Connecting Title I and the McKinney Homeless Act:
Providing Services for Homeless Children and Youth

Title I law mandates that funds be reserved to serve homeless children. But according to a number of homeless advocates, many districts don’t set aside these funds, resulting in a lack of services for homeless children. This is so, say advocates, in spite of the fact that homeless children are among those students who are counted for Title I purposes.

And whether or not Title I funds are set aside, Title I does not necessarily coordinate with the Stewart B. McKinney Act, the sole federal program directed exclusively to serve the homeless.

The U.S. Department of Education (ED) currently is studying whether homeless children receive adequate Title I services. But in the meantime, anecdotal evidence that services are not reaching such children is plentiful.

According to Barbara Duffield, director of education with the National Coalition for the Homeless, “I hear over and over again that homeless children have a hard time accessing Title I services, that children [who] should be eligible by virtue of their homeless status and poverty are not getting the sorts of things that they should under current law and that there’s a lot of misunderstanding concerning the issue of homelessness and Title I. There are misunderstandings about eligibility, for example: whether schools have to reserve money, whether they can ‘if they want to,’ about whether children who are homeless are eligible by virtue of their homelessness, or whether they have to be proven eligible.”

Diana Bowman, director of the National Center for Homeless Education, agrees: “There is a need for Title I folks to understand that they need to be serving homeless children. We keep running into situations where they don’t understand that homeless children are Title I children just by virtue of being homeless.” According to Robert Alexander, an ED program specialist with a focus on homeless children and youth, “There are some Title I programs and Title I directors that are not aware that there is a set-aside in the Title I allocation specifically that should be focused on homeless kids.”

Section 1113(c)(3) of the Title I statute states, “A local educational agency shall reserve such funds as are necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve — (A) where appropriate, eligible homeless children who do not attend participating schools, including providing educationally related support services to children in shelters . . .”

According to Mary Jean LeTendre, director of compensatory education programs, this language has in some cases been misunderstood: “‘As appropriate’ has been taken by some to be ‘is it appropriate to serve them?’ when [a more accurate interpretation] is whether there are children to be served.” To clarify this position, the U.S. Department of Education (ED) has asked Congress to remove the “where appropriate” language from the statute.

LeTendre said, “Their right [to be served] is by the nature of their homelessness. Just like kids who are in delinquent institutions, by the very nature of the fact that they are impacted by unusual, different, problematic, socially and emotionally, academically pressing issues they are eligible to be served.”

Who is Responsible for Homeless Children?

But the larger problem of homeless children may be that they do not really have a “home” in Title I. According to LeTendre, “Whose responsibility are these kids?” is an overall issue in homelessness. They’re here, they’re there, they cross district lines. [There are questions such as] how do we set up a Title I program for a short time to give these kids help? ... [Serving homeless children is] always a competing priority. It takes time and money, [yet] they aren’t going to show up in my assessment, I’m not going to be accountable for them because they’re not with me long enough. ... When you press accountability, [people tend to] focus on [students] who will show up in the assessments.”

“It’s a little too gross, but there is a lot of pressure for schools to take care of kids who are in their domain, and they don’t see these kids as part of their normal clientele,” she said.

The Minnesota Title I office states in its Title I guidance, “The homeless are the students in most [local educational agencies] LEAs receiving the least Title I assistance.” According to LeTendre, this failure represents “an old way of thinking. Unless someone is pressing hard ... homeless children, like migrant children don’t get their share. Everything is all allocated for programs already in place. [Districts] don’t plan ahead. It’s very hard, because you don’t know how many children may go through a particular shelter, so these children aren’t on the [district’s] radar screen. They wait and see what they can do, see if they have to do anything. ... To some degree it’s a complication of the allocation of resources. There has to be some reserved from the overall administrative pool, but that’s difficult when funding is allocated on the number of poor kids and then some other kids show up during the year. But [not serving homeless children under Title I] is an old way of thinking.”

Duffield acknowledges, “Title I folks have scarce resources too. There’s a bit of ‘Who are we going to serve with the
money we have and what are we doing.' That becomes people holding onto dollars, while other people appear to be the ones who will take those dollars away."

Who is Homeless?

The way that homeless children are defined is also a contributing factor. Says Bowman, "Title I coordinators'... image of homeless children] is children that don't have a roof over their head, and they think, 'Aren't we lucky we don't have those children.' But according to the federal definition of homelessness, homeless children include doubled up [children], children living in motels, runaway children, throwaway children — districts don't think of [these children] so readily as being homeless." Duffield says, "We need to look at what we define as homeless. We think of the people on street corners and think we don't have any of those. But there are kids on couches, kids who have just lost their homes, kids who are living in campgrounds. Educators need to look for those kinds of things and reconceptualize homelessness so these kids aren't left behind."

