

Section Eleven

Other Program Issues

- 11.1 Serving Charter Schools
- 11.2 Serving Homeless Students
- 11.3 Funding Preschool and
Early Childhood Programs
- 11.4 LEA Plans

SERVING CHARTER SCHOOLS

Timeline: Newly opening charter schools within 5 months; existing charter schools on the same timeline as all schools; expanding charter schools

Other Resources: USDE Non-Regulatory Guidance, “How does a state or local educational agency allocate funds to charter schools that are opening for the first time or significantly expanding their enrollment?” (December 2000)

USDE Non-Regulatory Guidance, “The Impact of the New Title I Requirements on Charter Schools” (July 2004)

The Charter School Guide to Federal Funds and Legal Responsibilities (Brustein & Manasevit, www.bruman.com)

FDOE Contact: Cheryl Sattler, (850) 245-9980
Glenda Todd, (850) 245-0502

Overview

Since 1996, the number of charter schools in Florida has grown from 5 to 356 schools in 2006-2007. Charter school student enrollment for 2006-2007 was well over 98,000 students. Over 40 new charter schools have opened in the 2006-2007 school year.

Florida’s charter schools are public schools that operate under a contractual agreement with a local educational agency (see 1000.04, and 1002.33, *Florida Statutes*; and *NCLB Section 510*, below). As public schools, both state and federal law requires that they receive all federal funds for which they are eligible. Charter schools also must be included in all monitoring activities, reporting (such as comparability), and are included in the accountability system.

- Charter schools are eligible for Title I funds on the same basis as any other public school; and
- Charters may use alternate poverty data if they do not participate in the USDA lunch program.

Funding depends on the date that the school opens:

On or before November 1	Full proportionate amount of funds within 5 months of the opening date.
After November 1 but before February 1	Pro rata portion of funds, on or before the date the SEA allocates funds to LEAs for the next school year (July 1).
After February 1	Funding is not required.

Charter School Responsibilities

There are four major responsibilities charter schools must carry out. They are:

1. Notify the state or LEA, in writing, at least 120 days in advance of the opening date (In Florida, this is accomplished at the state level by the charter school applying for a new school identification number through the Education Information and Accountability Service.);
2. Establish its eligibility to receive funds and comply with program requirements;
3. On request, provide any data or information available that the state or LEA may reasonably need to estimate the amount of funds the charter school will be eligible to receive; and
4. Once a school opens or expands, it must provide actual enrollment and eligibility data.

These data must be reported to the FDOE, and are collected in October during Survey 2.

LEA Responsibilities

LEAs have two major responsibilities. They are:

1. Once written notification is received, the LEA must provide timely and meaningful information about each program in which the school may be eligible to participate; and
2. Ensure that the timelines (in the table, above), are met.

Calculating Allocations for New or Expanding Charter Schools

NCLB defines significant expansions of enrollment under Section 76.787 of the Title I regulations: “a substantial increase in the number of students attending a charter school due to a significant event that is unlikely to occur on a regular basis, such as the addition of one or more grades or educational programs in major curriculum areas.”

There are special considerations when calculating the funding for charter schools – especially schools that are either new or significantly expanding (i.e., by adding one or more grade levels).

- Survey 2 and Survey 3 from the prior year include only information on schools with enrolled students. Existing charter schools *are included*.
- New charter schools, in the first year in which students are enrolled, are not captured. Allocations may be based on *projected enrollment and adjusted when actual data become available*.

Federal law specifically prohibits using enrollment or eligibility data from prior years (even though prior-year data are used for other public schools). Since new or expanding charter schools don’t have these data, current enrollment or eligibility data must be used. Section 76.791(b) addresses this issue specifically.

Poverty Data

The most critical part of the Title I funding formula is the school’s poverty rate. LEAs have flexibility in obtaining poverty data for newly opening or significantly expanding charter schools. These data may be:

1. The same as other public school data, but collected at a different time;
2. From a different source, as long as the income level for both sources is generally the same (e.g., TANF);
3. Extrapolated from actual data on a representative sample of children in the charter school; or
4. Calculated by correlating two or more data sources.

Typically, these data aren't available in June when the LEA's project application is due. LEAs still are obligated to ensure that charter schools receive funding in a timely manner, using a reasonable estimate.

According to federal guidance, LEAs have the following options to provide these funds:

1. Reserve an amount "off the top" of the allocation that the LEA believes will be sufficient. After actual data are available, the LEA would make any necessary adjustments.
2. Distribute an appropriate amount from Title I carryover funds; or
3. Use reallocated Title I funds, if available.

Florida Statutes

Florida Statutes references charter schools as follows:

Under 1002.33, Section(17)(b) " ... Charter schools whose students or programs meet the eligibility criteria in law shall be entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation. ...

"(c) If the district school board is providing programs or services to students funded by federal funds, any eligible students enrolled in charter schools in the school district shall be provided federal funds for the same level of service provided students in the schools operated by the district school board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all charter schools shall receive all federal funding for which the school is otherwise eligible, including Title I funding, not later than 5 months after the charter school first opens and within 5 months after any subsequent expansion of enrollment.

"(d) District school boards shall make timely and efficient payment and reimbursement to charter schools, including processing paperwork required to access special state and federal funding for which they may be eligible. The district school board may distribute funds to a charter school for up to 3 months based on the projected full-time equivalent student membership of the charter school. Thereafter, the results of full-time equivalent student membership surveys shall be used in adjusting the amount of funds distributed monthly to the charter school for the remainder of the fiscal year. The payment shall be issued no later than 10 working days after the district school board receives a distribution of state or federal funds. If a warrant for payment is not issued within 10 working days after receipt of funding by the district school board, the school district shall pay to the charter school, in addition to the amount of the scheduled disbursement, interest at a rate of 1 percent per month calculated on a daily basis on the unpaid balance from the expiration of the 10 working days until such time as the warrant is issued."

**Title I Funding and Charter
School Eligibility**

December 3, 2007
Cheryl L. Sattler, Ph.D.
Chief, Bureau of Student Assistance

What is Title I?

- Part of No Child Left Behind
- One of several "Title I" programs
- Generally means Title I, Part A

- Intended to address the inequities of schools with a *concentration* of low-income children

How Funding Flows

- State allocation based on multiple factors:
 - Census poverty
 - Eligibility for Temporary Assistance for Needy Families (TANF)
 - Neglected & Delinquent children
 - *Share* of national poverty
- State allocation = aggregate of LEA allocations
- LEA allocates using a statutory ranking formula

Which Schools are Eligible?

- All Florida LEAs receive Title I funds. LEAs allocate funds to schools
 - Any public school with more than 75% poverty must receive funds;
 - Any public school with at least 35% poverty may receive funds, depending on LEA allocation method.

- LEAs use USDA free and reduced-price lunch eligibility as a poverty measure

Which Schools are Eligible (2)

- After ALL public schools with more than 75% poverty are funded...
- LEA chooses to either
 - Continue serving all schools in order of poverty, OR
 - Select one or more grade spans to fund (elementary, secondary, combination, other) in order of poverty

Eligibility is the Same

- Charter schools are eligible on the same basis as any other public school
- Charters may use alternate poverty data if they do not participate in the USDA lunch program

Allocation Rules

- Number of high-poverty students x per-pupil allocation = school allocation
- LEA determines per-pupil allocation
- Higher-poverty schools must receive same or higher per-pupil allocations
- If schools with less than 35% poverty are served, additional rules apply

When Are Allocations Made?

- **January:** FDOE receives preliminary allocations from US Department of Education
- **February:** FDOE releases annual funding application
- **April:** FDOE receives “final” allocations from US Department of Education
- Funds available **July 1** (with substantially approvable application)

Special Rules for Charter Schools

- Survey 2 and Survey 3 from the prior year include only information on schools with enrolled students. Existing charter schools *are included*.
- New charter schools, in the first year in which students are enrolled, are not captured. Allocations may be based on *projected enrollment and adjusted when actual data become available*.

Funding Depends on the Date a Charter School Opens	
On or before November 1	Full proportionate amount of funds within 5 months of the opening date
After November 1 but before February 1	Pro rata portion of funds, on or before the date the SEA allocates funds to LEAs for the next school year (July 1)
After February 1	Funding is not required

- ### Charter School Responsibilities
- Provide 120-day notice of opening date
 - In writing to SEA/LEA
 - Establish eligibility for funding by providing data
 - Accurate & timely
 - Enrollment & poverty (can be estimated)
 - Provide actual enrollment and eligibility data when available

- ### Charter School Responsibilities (2)
- Meet LEA requirements for application and budget process (varies)
 - Meet all applicable grants management requirements including EDGAR, FERPA
 - Report all current year data (especially Survey 2 and Survey 3)

Important Caveat

- This presentation describes the way funds flow to schools that are chartered by the district.
- Decisions are pending for schools chartered under the new Schools of Excellence Commission.

