the purpose of attending school, the child has a right to attend in that district tuition free. That principle of law applies to homeless as well as non-homeless students. This legal memorandum has also been shared with Illinois LEAs as requested or in response to inquiries. It is also believed that many regional superintendents have shared this with LEAs in their regions.

In August 2000, the attorneys issued two more legal opinions on homeless education issues. The first opinion, Definition of Homelessness (legal opinion of homelessness and doubled-up families), helped clarify that, in some situations, doubled-up families could be considered homeless. Since ISBE had distributed the Categories of Homeless Children in USDE's *Preliminary Guidance* (June 1995) for the McKinney Act of 1994 and had used this guidance to educate school districts on identifying homeless families, then one of those categories (e.g., doubled-up) is a consideration in determining whether or not a family is homeless. Having the expanded definition of homelessness as part of the new McKinney-Vento Act and not just in the guidance helps clarify who meets the definition.

A second legal opinion, Homeless Education: Violations of Zoning Ordinances and Local Housing Authority Rules, noted that the living arrangements of families should be considered confidential by school districts if the information is part of the student's school records, even if the living arrangement may break local zoning or housing rules,. Having ISBE attorneys support the HEP since the passage of the Illinois law has reduced and nearly eliminated the number of questions regarding interpretation of the law. There have been few residency and guardianship issues lately. The assistance of attorneys within ISBE will continue to be useful as ISBE implements the new McKinney-Vento Act.

As for the last barrier, lack of available preschool programs, having a liaison working within each Illinois community, as explained in Section VI, will help homeless families gain access to available preschool services. Even with direction from ISBE to the McKinney-funded programs to actively seek placing homeless preschool-age children into publicly-funded preschools, the number of these children in Illinois preschools is still small. With better coordination with Head Start programs, state staff informing their local contacts to work with the local education liaison for homeless children, and liaisons working with homeless families to help them access educational services, more homeless preschool-age children will be enrolled.

**Figure 7.**

<b>Activities</b>	<b>Timelines</b>
1. Work with the ISBE attorneys on issues regarding the new law, particularly residency and guardianship issues.	Ongoing
2. Distribute the new law and materials to help implement the law.	Summer 2002
3. Train the liaisons on preschool issues.	Ongoing

*VIII. Strategies for addressing problems with respect to the education of homeless children and youths, including problems resulting from enrollment delays that are caused by: immunization and medical records requirements; residency requirements; lack of birth certificates, school records, or other documentation; guardianship issues; or uniform or dress code violations.*

Since the enactment of the Illinois Education for Homeless Children Act, school districts have received guidance from ISBE, including the Board policy, that school districts must comply with this state law as well as federal laws concerning homeless children and youth. This model law requires that schools enroll homeless students immediately and then work with these families to assure that they receive help getting required documentation and any other help they may need to assure that the children have every opportunity to become successful learners. With the help of ISBE attorneys, the funding of the *Opening Doors* project, strong relationships with advocacy groups, coordination with the Continuum of Care programs and knowledgeable McKinney-funded program liaisons, most barriers have been or will be eliminated statewide.

Although materials are sent to every school district every year, 660 of Illinois 893 school districts currently do not have a designated individual in a McKinney-Vento-funded program responsible for assisting homeless families. Materials never reach the intended audience. It has been a long process of continually mailing information to school districts annually. Many school districts are increasing their awareness of homeless laws and improving the handling of homeless situations locally. This is an assumption based on the fact that over the years, calls to the Illinois HEP have changed from calls indicating unawareness of the laws to calls wanting to know how to comply with the intent of the laws. Still, there is no assurance that all homeless families in the state are receiving services they are eligible to receive based on federal and state laws.

This situation is about to improve with the new requirement that every school district appoint a liaison. As these liaisons are trained and become more familiar with their responsibilities identified in the McKinney-Vento Act, they will play a critical role in increasing the awareness of homeless laws and ensuring the delivery of services throughout Illinois.