Both Duffield and Bowman believe that Title I directors are not deliberately excluding homeless children in defiance of the law, but rather are simply not aware that homeless children reside in their districts.

According to the Stewart B. McKinney Act, "the term 'homeless' or 'homeless individual' or homeless person includes: (1) an individual who lacks a fixed, regular, and adequate nighttime residence; and (2) an individual who has a primary nighttime residence that is (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); (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."

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— Diana Bowman, Director
National Center for Homeless Education

According to Sarah McCarthy, staff attorney for the National Law Center on Homelessness & Poverty, "If a district disputed that a child was homeless, a court would probably look to the Stewart B. McKinney Act for guidance and borrow this definition. That the definition does not appear in Title I of the ESEA is probably just an oversight."

In its 1995 Preliminary Guidance for the Education of Homeless Children and Youth Program, ED recommended that states and school districts should consider the relative permanence or living arrangements when determining if a child or youth is homeless. These determinations are to be made on a case-by-case basis. In general, children or youth living on the streets or in welfare hotels, transitional housing shelters, the streets, cars, abandoned buildings and other inadequate accommodations are considered homeless.

McKinney Funds

The existence of the separate Stewart B. McKinney Homeless Assistance Act funds adds to the confusion in some cases. Bowman says, "There is a belief that homeless children get McKinney money so they don't need to be served by Title I. But Title I can serve homeless children, and can coordinate funds with McKinney, and use McKinney funds to their best advantage."

While Title I provides almost $8 billion annually, the McKinney education program is currently funded at $28.8 million.

LeTendre says that the McKinney funds should be viewed in the same way as the separate funds for migrant children under Title I, Part C: "[McKinney funds are] so much less [than Title I, Part A and they should be used together]." Staff in the office of compensatory education estimated that only 4 percent of LEAs receive McKinney funds.

The state of Oregon has mandated that McKinney funds be coordinated with Title I, Part A funds. According to Dona Bolt, program specialist with the office of student services in the Oregon department of education, Oregon has "essentially quadrupled our McKinney funds through our Title I, Part A Set-Asides Initiative. Our $250,000 in McKinney funds is now supplemented at the LEA level with almost $1 million in Title I, Part A reservations for serving homeless students. That's been the case annually for four years now." Oregon pushes districts to coordinate the two programs in part by requiring that applications for McKinney funds "at least match" their requests with Title I, Part A funds. Grants that do not include this match are not considered competitive for McKinney funding.

But Oregon also goes a step further. The state department of education obtains shelter counts from other agencies, including "counts of people on vouchers, people in transitional housing, people who have been turned away from shelter." To this information, they add other data from the McKinney office, such as "information on doubled up kids and kids who aren't in shelters." Then, the Oregon Department of Education creates tables of this information and distributes them to all districts that receive Title I funding — approximately 90 percent of all districts across the state.

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According to Bolt, “If they appear on this table, we can identify homeless kids in their districts, and show proof that they do have these kids. They are then obligated to set aside something out of Title I, Part A funds. We’ve developed our own state mandate, and strengthened what was already in IASA. We’re saying, ‘Here’s our proof that you have homeless kids. There’s no denying, you’ve got them.’”

Bolt says having the shelter count data available to inform the districts of the “undeniable need” is the “linchpin” of Oregon’s effort. She said, “Oregon has a strong, mature statewide homeless advocacy coalition … plus a supportive state Housing and Community Services Division, which enables me to access count data regularly. … State coordinators I’ve spoken with who collect their data directly from the schools are not as pleased with the validity and reliability of their data as I am with mine.”

How Can Title I Serve Homeless Children?

The state of California also seeks out eligible students who can benefit from supplementary assistance. In a February article titled “Enrolling Students Living in Homeless Situations,” state officials wrote: “Title I Part A Reservation funds for Homeless Education and McKinney Homeless Assistance Act funds may be used by a local educational agency to provide services such as:

- Coordination of services to homeless students through designation of a liaison to make contacts with homeless families, youths, and service providers;
- Outreach services to children and youth living in shelters, transitional housing, motels and other temporary residences;
- Assistance for homeless children and youth who are attending schools that are not eligible for Title I funding;
- Provision of developmentally appropriate early childhood education programs, not otherwise provided through federal, state or local funding for preschool age children;
- Assistance to defray the costs of transportation to school;
- Referral to health services and counseling;
- Provision of tutoring, supplemental instruction and enriched educational services that are linked to district-adopted standards; [and]
- Other needed assistance for students whose attendance and success at school is at risk due to a lack of a fixed residence or adverse housing situations.”

In Minnesota, Title I setaside funds have been used in collaboration with McKinney funds to provide programming that, according to published materials from Minnesota, “has assisted thousands of Minnesota homeless students with enrollment and attendance barriers. … In addition, many tutoring and support programs have been provided at homeless family shelters since most of the students are behind in school. … Targeted and schoolwide programs with large homeless populations are encouraged to provide relevant and effective services that produce results for the children served, including the homeless.”