How May Funds Be Used?

- It depends on the type of Title I program.
 - Schoolwide
 - Targeted Assistance
 - Most common type is schoolwide (SWP) program; however, SWP requires a full year of planning except if waived by LEA.
- New charter schools qualify for the same funding *amount*, but must use a targeted assistance model.

SWP vs. TA

- Schoolwide program means funds can be used to upgrade the academics of the entire school.
- Targeted assistance means funds must be used only for selected students.
- Useful Technical Assistance Paper: Title I Schoolwide and Targeted Assistance Programs www.fldoe.org/bsa

Useful Resource

- *The Charter School Guide to Federal Funds and Legal Responsibilities*

Brustein & Manasevit
[http://www.bruman.com/CM/Custom/TOC
Publications.asp](http://www.bruman.com/CM/Custom/TOCPublications.asp)

SERVING HOMELESS STUDENTS

Timeline: Ongoing

Other Resources: National Center for Health Education website (www.nche.org)

FDOE Contact: Lorraine Allen, (850) 245-0668

Overview

Prior to 2001, LEAs had the option to reserve funds to provide services to the homeless. NCLB *requires* districts to reserve funding under Title I, Part A to serve homeless students. These services must be comparable to services provided to non-homeless students. The district has the discretion to provide services to homeless students that are not usually provided to other eligible students. The district just needs to ensure that these services needed by the homeless students are not available from other fund sources.

Limitations

Transportation is one service that is not allowable from the reserved funds. This is an allowable expenditure from the McKinney-Vento funds.

All LEAs, regardless of whether or not they receive McKinney-Vento funds, must identify and serve homeless students under Title I, Part A.

FLORIDA DEPARTMENT OF EDUCATION



Jeanine Blomberg
Commissioner of Education

K12: 2007-150
Date: October 2007

Technical Assistance Paper



2007-2008 Title X, Part C Education for Homeless Children and Youth

Summary:

This guidance clarifies the requirements of the McKinney-Vento Act and the program requirements. It applies to both subgrantees and all local education agencies and does not impose any requirements beyond those in the program statute and other applicable federal statutes and regulations. This guidance has been updated based on frequently asked questions in Florida and nationally, including those summarized in guidance from the U.S. Department of Education in 2004 and *The 100 Most Frequently Asked Questions on the Education Rights of Children and Youth in Homeless Situations*, published by the National Association for the Education of Homeless Children and Youth and the National Law Center on Homelessness and Poverty.

Contact: Lorraine Husum Allen
Florida Department of Education (FDOE)
Lorraine.Allen@fldoe.org
850-245-0668

Brittney Jones
FDOE
Brittney.Jones@fldoe.org
850-245-0706

Status:

- New Technical Assistance Paper
- Revises and replaces existing Technical Assistance: 2005-07 The Education of Homeless Children and Youth Technical Assistance Paper

Florida Department of Education
Division of K-12 Public Schools
Bureau of Student Assistance
<http://www.fldoe.org/bsa/>

CHERI PIERSON YECKE, PH.D.
CHANCELLOR, K-12 PUBLIC SCHOOLS

TABLE OF CONTENTS

INTRODUCTION

A-1. What is the statutory authority for the McKinney-Vento Program?	6
A-2. What is the purpose of the McKinney-Vento Education for Homeless Children and Youth (McKinney-Vento) Program?	6
A-3. How does the current McKinney-Vento Act differ from its predecessor?	6
A-4. Who are homeless children and youth?	7
A-5. Do Mc-Kinney-Vento Act requirements apply to all LEAs, even those not receiving Title X, Part C funds?	8
A-6. Does a state’s academic assessment system need to include homeless students?	8
A-7. What federal civil rights requirements apply to LEAs in educating homeless children?	8

LOCAL HOMELESS LIAISON

B-1: What are the duties of the local homeless liaison?	9
B-2. How can a local homeless liaison identify homeless preschoolers?	9
B-3. How can a local homeless liaison assist homeless families in enrolling their children in a preschool if the program has a waiting list?	10
B-4. How can a local homeless liaison assist homeless unaccompanied youth in accessing the educational services to which they are entitled?	10
B-5. Does the Act specify that the local homeless liaison must be a full-time employee?	10

SCHOOL PLACEMENT

C-1. Why is it so important to maintain a stable education environment for homeless children and youth?	11
C-2. What is the definition of school of origin?	11
C-3. On what basis does the LEA make school placement determinations for homeless students? ..	11
C-4. How does the LEA determine what is in the student’s “best interest?”	11
C-5. What should the LEA consider when determining the extent to which it is feasible to educate a homeless student in his or her school of origin?	12
C-6. If a student finds temporary housing across state lines from the school of origin, does the McKinney-Vento Act still apply?	12
C-7. If a student is out of school for an extended period of time, does the student still have the right to go to the school of origin?	12
C-8. If a student in a homeless situation enrolls in a new school because he/she or his/her parent or guardian was not informed of the student’s right to remain in the school of origin, does the student still have the right to go back to the school of origin?	12

SCHOOL ENROLLMENT AND ATTENDANCE

D-1. Are there specific enrollment requirements that schools must follow under the McKinney-Vento Act?	12
D-2. May the LEA require a parent, guardian, or homeless student to submit contact information? ..	13
D-3. What are some steps that LEAs can take to ensure immediate enrollment?	13
D-4. Can a homeless student be enrolled immediately in school without certification of a school-entry health examination or immunization?	14

- D-5. If a state or LEA has rules for absences (for example, requiring students with ten absences to be referred to juvenile court or to fail classes automatically), how do those rules apply to students in homeless situations? 14

DISPUTE RESOLUTION

- E-1. What are the requirements for resolving disputes over the educational placement of homeless students?..... 15
- E-2. What are the FDOE's procedures for the prompt resolution of disputes?..... 15
- E-3. When should the FDOE dispute resolution process be used?..... 15
- E-4. What must LEAs and schools in Florida do if an enrollment dispute arises? 15
- E-5. Does the LEA have to provide transportation to the selected school for the duration of the dispute resolution process? 16
- E-6. When are enrollment disputes to be resolved? 16
- E-7. What is the local homeless liaison's role in the dispute resolution process?..... 16
- E-8. Does the local homeless liaison have to be the person listening to the dispute procedure? 16
- E-9. What if the parent, guardian, or unaccompanied youth is dissatisfied with the LEA's enrollment decision? 17

ELIGIBILITY FOR SERVICES

- F-1. Is there a time limit on how long a child or youth can be considered homeless?..... 17
- F-2. Are children who are awaiting foster care placement eligible for services under the McKinney-Vento Act? 17
- F-3. Are children displaced from their housing by naturally occurring disasters eligible for services under the McKinney-Vento Act?..... 17
- F-4. Are children and youth who live in trailer homes or trailer parks covered by the Act? 18
- F-5. Are families who move in with relatives or friends covered by the Act?..... 18
- F-6. Is transitional housing considered a homeless situation? 18
- F-7. Do incarcerated youth qualify for McKinney-Vento protection and services?..... 18
- F-8. Is the McKinney-Vento Act limited to a specific age group?..... 18
- F-9. What safeguards are in place to prevent families who have permanent housing from claiming to be homeless just to obtain McKinney-Vento services? 19

STUDENT RECORDS

- G-1. Can the previous school transfer records to the new school without a parent's signature? 19
- G-2. Can a previous school refuse to send records due to fees owed for textbooks, etc.? 19
- G-3. How can a school determine what classes or services to provide a student if there are no school records? 19

PROHIBITION AGAINST SEGREGATION

- H-1. May LEAs segregate homeless children and youth in separate schools or in separate programs within a school? 19
- H-2. May the LEA educate homeless students at an off-site facility, such as a shelter?..... 20
- H-3. May a school separate homeless students from the regular school program if they reside in a domestic violence shelter? 20
- H-4. Are "transitional classrooms" in shelters, where homeless students receive educational services while they are being assessed or while they wait for school records, permissible under the McKinney-Vento Act?..... 20

H-5. In providing special services to homeless students, how does a school or LEA avoid stigmatizing those students?	20
--	----