**Figure 8.**

<b>Activities</b>	<b>Timelines</b>
1. Distribute materials on requirement in both federal and state laws to enroll homeless children immediately.	At least twice annually
2. Train liaisons on enrollment procedures.	Ongoing
3. Train liaisons on procedures to obtain required documentations.	Ongoing

*IX. Demonstration that ISBE and LEAs have developed, and will review and as necessary revise, policies to remove barriers to the enrollment and retention of homeless children and youths in schools in the State.*

To assure that the Illinois Education of Homeless Children Education Act is fully implemented, the State Board of Education adopted a policy on the education of homeless children and youth in December 1995. It requires all Illinois school districts to comply fully with the policy and federal and state laws affecting the rights of homeless children and youth. The Board policy also requires that all LEAs review any rules or regulations, practices or policies that may act as barriers to the enrollment of homeless children and take steps to revise them so that homeless children and youths are afforded the same opportunities as the non-homeless. This policy also emphasizes the importance of homeless students attending their school of origin without interruption, wherever possible.

Through the guidance in this policy along with the strong state law on the education of homeless children, Illinois has taken almost every possible step in assuring that homeless children have the opportunity to meet state academic standards. Now that there is a new federal law modeled after the Illinois law, but with some additional requirements beyond those in the Illinois law, the State Board will review the federal law and adopt an updated policy that directly supports it.

**Figure 9.**

<b>Activities</b>	<b>Timelines</b>
1. State Board reviews current policy and adopts a modified one as needed to support federal law and state law.	Summer 2002
2. New Board policy mailed to all school districts.	Late Summer 2002
3. Work with school districts to revise any local policies that are barriers to enrollment.	Ongoing

*X. Description of how Illinois will ensure that LEAs will comply with requirements of Section 722(g)(3) through (g)(7) of the Act.*

In Illinois there are 45 ROEs with elected Regional Superintendents of Schools. One of their primary duties is to visit all schools in their region for statutory and regulatory compliance and recommend school recognition status. A key part of this process is to determine compliance with selected federal and state programs. A probe on the education of homeless children and youths that monitors the required components in Section 722 of the Act for LEAs will be added to their school evaluation form to determine whether schools are in compliance with the McKinney-Vento Act.

As explained earlier, ISBE attorneys will continue to work with the HEP on a case-by-case basis. These attorneys will help clarify the intent of the McKinney-Vento Act for school districts that either misunderstand the law or feel that the law does not pertain to a particular situation.

In addition, the HEP will obtain a randomly-selected list of LEAs that do not have a contact in their region working with a funded McKinney-Vento program. The HEP Coordinator will coordinate visits to these selected school districts while conducting normal monitoring activities of funded McKinney-Vento programs.

**Figure 10.**

Activities	Timelines
1. Add section on homeless law to ROE school evaluation instrument.	Summer 2002
2. Regional superintendents review school performance including McKinney-Vento requirements.	Ongoing
3. State Coordinator visits randomly-selected LEAs.	Ongoing

*XI. Description of the technical assistance that the State will furnish to LEAs and how the SEA will coordinate its compliance efforts with local educational agency liaisons designated under paragraph (1)(J)(ii) in Section 722 of the Act.*

ISBE will take a two-level approach in furnishing technical assistance to the LEAs across the state. First, through distribution by **Opening Doors**, there will be available materials which are being developed on the national level. A national team is creating a handbook and toolkit for training LEA liaisons to help them fully understand the requirements of the McKinney-Vento Act, specifically the duties the liaisons are required to fulfill. **Opening Doors** will obtain and distribute these materials to the LEA liaisons before the start of the 2002-2003 school year. In addition, Opening Doors' materials will be revised as needed and provided to the liaisons.

The second level of technical assistance will involve not only putting these materials into the liaisons' hands, but becoming educators about the new law and doing hands-on training of groups of liaisons. A number of McKinney-Vento grantees across the state are very experienced, having provided services to homeless children and youths for five or more years. A small group of these people have agreed to become "point persons" for training the liaisons in their geographic areas. Opening Doors will coordinate this training process, working closely with the point persons in creating presentations of varying lengths; for example, if a school's in-service session is brief, the 12-minute video could be used. A longer session could include the video and a short talk touching on the major points of the new law.

In order to reach areas of the state in which there is no McKinney program nearby, it will be important to develop a closer working relationship with the Continuum of Care providers across the state. Another way ISBE will bridge the distances and help connect all the liaisons is to create a listserv specifically for them. They could share experiences, ask others how they are handling a specific problem and so forth. Having all 893 liaisons networked by e-mail is one solution to the geographic challenges.