In Minnesota, as in Oregon, LEAs must describe the coordination of McKinney funding with Title I funding in order to receive McKinney grants.

According to Duffield, “It's hard to be more disadvantaged than a homeless child. These are the kids who are falling through the cracks. The spirit and essence of what Title I is trying to do, these are the kids who need it most. They need the outreach, need the extra assistance, and should be considered in everything that Title I schoolwide or targeted assistance programs do.”

‘Neediest of the Needy’

LeTendre, who has spoken often of her concern for homeless children, calls these “the neediest of the needy.” She says homeless children require “extra support, especially for the social/emotional issues that take a heavy burden on these children: their stability, let alone the issue that they have to change schools. … It is difficult across the board to ensure they have the kind of support they need to keep on going, when so many kids struggle when they have the stability. [Homeless children suffer from] poverty, poverty of the spirit, lack of what that word ‘home’ is to them. It’s not there, not the security even of a corner you can crawl in someplace. All of these issues that impact their lives make them the most needy of all the kids we serve.”

“It may be they need counseling, extra tutoring just to keep those kids who have had high grades before to keep them from falling way behind. The environment may impact them to the degree that they are not going to perform as well,” LeTendre said.

In a back-to-school letter last fall to the state coordinators for the McKinney Program, LeTendre wrote, “This is a good time to ask ourselves how we can overcome all obstacles impacting equity and academic achievement for homeless children and youth. A number of strategies have proved effective in improving educational access for children and youth. These strategies include: (1) designating a homeless liaison to advocate for the rights of homeless children; (2) maintaining homeless children in the school of origin whenever possible; and (3) notifying families and the community of the educational rights of homeless children and youth.”

Although LeTendre was speaking of the McKinney program, the state of Oregon has adopted these principles

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for its Title I program as well. According to Bolt, Oregon encourages migrant recruiters and home school consultants who are typically funded through Title I, Part C to instead be funded also partly through Title I, Part A funds — "so that if they find kids who aren’t migrant but are homeless, or can be served in other ways, they can continue to serve those kids."

Bolt says, "If we have kids here that [the districts are] not serving, during the process of monitoring them and advising them and giving policy advice we say ‘You need to be doing this.’ Title I is for disadvantaged kids and if you apply the ‘most in need’ criteria like they do in migrant education — you can’t be any more in need than being homeless."

**Progress Is Being Made**

According to LeTendre, Title I is serving more homeless children than ever: "I think Title I is beginning to serve them, more than they ever have before. Awareness is building. There are bright spots almost everywhere we go. I don’t hear the major complaints I used to hear. Everyone knows we’re working as hard as we can. Our policies are clear on our expectation."

"[But] we have to do more to bring it to the awareness. There are so little resources, the kind that just opens doors. We have to do more opening doors." And Alexander says, "Communication between [Title I and homeless education] could be better. Often when we do have [homelessness] conferences and workshops and so forth, that information only goes directly to the homeless coordinators. There should be more coordination and collaboration between the two programs."

LeTendre is particularly encouraged by the way in which Congress is currently handling the reauthorization of the McKinney Act. In addition to removal of the "as appropriate" language, ED asked for a homeless liaison in every school district and for public notice to be posted in every school district. Duffield said, "We advocated strongly [for these changes]. There are so many homeless kids out there, with no one to identify them. … The big lesson is that schools don’t know they have homeless kids until someone tells them, and they’re never going to know unless someone tells them."

LeTendre said, "I have never seen such bipartisan support as I have seen of the administration’s proposal for McKinney, more so than for any other piece of legislation that has gone forward. I commend their efforts. They have not seen this as a political issue but as an issue for the kids. There has been fantastic acceptance, working across party lines, making sure their needs are met. It’s one of the biggest successes I have seen in working with the legislature over the years."

However, LeTendre cautioned, "You do not have to wait for the law to be reauthorized to work with your schools and communities to achieve better educational excellence and equity for homeless children and youth."

**Upcoming Events**

One way in which Title I coordinators may learn more about homeless children and youth, and coordinating Title I and McKinney funding to serve these children, is to attend the Oct. 15-17 annual conference of the National Association for the Education of Homeless Children and Youth (NAECHCY) in Greensboro, N.C. More information about the conference, which is for educators, direct service providers, homeless liaisons and other professionals serving children, youth and families who are in homeless situations, can be found at the National Center for Homeless Education Web site: http://wwwserve.org/nche. Information also may be obtained by calling the NCHE HelpLine, 1-800-308-2145. The conference is co-sponsored by the National Center for Homeless Education and the North Carolina Department of Public Instruction. ▼

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