TRANSPORTATION

I-1. What responsibilities do FDOE and LEAs have regarding providing transportation services to homeless children and youth?	21
I-2. How do LEAs ensure the education of homeless students is not disrupted during transfers (across LEAs)?	21
I-3. May funds under Title I, Part A or Title V, Part A of the federal NCLB Act be used to transport homeless students to and from the school of origin?	21
I-4. Who should be involved in developing and implementing transportation policies for homeless students?	21
I-5. Is the LEA required to transport homeless students to and from their school of origin, if needed, while enrollment disputes are being resolved?	22
I-6. Do LEA transportation responsibilities apply to all LEAs in Florida or only to those LEAs that receive a McKinney-Vento subgrant?	22
I-7. Does the McKinney-Vento Act require the LEA to provide transportation services to homeless children attending preschool?	22
I-8. How far is too far to travel to the school of origin?	22
I-9. Can the LEA pay parents to transport their children as an alternative to providing transportation?	23
I-10. Does providing or arranging for transportation mean door-to-door transportation, similar to transportation for students with disabilities whose Individual Education Plan (IEP) documents a need for transportation as a related service?	23
I-11. If the LEA does not offer transportation to summer school for any students, does it have to provide summer school transportation for students in homeless situations?	23

COMPARABLE AND COORDINATED SERVICES

J-1. What services must LEAs provide?	23
J-2. Must LEAs coordinate services for homeless children and youth?	24

COORDINATION WITH TITLE I, PART A

K-1. Are homeless children and youth eligible to receive Title I, Part A services?	24
K-2. If a homeless child becomes permanently housed during a school year, is that child eligible to receive Title I, Part A services for the remainder of that school year?	24
K-3. Are homeless children and youth who attend non-Title I schools eligible to receive Title I, Part A services?	24
K-4. Is there a formula for calculating Title I, Part A set-asides?	25
K-5. What types of services may the LEA provide to homeless students with funds reserved under Section 1113(c)(3) of Title I?	25
K-6. Can Title I, Part A set-asides be used to fund liaisons and other LEA-level activities?	25

REPORTING REQUIREMENTS

L-1. What data on homeless children and youth must all LEAs in Florida submit to the FDOE through its automated student database system?	26
L-2. Are Title X subgrantees required to report additional data?	26

COMPETITIVE SUBGRANTS TO LEAS

M-1. On what basis does the FDOE award McKinney-Vento subgrants to LEAs?.....	28
M-2. For how long may the LEA receive a subgrant?.....	28
M-3. When will the FDOE release the next McKinney-Vento subgrant Request for Proposal?	28
M-4. For what activities may the LEA use McKinney-Vento subgrant funds?	28
M-5. Where should the LEA provide services for homeless children and youth?	30
M-6. May a LEA or school provide an after school program that exclusively serves homeless children with McKinney-Vento funds?	30

APPENDICES

Appendix A-FDOE Dispute Resolution Process	32
Appendix B-FDOE Dispute Resolution Tracking System	33
Appendix C-FDOE School Dispute Resolution Appeal Process Form (Student vs. School District)	34
Appendix D-FDOE School Dispute Resolution Appeal Process Form (School District vs. School District)	35
Appendix E-Sample-School Dispute Resolution Process Form.....	36
Appendix F-Sample-School District Dispute Resolution Process Form	37
Appendix G-Additional Resources	38

INTRODUCTION

A-1. What is the statutory authority for the McKinney-Vento Program?

The McKinney-Vento Act was amended as a part of the No Child Left Behind (NCLB) Act in 2001. It is now the McKinney-Vento Homeless Education Assistance Improvements Act of 2001 (42 USC 11301), under Public Law 107-110, Title X, Part C, Subtitle B, Sections 721-726.

A-2. What is the purpose of the McKinney-Vento Education for Homeless Children and Youth (McKinney-Vento) Program?

The McKinney-Vento Program addresses the problems that homeless children and youth face in enrolling, attending, and succeeding in school. Under this program, State Educational Agencies (SEAs), including the Florida Department of Education (FDOE), must ensure homeless children or youth have equal access to the same free, appropriate public education. Homeless children and youth should have access to educational and other services that they need to enable them to meet the Sunshine State Standards to which all Florida students are held. In addition, homeless students may not be separated from the mainstream school environment.

The FDOE and Local Educational Agencies (LEAs) are required to review and revise laws, regulations, practices, or policies that may act as barriers to the enrollment, attendance, or success in school of homeless children and youth. In Florida, this applies to all LEAs, including the 67 school districts, four university developmental research schools, and Florida School for the Deaf and the Blind.

A-3. How does the current McKinney-Vento Act differ from its predecessor?

The main differences between the current McKinney-Vento Program and its predecessor program are the following requirements:

1. *Local homeless liaison in all LEAs*—Every LEA, whether or not it receives a McKinney-Vento Act subgrant, must designate a local homeless liaison for homeless children and youth.
2. *Changes in “school placement” determinations*—LEAs must make school placement determinations on the *basis of the best interest of the child or youth*. In determining what is in his or her best interest, the LEA must, to the extent feasible, keep a homeless child or youth in the school of origin, unless doing so is against the wishes of his or her parent or guardian.
3. *Immediate school enrollment*—If a dispute arises over school selection or placement, the LEA must admit a homeless child or youth to the school in which enrollment is sought by the parent or guardian, pending resolution of the dispute (see Section “E”).
4. *Prohibition against segregating homeless students*—The Act expressly prohibits a school or state from segregating homeless children or youth in a separate school, or in a separate program within a school, based on their homeless status.

5. *Transportation to and from “school of origin”*–The state and its LEAs must adopt policies and practices to ensure transportation is provided, at the request of the parent or guardian (or in the case of the unaccompanied youth, at the request of the liaison) to and from the school of origin. There are specific provisions regarding the responsibility and costs for transportation (see Section “I”).
6. *New subgrant requirements*–A state that receives an allocation greater than the state minimum allotment (\$150,000) must competitively subgrant to LEAs at least 75 percent of its allocation.

A-4. Who are homeless children and youth?

The McKinney-Vento Act defines homeless children and youth as individuals who lack a fixed, regular, and adequate nighttime residence [Section 725(2)]. This includes:

1. Children and youth who are:
 - a. sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as “doubled-up”);
 - b. living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
 - c. living in emergency or transitional shelters;
 - d. abandoned in hospitals; or
 - e. awaiting foster care placement.
2. Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
3. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
4. Migratory children who qualify as homeless because they are living in circumstances described above.

Also included are:

1. Homeless preschoolers.
2. Homeless unaccompanied youth, which includes youth who are not in the physical custody of a parent or guardian [Section 725(6)]. This would include youth living in runaway shelters, abandoned buildings, cars, on the streets, or in other inadequate housing; youth denied housing by their families (sometimes referred to as “throwaway” youth); and school-age unwed mothers, living in homes for unwed mothers, who have no other housing available.

If a youth’s living situation does not clearly fall into the situations described above, the LEA should refer to the McKinney-Vento definition of “fixed, regular, and adequate nighttime residence” and consider the relative permanence of the living arrangements.

A-5. Do Mc-Kinney-Vento Act requirements apply to all LEAs, even those not receiving Title X, Part C funds?

Yes. Section 722(g)(3) of the Act requires all LEAs to:

1. Designate an appropriate staff person as the local homeless liaison.
2. Develop, review, and revise their policies to remove barriers to the enrollment and retention of children and youth in homeless situations.
3. Keep homeless students in their school of origin, to the extent feasible, unless it is against the parent or guardian's wishes.
4. Immediately enroll students in homeless situations.
5. Provide transportation to the school of origin.
6. Provide services comparable to services offered to other students.

Responsibilities specific to subgrantees are described in Section "M."

A-6. Does a state's academic assessment system need to include homeless students?

Yes. States must include homeless students in their academic assessment, reporting, and accountability systems, consistent with Section 1111(b)(3)(C)(xi). Assessments of homeless students are to be included in the LEA or in the state accountability system when students have been in a school for a full academic year. However, states are not required to disaggregate the assessment results of homeless students as a separate category (Public Law 107-110).

A-7. What federal civil rights requirements apply to LEAs in educating homeless children?

LEAs, as recipients of federal financial assistance and as public entities, must ensure their educational programs for homeless children are administered in a non-discriminatory manner. The U.S. Department of Education Office for Civil Rights (OCR) enforces federal laws that prohibit discrimination on the basis of:

- Race, color, or national origin (Title VI of the Civil Rights Act of 1964);
- Sex (Title IX of the Education Amendments of 1972);
- Age (Age Discrimination Act of 1975); and
- Disability (Section 504 of the Rehabilitation Act of 1973, for recipients of federal financial assistance, and Title II of the Americans With Disabilities Act of 1990, for public educational entities).

LOCAL HOMELESS LIAISON

B-1. What are the duties of the local homeless liaison?