**Figure 11.**

<b>Activities</b>	<b>Timelines</b>
1. Distribute liaison tool kits.	Summer 2002
2. Train liaisons in small groups.	Ongoing
3. Establish a liaison listserv.	Summer 2002

*XII. Description of how the SEA will use funds it receives under this program to carry out State-level activities and to make subgrants to LEAs.*

At the state level, funds will be used to support the functions of the Office of the HEP State Coordinator. A State Coordinator has been assigned to work full time within this office and is responsible for administering the program. ISBE will make sure that all functions of the Office of the Coordinator are conducted in a timely manner.

For the last seven years, ISBE has funded a statewide awareness program that has been referenced frequently in this plan. That program has played an integral role in raising the awareness of the educational rights of homeless children and youths. Its role will be expanded to include involvement in the training of LEA liaisons as a key part in the statewide awareness activities.

ISBE funds McKinney-Vento programs for three years to help provide continuity in local program administration. Currently, programs funded under this Act are in the first year of a three-year cycle. For FY03, these programs will receive the same funds as the previous funding year as long as they submit a continuation application agreeing to make changes in their programs to be in compliance with the new federal law.

The current list of funded McKinney-Vento programs in Illinois is comprised of eight LEAs and twelve ROEs, serving 230 of Illinois' 893 LEAs. A map will be included in the upcoming two-year request for proposals, showing the location of these programs and the areas of the state that they serve. This map will also indicate which LEAs and ROEs are eligible to apply for these additional funds. More than half of the LEAs will become part of a funded McKinney-Vento program in FY03.

If there is level funding for the following year, FY04, then all programs will be in the final year of their grant. Any extra funds, should Congress increase the amount appropriated for FY04, would be distributed through a one-year grant so that by the following fiscal year, all McKinney-Vento programs would be on the same funding cycle.

ISBE's plans to use the funds for state-level activities and subgrants are as follows:

**Figure 12.**

<b>State Level</b>	<b>Local Level</b>
▪ State administration -- <b>\$150,000</b>	▪ Amount for continuing programs -- <b>\$1,132,000</b>
▪ Statewide awareness grant -- <b>\$150,000</b>	▪ Amount for new proposals -- <b>\$685,005</b>
▪ Total for state level -- <b>\$300,000</b>	▪ Total for subgrants -- <b>\$1,817,005</b>

## Attachment A

# Illinois Education for Homeless Children Act of 1994

Attachment B

Policy on the Education of Homeless Children and Youth



(HB3244, signed 9/9/94, amended on SB881, signed 1/24/95)

AN ACT in relation to schools and government, amending named acts.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

ARTICLE ONE

Section 1-1. **Short Title.** This Act may be cited as the

**Education for Homeless Children Act.**

Section 1-5. **Definitions.** As used in this Act:

"School of Origin" means the school that the child attended when permanently housed or the school in which the child was last enrolled.

"Parent" means the parent or guardian having legal or physical custody of a child or youth.

"Homeless person, child or youth" includes, but is not limited to, any of the following:

- (1) An individual who lacks a fixed, regular and adequate nighttime place of abode.
- (2) An individual who has a primary nighttime place of abode that is:
  - (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing);
  - (B) an institution that provides a temporary residence for individuals intended to be institutionalized; or
  - (C) a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

Section 1-10. **Choice of Schools.**

(a) When a child loses permanent housing and becomes a homeless person within the meaning of Section 5, or when a homeless child changes his or her temporary living arrangements, the parents or guardians of the homeless child shall have the option of either:

- (1) continuing the child's education in the school of origin for as long as the child remains homeless or, if the child becomes permanently housed, until the end of

(HB3244, signed 9/9/94, amended on SB881, signed 1/24/95)

AN ACT in relation to schools and government, amending named acts.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

ARTICLE ONE

Section 1-1. **Short Title.** This Act may be cited as the

**Education for Homeless Children Act.**

Section 1-5. **Definitions.** As used in this Act:

"School of Origin" means the school that the child attended when permanently housed or the school in which the child was last enrolled.

"Parent" means the parent or guardian having legal or physical custody of a child or youth.