Section 722(g)(6) of the Act requires the local homeless liaison to ensure that:

1. Homeless children and youth, including unaccompanied youth, are identified by school personnel and through coordination activities with other entities and agencies.
2. Homeless children and youth enroll in, and have a full and equal opportunity to succeed in, schools of that LEA.
3. Homeless families, children, and youth receive educational services for which such families, children, and youth are eligible, including Head Start, Even Start, and other preschool programs administered by the LEA, and referrals to health care services, dental services, mental health services, and other appropriate services.
4. The parents or guardians of homeless children and youth are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless children and youth is disseminated where such children and youth receive services under this Act, such as schools, family shelters, and soup kitchens.
6. Enrollment disputes are mediated.
7. The parents or guardians of a homeless child or youth, or any unaccompanied youth, are fully informed of all transportation services, including transportation to the school of origin, and are assisted in accessing transportation to the school of origin or the school which serves the location where the student currently resides.

Additionally, as part of their duties, LEA homeless liaisons coordinate and collaborate with the state Homeless Education Coordinator and community and school personnel responsible for providing education and related services to homeless children and youth.

Finally, LEAs must inform school personnel, service providers, and advocates working with homeless families of the duties of the local homeless liaisons.

B-2. How can a local homeless liaison identify homeless preschoolers?

Local homeless liaisons can identify preschool aged homeless children by working closely with shelters and social service agencies in their area. In addition, the liaison should work with school personnel, who can inquire whether the family has preschool aged children, at the time they are enrolling K-12 homeless children and youth in school.

The local homeless liaison can also collaborate with the school or the Exceptional Student Education (ESE) program staff. The federal Individuals with Disabilities Education Act (IDEA) requires that all children, including highly mobile children with disabilities, such as migrant and homeless children who are in need of special education and related services, are located, identified, and evaluated. Additionally, IDEA requires that homeless preschoolers and all homeless children be included in the “Child Find” process for early identification of special education needs.

Child Find is a component of IDEA that requires states to identify, locate, and evaluate all children suspected of having a disability, aged birth to 21, who are in need of early intervention or special education services. In Florida, the Florida Diagnostic and Learning Resources System (FDLRS) Child, in coordination with the school districts, locates children who are potentially eligible for services under the IDEA and links them with needed services.

B-3. How can a local homeless liaison assist homeless families in enrolling their children in a preschool if the program has a waiting list?

The local homeless liaison can work with preschool program staff to remind them how important their services are for homeless children and to inform them of how waiting lists often create barriers for homeless families who wish to enroll their children. Some preschool programs keep slots open specifically for homeless children. The liaison may also work with the preschool programs to encourage them to move homeless students to the top of the waiting list or give parents a list of other locations or schools that have openings. The liaison may also want to negotiate with preschool programs to assign extra “risk points” to homeless children. The risk points would help move homeless students to a higher priority on waiting lists.

B-4. How can a local homeless liaison assist homeless unaccompanied youth in accessing the educational services to which they are entitled?

The local homeless liaison can assist unaccompanied youth in accessing educational services through activities such as:

1. Helping them choose and enroll in a school, after considering the youth’s wishes;
2. Providing them with notice of their appeal rights in a language they can understand or in an accessible format;
3. Informing them of their right to transportation to and from the school of origin, and assisting them in obtaining such transportation; and
4. Ensuring that they are immediately enrolled in school pending the resolution of disputes.

B-5. Does the Act specify that the local homeless liaison must be a full-time employee?

No. The Act does not specify that the liaison must be a full-time employee. The Act states that LEAs will designate an appropriate staff person, who may also be a coordinator for other federal programs, as the local homeless liaison [Section 722(g)(1)(J)(ii)].

SCHOOL PLACEMENT

C-1. Why is it so important to maintain a stable education environment for homeless children and youth?

Changing schools significantly impedes a student's academic and social growth. The research on highly mobile students indicates that it can take a student four to six months to recover academically after changing schools. Highly mobile students have also been found to have lower test scores and overall academic performance than peers who do not change schools. Therefore, the McKinney-Vento Act calls for LEAs to keep students in their school of origin to the extent feasible.

C-2. What is the school of origin?

The school of origin is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

C-3. On what basis does the LEA make school placement determinations for homeless students?

Homeless students frequently move, and maintaining a stable school environment is critical to their success in school. To ensure this stability, LEAs must make school placement determinations that are in the best interest of the homeless student. Using this standard, the LEA must:

1. Continue the student's education in the school of origin for the duration of homelessness;
2. Continue the student's education in the school of origin when a family becomes homeless between academic years or during an academic year;
3. Continue the student's education in the school of origin for the remainder of the academic year if the homeless student becomes permanently housed during the academic year; or
4. Enroll the student in any public school in the attendance area in which the student is actually living and is eligible to attend.

C-4. How does the LEA determine what is in the student's "best interest"?

In determining what is in the student's best interest, the LEA must, to the extent feasible, keep the student in the school of origin, unless doing so is contrary to the wishes of the student's parent or guardian. If the LEA wishes to send a homeless student to a school other than the school of origin or other than an eligible school requested by the parent or guardian, the LEA must provide a written explanation of its decision to the parent or guardian, and attach a statement regarding the rights of the parent or guardian to appeal the placement decision. The same provisions apply to homeless unaccompanied youth.

C-5. What should the LEA consider when determining the extent to which it is feasible to educate a homeless student in his or her school of origin?

Each determination should be made on an individual basis. The LEA may consider factors that include the age of the child or youth; the distance of a commute and the impact it may have on the student's education; personal safety issues; a student's need for special instruction (e.g., special education and related services); the length of anticipated stay in a temporary shelter or other temporary location; and the time remaining in the school year.

C-6. If a student finds temporary housing across state lines from the school of origin, does the McKinney-Vento Act still apply?

Yes. Since the McKinney-Vento Act is a federal law, it applies as in any other situation. Therefore, the student must be placed in the school of origin, unless that is against the parent's or guardian's wishes or is not feasible. Crossing state lines is not inherently unfeasible. Schools must conduct the standard feasibility inquiry, based on the needs and circumstances of the individual student. The involved state coordinators and liaisons should work together to provide services.*

C-7. If a student is out of school for an extended period of time, does the student still have the right to go to the school of origin?

Yes. The law applies as in any other situation: the student has the right to remain in the school of origin unless it is not feasible. The fact that the student missed a period of schooling does not make attending the school of origin unfeasible. For example, it may be better for the child to return to a familiar school, teachers, and peers, to make up for lost time and to reintegrate smoothly into school.*

C-8. If a student in a homeless situation enrolls in a new school because he/she or his/her parent or guardian was not informed of the student's right to remain in the school of origin, does the student still have the right to go back to the school of origin?

Yes. If a parent, guardian, or youth is not informed of his/her rights, then the LEA must enroll the student in the original school of origin, consistent with the parent's or youth's wishes (and feasibility). The LEA is required to inform families of their rights.*

SCHOOL ENROLLMENT AND ATTENDANCE

D-1. Are there specific enrollment requirements that schools must follow under the McKinney-Vento Act?

Yes. The Act (Section 722(g)(3)(C) and (E), Public Law 107-110) requires enrolling schools to:

1. Immediately enroll the homeless student, even if the student is unable to produce records normally required for enrollment such as previous academic records, medical records, proof of residency, or other documentation.

2. Immediately contact the prior school the student attended to obtain relevant academic and other records.
3. Immediately refer the parent or guardian of the student or the unaccompanied youth to the local homeless liaison to assist in obtaining necessary immunizations, or medical and immunization records, if needed.
4. Provide a written explanation of its decision and the right to appeal if a student is sent to a school other than an eligible one requested by a parent or guardian or the unaccompanied youth.

D-2. May the LEA require a parent, guardian, or homeless student to submit contact information?

Yes. The LEA may require a parent, guardian, or homeless student to submit contact information. However, LEAs cannot require them to submit proof of residency.

D-3. What are some steps that LEAs can take to ensure immediate enrollment?

Enrolling homeless children in school immediately provides them with needed stability, and is a legal requirement. To facilitate immediate enrollment, LEAs may implement the following practices:

1. Train all school enrollment staff, registrars, secretaries, guidance counselors, school social workers, and school administrators on the legal requirements regarding immediate enrollment.
2. Review all regulations and policies to ensure they comply with the McKinney-Vento Act requirements.
3. Develop affidavits of residence or other forms to replace typical proof of residency. Such forms should be carefully crafted, so they do not create further barriers or delay enrollment. For example, forms should not require notarization.
4. Develop caregiver affidavits, enrollment forms for unaccompanied youth, and other forms to replace typical proof of guardianship. Again, such forms should be carefully crafted so they do not create further barriers or delay enrollment.
5. Establish school-based immunization clinics or other opportunities for on-site immunizations.
6. Collaborate with community-based or public agencies to provide school uniforms within the LEA and among neighboring LEAs.
7. Accept school records directly from families and youth.

8. Develop short educational assessments to place students immediately while awaiting complete academic records.
9. Inform families and youth in a language they can understand or in an accessible format, as appropriate, of their right to attend either their school of origin or the school for which they are zoned.
10. Inform families and youth in a language they can understand or in an accessible format, as appropriate, of their right to transportation and immediate enrollment.
11. Develop clear, understandable, and accessible forms for written explanations of decisions and the right to appeal.
12. Expediently follow up on any needed ESE and/or English Language Learners (ELL) assistance, referrals, or services.

D-4. May a homeless student be enrolled immediately in school without certification of a school-entry health examination or immunization?

Yes. The McKinney-Vento Act requires LEAs to enroll a homeless student immediately, even if he or she does not have medical or immunization records. If the student needs to obtain immunizations, or medical or immunization records, the enrolling school must immediately refer the parent or guardian to the LEA homeless liaison. The liaison must assist in obtaining the immunizations or records.

Also, Florida Statutes require the public school health nurse to follow up on such a student until proper documentation or immunizations are obtained (Section 1003.22(5)(e), Florida Statutes). The statutes also require schools to give homeless children a temporary exemption of up to 30 school days to present or have on file such documentation (Subsections 1003.22(1) and (5)(e), Florida Statutes).

D-5. If a state or LEA has rules for absences (for example, requiring students with ten absences to be referred to juvenile court or to fail classes automatically), how do those rules apply to students in homeless situations?

Frequently, students in homeless situations will miss school due to their living situations. Absences caused by homelessness should not be counted against students. The McKinney-Vento Act requires that school policies, procedures, and rules address the realities of homelessness and not create a barrier to enrollment and retention in school. Rules for absenteeism can be such barriers, particularly when they result in class failures, exclusion from school, or court involvement.*

Local homeless liaisons should work with district attendance coordinators to develop an effective system of identifying homeless students, in order to avoid inappropriate attendance sanction referrals. The liaison, attendance coordinators, or truancy officials should collaborate on developing and offering training designed to assist school personnel in recognizing absences that may be a result of homelessness.

DISPUTE RESOLUTION

E-1. What are the requirements for resolving disputes over the educational placement of homeless students?

The McKinney-Vento Act requires each state to establish its own procedures for the prompt resolution of disputes regarding the educational placement of homeless students [Section 722(g)(1)(C)]. The Act also requires LEAs to follow certain procedures if a dispute arises over school selection or enrollment in a school [Section 722(g)(3)(E)].

E-2. What are the FDOE's procedures for the prompt resolution of disputes?

If the school selection or enrollment dispute cannot be resolved by the LEA, the local homeless liaison must provide the *FDOE School Dispute Resolution Appeal Process* form to the parent, guardian, or unaccompanied youth. They may file an appeal within ten working days after receiving the written notification of the LEA's decision. The local homeless liaison is required to notify the FDOE of the state-level appeal and also must log incidents of dispute appeals in the FDOE Online Dispute Resolution Tracking System at <https://data.fldoe.org/homelessdispute>.

Upon receipt of the notice of appeal, the FDOE must, within ten working days, convene a panel to review the entire record of the dispute, including any written statements submitted, and make a determination based on the child's or youth's best interest. Within ten working days of the date the panel convenes, the panel shall provide its recommendation to the Commissioner of Education. Within ten working days of receipt of the recommendation, the Commissioner shall make the final determination. For educational purposes, the decision of the Commissioner in such cases is final. The FDOE will provide a written decision regarding the appeal to all parties involved, including the local homeless liaison.

The FDOE's step-by-step procedures for the prompt resolution of disputes are addressed in Appendix A.

E-3. When should the FDOE dispute resolution process be used?

The state-level dispute resolution process is available for appeals from LEA-level decisions and inter-LEA disputes. Parents, guardians, unaccompanied youth, or LEAs may file appeals. The local homeless liaison is responsible for ensuring that information and the appropriate forms describing the state-level dispute resolution process are available to all parties wanting to file an appeal. The appropriate state-level appeal forms are provided in Appendices C and D and are available at the following website: <http://www.fldoe.org/bsa/title1/titlex.asp>.

E-4. What must LEAs and schools in Florida do if an enrollment dispute arises?

If a dispute arises over school selection or enrollment in the school of a homeless student, the LEA must ensure the following occurs:

1. The school immediately admits the homeless student (e.g., school of origin or the school of residency) in the school which enrollment is sought, pending resolution of the dispute.

2. The school provides a written explanation of its school selection or enrollment decision to the parent or guardian of the student or unaccompanied youth, including his or her right to appeal the decision, both to the LEA and to the FDOE, if the LEA-level resolution is not satisfactory. Sample school and LEA forms are provided in Appendices E and F.
3. The school refers the child, youth, parent, or guardian to the local homeless liaison.
4. The local homeless liaison carries out the dispute resolution process within ten working days after receiving notice of the dispute.
5. The local homeless liaison, in the case of an unaccompanied youth, ensures the youth is immediately enrolled in school pending resolution of the dispute.

E-5. Does the LEA have to provide transportation to the selected school for the duration of the dispute resolution process?

Yes. The LEA must provide transportation to the selected school for the duration of the dispute resolution process. In the case of an inter-LEA (cross-LEA) dispute, the LEAs must split the costs of this transportation.

E-6. When are enrollment disputes to be resolved?

The local homeless liaison must carry out the dispute resolution process within ten working days after being notified of the dispute.

E-7. What is the local homeless liaison's role in the dispute resolution process?

The local homeless liaison ensures enrollment disputes are mediated in accordance with the McKinney-Vento Act. The liaison works with the appropriate LEA and school representatives to address any policies or procedures that are identified as barriers to homeless students having access to a free and appropriate public education.

If a dispute cannot be resolved by the LEA, and the parent, guardian, or unaccompanied youth wishes to appeal the local-level decision, the local homeless liaison is required to notify the FDOE. The local homeless liaison must log the local-level incidents of dispute and state-level appeals to the FDOE via its Online Dispute Resolution Tracking System at <https://data.fldoe.org/homelessdispute>. The FDOE Homeless Education Coordinator is available to provide technical assistance.

E-8. Does the local homeless liaison have to be the person listening to the dispute procedure?

No. Although it is considered good practice, the liaison does not have to be the person listening to the dispute. However, liaisons are required to carry out the dispute resolution process, making sure that families and youth are aware of their rights to appeal and are able to access the dispute process.

E-9. What if the parent, guardian, or unaccompanied youth is dissatisfied with the LEA's enrollment decision?

If the parent, guardian, or unaccompanied youth is dissatisfied with the enrollment decision, he/she may appeal the decision to the FDOE, with the assistance of the local homeless liaison (see E-7).

ELIGIBILITY FOR SERVICES

F-1. Is there a time limit on how long a child or youth can be considered homeless?

No. There is no specific time limit on homelessness. Whether a child or youth meets the definition of homelessness depends upon the living situation and the individual circumstances. It is a case specific inquiry.*

F-2. Are children who are awaiting foster care placement eligible for services under the McKinney-Vento Act?

Yes. Children who are awaiting foster care placement are considered homeless and eligible for McKinney-Vento Act services [Section 725(2)(B)(i)]. Local homeless liaisons should coordinate with local public social service agency providers in determining how best to assist homeless children and youth who are awaiting foster care placement.

If the local homeless liaison determines that a child or youth who is in state care or custody has been placed out of his/her home into a temporary, transitional, or emergency living placement, while awaiting foster care placement, then that child would be considered homeless. It is important to look at each situation on a case-by-case basis.

Children who are already in foster care, on the other hand, are not considered homeless.

F-3. Are children displaced from their housing by naturally occurring disasters eligible for services under the McKinney-Vento Act?

When children and their families are displaced as a result of a natural disaster, there is often a period of instability in which various private organizations and local, state, and federal agencies provide assistance. In these circumstances, the FDOE and LEAs should determine such children's eligibility for McKinney-Vento services on a case-by-case basis, taking into consideration the services that are available through these other sources.

Following a disaster, one of the LEA's first priorities is to re-open impacted schools as soon as possible and take steps to return to school routines. LEAs should then proceed to examine whether children who have been displaced by the natural disaster are eligible for McKinney-Vento services on a case-by-case basis.

F-4. Are children and youth who live in trailer homes or trailer parks covered by the Act?