"Homeless person, child or youth" includes, but is not limited to, any of the following:

- (1) An individual who lacks a fixed, regular and adequate nighttime place of abode.
- (2) An individual who has a primary nighttime place of abode that is:
  - (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing);
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Section 1-10. **Choice of Schools.**

(a) When a child loses permanent housing and becomes a homeless person within the meaning of Section 5, or when a homeless child changes his or her temporary living arrangements, the parents or guardians of the homeless child shall have the option of either:

- (1) continuing the child's education in the school of origin for as long as the child remains homeless or, if the child becomes permanently housed, until the end of

the academic year during which the housing is acquired: or

(2) enrolling the child in any school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

**Section 1-15. Transportation to the school of origin.** Subject to the provisions of Article 29 of the School Code, if a child becomes a homeless child or if a homeless child changes his or her temporary living arrangements, and if the homeless child's parents or guardians decide to continue the child's education in the school of origin, the parents or guardians shall make a good faith effort to provide or arrange for transportation to and from the school of origin, including authorizing relatives, friends, or a program for homeless persons to provide the child with transportation to and from the school of origin. If transportation to and from the school of origin is not provided in that manner, it shall be provided in the following manner:

- (1) if the homeless child continues to live in the school district in which the school of origin is located, the child's transportation to and from the school of origin shall be provided or arranged by the school district in which the school of origin is located consistent with the requirements of Article 29 of the School Code; and
- (2) if the homeless child's living arrangements in the school district of origin terminate and the child, though continuing his or her education in the school of origin, begins living in another school district, the school district of origin and the school district in which the homeless child is living shall meet to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the school districts are unable to agree, the responsibility and costs for transportation shall be shared equally.

If a parent or guardian chooses to have the child attend the school of origin, that parent or guardian, a teacher of the child, and the principal or his or her designee from the school of origin may meet at the option of the parent or the school to evaluate whether that travel is in the best interest of the child's development and education as compared to the development and education available in attending the school nearest the child's abode. The meeting shall also include consideration of the best interests of the homeless family at their current abode. A parent

may bring a representative of his or her choice to the meeting. The meeting shall be convened if travel time is longer than an hour each way. (Source: P.A. 88-634, eff. 1-1-95.)

(105 ILCS 45/1-20)

**Sec. 1-20. Enrollment.** If the parents or guardians of a homeless child or youth choose to enroll the child in a school other than the school of origin, that school immediately shall enroll the homeless child or youth even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation. Nothing in this subsection shall prohibit school districts from requiring parents or guardians of a homeless child to submit an address or other such contact information as the district may require from parents or guardians of nonhomeless children. It shall be the duty of the enrolling school to immediately contact the school last attended by the child or youth to obtain relevant academic and other records. If the child or youth must obtain immunizations, it shall be the duty of the enrolling school to promptly refer the child or youth for those immunizations. (Source: P.A. 88-634, eff. 1-1-95.)

**Section 1-25. Ombudspersons; dispute resolution; civil actions.**

(a) Each regional superintendent of schools shall act as an ombudsperson to provide resource information and resolve disputes relating to the rights of homeless children under this Act, except in Cook County, where each school district shall designate a person to serve as ombudsperson when a dispute arises. If a school denies a homeless child enrollment or transportation, it shall immediately refer the parent or guardian to the ombudsperson. The child shall be admitted and transported to the school chosen by the parents or guardians until the final resolution of the dispute. The ombudsperson shall convene a meeting of all parties and attempt to resolve the dispute within 5 school days after receiving notice of the dispute.

(b) Any party to a dispute under this Act may file a civil action in a court of competent jurisdiction to seek appropriate relief. In any civil action, a party whose rights under this Act are found to have been violated shall be entitled to recover reasonable attorney's fees and costs.

(c) If a dispute arises, the school district shall inform parents and guardians of homeless children of the availability of the ombudsperson, sources of low cost or free legal assistance, and other advocacy services in the community.