Children and youth who live in trailer parks are covered by the Act if they live in the trailer park “due to the lack of alternative adequate accommodations.” Therefore, whether children and youth living in trailer parks are covered by the Act is a case-by-case determination to be made by the local homeless liaison, in light of the family's circumstances. The liaison will need to consider the adequacy of the trailer home, including the number of people living in the trailer, the condition of the trailer, and the availability of running water, electricity, and other standard utilities. If the trailer is inadequate, it should be considered a homeless situation. The relative permanence of the living situation must also be examined; if the family is living in the trailer temporarily, they are likely to be covered by the Act.*

F-5. Are families who move in with relatives or friends covered by the Act?

Children and youth who are sharing the housing of others due to loss of housing, economic hardship, or a similar reason are covered by the McKinney-Vento Act. Families who share adequate housing due to cultural preferences or convenience would not be covered by the Act. Also, families who are sharing housing on a permanent basis are unlikely to be covered by the Act.*

F-6. Is transitional housing considered a homeless situation?

Yes. The McKinney-Vento Act specifically applies to children and youth living in transitional shelters. This term includes transitional housing programs and transitional living programs. A federal court affirmed that transitional housing programs are covered by the McKinney-Vento Act. Bullock v. Board of Education of Montgomery County, Civ. A. DKC 2002-0798 (D. Md.), memorandum decision filed November 4, 2002.*

F-7. Do incarcerated youth qualify for McKinney-Vento protection and services?

No. Children and youth who are incarcerated for violation or alleged violation of a law should not be considered homeless. Incarcerated children and youth are part of the juvenile justice system. However, children and youth residing in shelters or other homeless situations after leaving detention centers are covered by the Act.*

F-8. Is the McKinney-Vento Act limited to a specific age group?

The McKinney-Vento Act applies to children and youth age 21 and under, consistent with their eligibility for public education services under state and federal law. Furthermore, under the federal Individuals with Disabilities Education Act, special education students are provided the right to access services until age 22, with the exception of students with disabilities who are incarcerated as adults and students with disabilities who have earned a high school diploma.

Florida Statutes do not specify a maximum age a student may attend school in Florida. That decision is decided at the district level. However, compulsory attendance is through age 16 (Section 1003.21, Florida Statutes).

F-9. What safeguards are in place to prevent families who have permanent housing from claiming to be homeless just to obtain McKinney-Vento services?

One of the liaison's duties is to identify children and youth who meet the statutory definition of homelessness. LEAs must enroll students experiencing homelessness immediately. If, after enrollment, it is determined that a student is not homeless as defined in the law, LEAs should follow the policies they have in place to address other forms of fraud. Written notice should be given to the parent, guardian, or youth, including his or her right to appeal the decision.*

STUDENT RECORDS

G-1. Can the previous school transfer records to the new school without a parent's signature?

Yes. Student records are protected by the Federal Education Rights and Privacy Act (FERPA). Generally, FERPA requires schools to have written permission from a parent before releasing any information from a child's records. However, FERPA allows schools to release records without a parent's permission to schools to which a student is transferring.*

G-2. Can a previous school refuse to send records due to fees owed for textbooks, etc.?

No. If a school refuses to send records, it would be creating a barrier to the enrollment and retention of the child in school, which violates the McKinney-Vento Act.*

G-3. How can a school determine what classes or services to provide a student if there are no school records?

The enrolling school must immediately admit the student and must contact the previous school for records. If the records cannot be transmitted immediately, the enrolling school can speak with staff from the previous school to get basic information about the student. Former teachers, counselors, and administrators should be able to provide this information. The enrolling school can also get information regarding class schedules from parents and youth. The school can also establish procedures for conducting a quick assessment of the student's skills. Even if records are delayed, the student must be enrolled immediately in school and provided the most appropriate services possible. Upon receipt of previous school records, the school can make any necessary adjustments to the student's classes and services.*

PROHIBITION AGAINST SEGREGATION

H-1. May LEAs segregate homeless children and youth in separate schools or in separate programs within a school?

No. Homelessness alone is not sufficient reason to separate students from the mainstream school environment. LEAs must adopt policies and practices to ensure students are not segregated or stigmatized on the basis of their status as homeless.

Florida receives funds under the McKinney-Vento Program. Therefore, every LEA in Florida, whether or not it receives a McKinney-Vento subgrant from the FDOE, is prohibited from segregating homeless students in separate schools or in separate programs within schools, based on the student's status as homeless.

H-2. May the LEA educate homeless students at an off-site facility, such as a shelter?

No. Homeless students must be educated as part of a school's regular academic program. Services must be provided to homeless students through programs and mechanisms that integrate them with their non-homeless counterparts.

However, tutoring, supplemental instruction, and enriched educational services, etc. are allowable.

H-3. May a school separate homeless students from the regular school program if they reside in a domestic violence shelter?

No. However, schools should take all necessary steps to protect children who are victims of domestic violence.

H-4. Are "transitional classrooms" in shelters, where homeless students receive educational services while they are being assessed or while they wait for school records, permissible under the McKinney-Vento Act?

No. LEAs are required to adopt policies that will eliminate barriers to regular school enrollment that may be caused by tracking, obtaining, and transferring records.

H-5. In providing special services to homeless students, how does a school or LEA avoid stigmatizing those students?

As stated above, the LEA or school may not segregate homeless students from the mainstream school environment. Homeless children and youth are entitled to receive all of the services that are provided to their non-homeless counterparts and in the same setting as their non-homeless peers.

In some circumstances, it may be appropriate to provide *additional* services to homeless children and youth in a separate setting. In doing so, the LEA should be careful not to stigmatize these students. If the LEA implements a supplemental program exclusively for homeless children, such as a shelter-based evening tutoring program, it should not be called "the homeless tutoring program" or the "shelter tutoring program." Instead, the LEA should use a name that does not indicate homelessness, such as "Discovery Club" or "Homework Club," to avoid stigmatization.

TRANSPORTATION

I-1. What responsibilities do FDOE and LEAs have regarding providing transportation services to homeless children and youth?

The FDOE and LEAs are responsible for reviewing and revising policies, including transportation that may act as barriers to the enrollment and retention of homeless children and youth in schools in Florida. Under the McKinney-Vento Act, homeless children and youth are entitled to receive transportation and other services that are available to non-homeless students.

The FDOE and LEAs must adopt policies and practices to ensure transportation is provided, at the request of the parent or guardian (or, in the case of an unaccompanied youth, the liaison), to or from the school of origin in accordance with the following requirements:

- If the homeless child or youth continues to live in the area served by the LEA in which the school of origin is located, that LEA must provide or arrange for the child's or youth's transportation to and/or from the school of origin.
- If the homeless child or youth continues his or her education in the school of origin, but begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.

I-2. How do LEAs ensure the education of homeless students is not disrupted during transfers (across LEAs)?

LEAs should have in place inter-LEA (and inter-state, where appropriate) agreements that address potential transportation issues that may arise as homeless students transfer from one LEA to another.

I-3. May funds under Title I, Part A or Title V, Part A of the federal NCLB Act be used to transport homeless students to and from the school of origin?

No. LEAs may not use funds under Title I, Part A or Title V, Part A to transport homeless students to or from their school of origin. Transportation services to the school of origin are mandated under the McKinney-Vento Act. The "no-supplanting" provisions in Title I and Title V prohibit those funds from being used to support activities that the LEA would otherwise be required to provide.

I-4. Who should be involved in developing and implementing transportation policies for homeless students?

LEAs can best address the transportation needs of homeless and other highly mobile students through a team approach. However, based on the best interest of the student, and in consultation with the parent or guardian, the LEA ultimately determines the mode of transportation. The LEA's transportation director should work with the LEA's leadership team, local homeless liaison,

neighboring LEAs, and homeless service providers to develop effective transportation policies and procedures.

I-5. Is the LEA required to transport homeless students to and from their school of origin, if needed, while enrollment disputes are being resolved?

Yes. The McKinney-Vento Act's transportation requirements apply while disputes are being resolved. Therefore, at the request of the parent or guardian (or in the case of an unaccompanied youth, the request of the liaison), the LEA must provide or arrange for transportation to and from the school of origin. Inter-LEA transportation disputes should be resolved at the FDOE [Section 722(g)(1)(C)], through the dispute resolution process.

I-6. Do LEA transportation responsibilities apply to all LEAs in Florida or only to those LEAs that receive a McKinney-Vento subgrant?

This requirement applies to all LEAs in Florida.

I-7. Does the McKinney-Vento Act require the LEA to provide transportation services to homeless children attending preschool?