Section 1-30. **Homeless Children Committee.** There is hereby created a Homeless Children Committee composed of 24 members. 18 of them shall be appointed by the State Superintendent of Education after consultation with advocates for the homeless and private nonprofit organizations that advocate an end to homelessness, two of whom shall be members of the General Assembly appointed (one from each chamber) by the Governor, and 4 of whom shall be members of the General Assembly appointed one each by the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate. Of the 18 members appointed by the State Superintendent of Education as provided in this Section, 6 shall be homeless and formerly homeless parents or guardians, 6 shall be providers to and advocates for homeless persons, and 6 shall be school personnel from different geographic regions of the State. Members of the Committee shall serve at the pleasure of the appointing authority and a vacancy on the Committee shall be filled by the appropriate appointing authority. The Committee shall have the authority to review and modify the current and future State plans that are required under the federal Stewart B. McKinney Homeless Assistance Act.

Section 1-35. **Application of the Act.** The provisions of this Act apply to all school districts organized under the School Code, except that provisions that relate to transportation with respect to school districts organized under Article 34 of the School Code shall be phased in during that 2 year period after the effective date of this Act. However, during that 2-year period, school districts organized under Article 34 shall continue transportation programs serving homeless children.

Section 1-40. **Federal obligations unaffected.** Nothing in this Act shall limit the obligations of school districts under the Federal Stewart B. McKinney Homeless Assistance Act.

(105 ILSC 45/1-45 new)

Sec. 1-45, **Penalties.** No person shall, under the provisions of this Act, enroll or attempt to enroll in a school other than the school of origin a child who he or she knows is not a homeless person as defined in this Act. No person shall knowingly or willfully present to any school district false information regarding the homelessness of any child or family for the purpose of enabling that child to attend a school other than the school of origin. Any person who violates this Section shall be guilty of a Class C misdemeanor.



### **Policy of the State Board on the Education of Homeless Children and Youth**

The State Board of Education is concerned with the school enrollment, attendance and success of homeless children and youth. This policy is promulgated with the intention of minimizing educational disruption for homeless children and youth and eliminating stigmatization and isolation. Under the federal Stewart B. McKinney Homeless Assistance Act, homeless children and youth should have access to educational and other services in order to meet the same challenging academic standards as non-homeless children and youth.

School districts shall comply with this policy and shall comply with state and federal laws affecting the rights of homeless children and youth.

Under the McKinney Act, school districts must review any rules or regulations, practices or policies that may act as barriers to the enrollment of homeless children and undertake steps to revise such regulations, practices or policies to assure that homeless children and youth are afforded the same opportunities as non-homeless children and youth.

Consistent school attendance by homeless children and youth in their school of origin is important to the success of all learners. School districts have a responsibility to help foster consistent attendance by reaching out to homeless families and working with them to provide that homeless children and youth continue to attend their school of origin without interruption, wherever possible.

School districts should develop relationships with, and coordinate with, agencies providing supportive services to the families of homeless children and youth. Such agencies include domestic violence agencies, shelter operators, transitional housing facilities, runaway and homeless youth centers, transitional living programs for homeless youth, and other public and private social services. All local school districts receiving funding from the Illinois State Board of Education through the Stewart B. McKinney Act must undertake this coordination activity. To provide comprehensive services to homeless children and youth and their families, school districts should endeavor to integrate child development programs, preschool programs, and programs for runaways.

Heightened awareness of the needs of homeless children and youth, as well as the responsibilities of local school districts under federal and state laws, is a key factor in assuring that the needs of homeless children and youth are met. School districts should, as a part of their professional development programs, develop such programs for school personnel to heighten their awareness of, and capacity to respond to, problems in the education of homeless children and youth. Such development programs should include training in the following areas:

- a. the rights of homeless children and youth and their families under state and federal law,
- b. methods to determine whether the family of a child or youth is homeless without creating stigmatization or isolation, and
- c. recognition that homeless children and youth face special problems and challenges which require heightened sensitivity to their needs on the part of teachers and administrators.

It is particularly important that local education agencies receiving funding from the Illinois State Board of Education under the federal Stewart B. McKinney Education for Homeless Children and Youth Act provide professional development activities for school personnel.

The State Board of Education encourages school districts to make targeted efforts to provide early childhood education programs, tutoring, supplemental instruction, and enriched educational services targeted to homeless children and youth to enable them to achieve the same educational performance standards of other children and youth.

For additional information about this policy or programs for homeless children and youth contact Daniel Miller, Division of Community and Family Partnerships at 217/782-3370.