To the extent the LEA offers a public preschool education, McKinney-Vento requires that homeless children have equal access to that preschool education as provided to non-homeless children. Furthermore, the Act requires that the services provided to homeless children be comparable to those provided to non-homeless children. Thus, if the LEA provides transportation for non-homeless preschool children, it must also provide comparable transportation services for homeless preschool children.

LEAs are reminded, however, that the Florida Education Finance Program (FEFP) funds for transportation of preschool age students may only be claimed when the students have disabilities under the federal Individuals with Disabilities Education Act (IDEA) or are being transported pursuant to a Teenage Parent (TAP) program. While LEAs may provide services to other categories of preschoolers, such as homeless preschoolers, they may not be claimed for state funding unless they are served in an IDEA or TAP program.

I-8. How far is too far to travel to the school of origin?

The McKinney-Vento Act does not specify any mileage or time limit for travel to the school of origin. The Act requires LEAs to provide transportation to the school of origin at the request of a parent or guardian or, for unaccompanied youth, at the liaison's request. Therefore, transportation is required regardless of distance. However, extreme distances can be considered in the LEA's feasibility determination.*

I-9. Can the LEA pay parents to transport their children as an alternative to providing transportation?

Yes. LEAs may reimburse parents or youth who have cars and are able to provide transportation, as a cost effective means to meet the LEA's obligation.*

I-10. Does providing or arranging for transportation mean door-to-door transportation, similar to transportation for students with disabilities whose Individual Education Plan (IEP) documents a need for transportation as a related service?

Generally, no. The McKinney-Vento Act does not require door-to-door transportation, unless that is the only appropriate arrangement for a particular student. However, the mode and details of transportation cannot present a barrier to the child's attendance in school.*

Provisions for transportation of elementary school students, who would otherwise be subjected to hazardous walking conditions, would apply equally to homeless students, if they live less than two miles from the school of origin and are subject to such hazards (Section 1006.23, Florida Statutes).

I-11. If the LEA does not offer transportation to summer school for any students, does it have to provide summer school transportation for students in homeless situations?

Generally, no. The McKinney-Vento Act requires schools to provide comparable transportation services for students in homeless situations. If the school does not provide transportation to summer school for housed students, then it is generally not required to provide transportation to homeless students. However, if attendance in summer school is required for the student to advance to the next grade, and lack of transportation will prevent the child from participating, this would present a barrier to the student's academic success. In this case, the LEA must remove that barrier, so the student can avoid being retained in the same grade.*

COMPARABLE AND COORDINATED SERVICES

J-1. What services must LEAs provide?

LEAs in Florida must provide services to homeless students that are comparable to services offered to other students in the LEA. These services include the following:

1. Public preschool programs; and
2. Educational programs or services for which homeless students meet the eligibility criteria, such as:
 - Students with disabilities programs,
 - Limited English proficiency programs,
 - Career and technical education programs,
 - Programs for gifted students,
 - Before and after school programs,
 - Free meals during school under the National School Lunch and Breakfast programs, and
 - Transportation services.

J-2. Must LEAs coordinate services for homeless children and youth?

Yes. LEAs are responsible for coordinating with local social service agencies and other service providers and programs [Section 722(g)(4)], including programs under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.), and with other LEAs on issues such as transportation and the transfer of records. Additionally, they must coordinate with housing assistance providers [Section 722(g)(5)]. This coordination is to ensure eligible students have access to available education and related support services. It is also important to coordinate efforts in order to raise the awareness of school personnel and service providers of the effects of homelessness and the challenges that homeless students face.

COORDINATION WITH TITLE I, PART A**K-1. Are homeless children and youth eligible to receive Title I, Part A services?**

Yes. Homeless children and youth are automatically eligible for services under Title I, Part A, whether or not they live in a Title I school attendance area, attend a Title I school, or meet the academic standards required of other children for eligibility. Homeless children and youth may receive Title I educational or support services from schoolwide and targeted assistance school programs.

Florida has, as required, described the coordination of Title I, Part A and the McKinney-Vento Act in its state plan [Section 1111(a)(1)]. Additionally, LEAs receiving Title I, Part A funds must include a description of how the plan is coordinated with the McKinney-Vento Act in their local plans. Local plans must describe services provided to homeless children.

K-2. If a homeless child becomes permanently housed during a school year, is that child eligible to receive Title I, Part A services for the remainder of that school year?

Yes. A homeless child or youth that becomes permanently housed during a school year continues to remain eligible for Title I, Part A services for the remainder of that school year. This helps ensure educational stability for formerly homeless children.

K-3. Are homeless children and youth who attend non-Title I schools eligible to receive Title I, Part A services?

Yes. The LEA must provide comparable services to a homeless student who does not attend a Title I school. The LEA must reserve funds for homeless children who do not attend participating Title I schools and may, for instance, provide support services to children in shelters and other locations where homeless children live. Services should be provided to assist homeless students in effectively taking advantage of educational opportunities.

This provision applies to homeless students who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live; children in local institutions for neglected children; and if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day school programs [Section 1113(c)(3)].

SEA and LEA Title I plans must be coordinated with the plans agencies develop under the McKinney-Vento Act. LEAs can develop formulas for reserving the appropriate amount of Title I funding for homeless students, as required in Section 1113(c)(3). However, because of the Title I supplanting prohibition, Title I funds may not be used to support the costs of transporting homeless students to or from their school of origin.

K-4. Is there a formula for calculating Title I, Part A set-asides?

No. There is no mandated formula for determining Title I, Part A set-asides. However, the set-aside must be sufficient to provide “comparable services” to students attending non-participating schools. Therefore, the set-aside must be based on the number and needs of children and youth experiencing homelessness in the LEA.

Some possible methods to calculate the set-aside include:

1. Identify and assess the needs of students in homeless situations in the LEA, and set aside funds accordingly;
2. Obtain the count of students identified as experiencing homelessness and multiply by the Title I, Part A per-pupil allocation;
3. For LEAs with a McKinney-Vento subgrant, reserve an amount greater than or equal to the LEA’s McKinney-Vento funds; or
4. Reserve a specific percentage based on the LEA’s poverty level or total Title I, Part A allocation.

Note: Calculation methods excerpted from: “Four Methods for Determining New Mandatory Title I, Part A Set-Aside for Homeless Children.” *No Child Left Behind Financial Compliance Insider* (Nov. 2003).

K-5. What types of services may the LEA provide to homeless students with funds reserved under Section 1113(c)(3) of Title I?

The LEA may use funds reserved under this section to provide services to eligible homeless students in non-Title I schools that are comparable to services provided to students in Title I schools. Services provided should assist such children in meeting the Sunshine State Standards.

The LEA also has the discretion to use reserved funds to provide a homeless student with services that are not ordinarily provided to other Title I students and that are not available from other sources. For example, where appropriate, the LEA at its discretion may provide a student with an item of clothing to meet a school’s dress or uniform requirement so that student may effectively take advantage of educational opportunities.

K-6. Can Title I, Part A set-asides be used to fund liaisons and other LEA-level activities?

Yes. LEAs can use Title I, Part A set-asides to serve children and youth experiencing homelessness in both Title I and non-Title I schools. For example, Title I, Part A set-asides may be used to support the liaison position, to allow the liaison to dedicate more time to McKinney-Vento Act activities, or to hire additional staff for the McKinney-Vento Program. However, Title I, Part A

funds may not be used to support 100% of the liaison's position. The set-aside can also fund district-wide activities conducted by the liaison (such as identification and professional development), extended day and summer activities, school supplies, and other services.*

REPORTING REQUIREMENTS

L-1. What data on homeless children and youth must all LEAs in Florida submit to the FDOE through its automated student database system?

The FDOE is responsible for providing data on all homeless children, youth, and unaccompanied youth in the Consolidated State Performance Report. LEAs in Florida must submit the following data to the FDOE, through its automated student database, regardless of whether they receive Title X, Part C funds:

1. Number of homeless children and youth;
2. Number of homeless children and youth enrolled in public school (excluding pre-school) during the previous school year;
3. Of the number of homeless children and youth (excluding preschoolers) reported, the total numbers who had the following as their primary nighttime residence (which is the basis for identifying homeless children and youth) at the time of initial identification:
 - a. Shelters,
 - b. Doubled-up,
 - c. Unsheltered (e.g., cars, parks, campgrounds, etc.),
 - d. Hotels/Motels,
 - e. Unknown; and
4. Of the number of homeless children and youth (excluding preschoolers) reported, the total number who are unaccompanied youth.

L-2. Are Title X subgrantees required to report additional data?

Yes. In addition to the data required to be collected in L-1., LEAs receiving Title X, Part C funds must submit the following data to the FDOE:

1. Total number of homeless children and youth that were served in each grade, K-12, during the school year.
2. Number of homeless preschool age children attending public preschool programs (e.g., from birth through PreK) during the school year.
3. Number of unaccompanied youth served by subgrants during the school year.
4. Number of homeless migrant children/youth served by subgrants during the school year.

5. Number of homeless children and youth enrolled in school during the school year that received the following educational and school support services from the LEA:
 - a. Specially designed instruction and related services,
 - b. English Language Learners (ELL),
 - c. Gifted, and
 - d. Vocational Education, etc.

6. Whether the following educational support services were provided with McKinney-Vento funds:
 - a. Tutoring or other instructional support,
 - b. Expedited evaluations,
 - c. Staff professional development and awareness,
 - d. Referrals for medical, dental, and other health services,
 - e. Transportation,
 - f. Early childhood programs,
 - g. Assistance with participation in school programs,
 - h. Before school, after school, mentoring, summer programs,
 - i. Obtaining or transferring records necessary for enrollment,
 - j. Parent education related to rights and resources for children,
 - k. Coordination between schools and agencies,
 - l. Counseling addressing needs related to domestic violence,
 - m. Clothing to meet a school requirement,
 - n. School supplies,
 - o. Referral to other programs and services,
 - p. Emergency assistance related to school attendance, and
 - q. Other (optional).

7. Existence of the following barriers to the enrollment and success of homeless children and youth during the school year:
 - b. Eligibility for homeless services,
 - c. School selection,
 - d. Transportation,
 - e. School records,
 - f. Immunizations or other medical records, and
 - g. Other enrollment issues.

8. Number of homeless children and youth that were included in statewide assessments in reading or mathematics.

9. Number of homeless children and youth that met or exceeded Florida's proficiency level or standard on the reading or mathematics assessment.

COMPETITIVE SUBGRANTS TO LEAS

M-1. On what basis does the FDOE award McKinney-Vento subgrants to LEAs?

The FDOE awards McKinney-Vento subgrants to LEAs competitively on the basis of the needs of the LEAs requesting assistance and the quality of their applications.

M-2. For how long may the LEA receive a subgrant?

The LEA may receive McKinney-Vento subgrant funds for up to three years. The LEA may re-apply for additional McKinney-Vento funds after the initial three-year period expires.

M-3. When will the FDOE release the next McKinney-Vento subgrant Request for Proposal?

The FDOE will release the next McKinney-Vento subgrant Request for Proposal in the spring of 2009, for Fiscal Year 2009-2010.

M-4. For what activities may the LEA use McKinney-Vento subgrant funds?

LEAs must use McKinney-Vento funds to assist homeless children and youth in enrolling, attending, and succeeding in school. In particular, the funds may support the following activities:

1. Tutoring, supplemental instruction, and other educational services that help homeless children and youth reach the same challenging state content and state student performance standards to which all children are held. All academic enrichment programs for disadvantaged students, including programs for homeless students, must be aligned with state standards and curricula. Additionally, when offering supplemental instruction, LEAs should focus on providing services for children and youth that reflect scientifically based research as the foundation for programs and strategies to ensure academic success.
2. Expedited evaluations of eligible students to measure their strengths and needs. These evaluations should be done promptly in order to avoid a gap in the provision of necessary services to those children and youth. Evaluations may also be used to determine a homeless child or youth's eligibility for other programs and services, including educational programs for gifted and talented students, special education and related services for children with disabilities, English language acquisition, vocational education, free meals under the National School Lunch and Breakfast programs, and appropriate programs or services under NCLB.
3. Programs and other activities designed to raise awareness among educators and student services personnel of the rights of homeless children and youth under the McKinney-Vento Act, and the special needs such children and youth have as a result of their homelessness.
4. Referrals of eligible students to medical, dental, mental, and other health services.

5. Payment of the *excess* cost of transportation not otherwise provided through federal, state, or local funds, to enable students to attend schools selected under section 722(g)(3) of the McKinney-Vento Act.
6. Developmentally appropriate early childhood education programs for homeless children of preschool age that are not provided through other federal, state, or local funds.
7. Services and assistance to attract, engage, and retain homeless children and youth, and unaccompanied youth, in public school programs and services provided to non-homeless children and youth.
8. Before and after school programs, mentoring, and summer programs for homeless children and youth. Qualified personnel may provide homework assistance, tutoring, and supervision of other educational instruction in carrying out these activities.
9. Payment of fees and costs associated with tracking, obtaining, and transferring records necessary for the enrollment of students in school. The records may include birth certificates, guardianship records, immunization records, academic records, and evaluations of students needed to determine eligibility for other programs and services.
10. Education and training programs for parents of homeless children and youth regarding the rights their children have as homeless individuals and regarding the educational and other resources available to their children.
11. Programs coordinating services provided by schools and other agencies to eligible students in order to expand and enhance such services. Coordination with programs funded under the Runaway and Homeless Youth Act should be included in this effort.
12. Student services programs providing violence prevention counseling and referrals to such counseling.
13. Programs addressing the particular needs of eligible students that may arise from domestic violence.
14. Provision of supplies to non-school facilities serving eligible students and adapting these facilities to enable them to provide services.
15. Provision of school supplies to eligible students at shelters, temporary housing facilities, and other locations as appropriate.
16. Provision of extraordinary or emergency services to eligible students as necessary to enroll and retain such children and youth in school.

M-5. Where should the LEA provide services for homeless children and youth?

To the maximum extent practicable, LEA should provide McKinney-Vento services through programs that integrate homeless and non-homeless children and youth. The services must be designed to expand or improve services provided as part of a school's regular academic program, but may not replace services provided under the regular program.

LEAs may provide subgrant services through programs on school grounds or at other facilities. If services are provided on school grounds, the school may use McKinney-Vento funds to provide the same services to other children and youth who are determined by the LEA to be at risk of failing in, or dropping out of, school (*Education for Homeless Children and Youth Program, Title VII-B of the McKinney-Vento Homeless Assistance Act, as Amended by the No Child Left Behind Act of 2001, Non-Regulatory Guidance, United States Department of Education, Washington, D.C., July 2004, page 26*).

As discussed earlier, LEAs and schools may not provide services in settings within a school that segregate homeless children and youth from other children and youth, except as necessary for short periods of time for health and safety emergencies, or to provide temporary, special, and additional services to meet the unique needs of homeless children and youth.

M-6. May the LEA or school provide an after school program that exclusively serves homeless children with McKinney-Vento funds?

Yes. Homeless children are entitled to participate in the regular after school program provided by the school, and schools must address all barriers to their full participation in these programs. If no after school programs are provided by the school or the programs provided do not meet the needs of homeless children, McKinney-Vento funds may be used for after school services for homeless children, and for non-homeless children who are at risk of failing in, or dropping out of, school.

Services provided with McKinney-Vento Act funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the school's regular academic program.

** The 100 Most Frequently Asked Questions on the Education Rights of Children and Youth in Homeless Situations. (2004). National Association for the Education of Homeless Children and Youth and the National Law Center on Homelessness & Poverty.*

APPENDICES

Florida Department of Education Dispute Resolution Process

Step	Process
Step 1 - School Enrollment	<ol style="list-style-type: none"> 1. A parent or a guardian of a homeless student has the right to enroll his or her child or youth in either the school of origin, which may be the last school attended by the student when permanently housed (to the extent feasible, and if in the best interest of the homeless student) or the school which serves the location where the student currently resides. 2. The LEA or school must provide to the parent, guardian, or unaccompanied youth, written information regarding school selection or enrollment options available to homeless students under the McKinney-Vento Act [Section 722(g)(3)(C)]. 3. If a school selection or enrollment dispute develops over the selection or enrollment options available under the McKinney-Vento Act, the LEA or school must immediately enroll the homeless child or youth to the school in which enrollment is sought by the parent or guardian, pending resolution of the dispute. 4. In the case of an unaccompanied youth, the local homeless liaison ensures the youth is immediately enrolled in school pending resolution of the dispute.
Step 2 - Enrollment Dispute	<ol style="list-style-type: none"> 5. If a school selection or enrollment resolution is not reached at the school level, the LEA or school must notify the local homeless liaison of the dispute, and refer the parent, guardian, or unaccompanied youth to the local homeless liaison. 6. The local homeless liaison carries out the dispute resolution process within ten working days of receiving the dispute notice from the LEA or school. 7. On or by the tenth working day, the LEA or school shall provide a written explanation of the school selection decision to the homeless child's or youth's parent or guardian. [Section 722(g)(3)(B)(ii)]. This decision should include a statement regarding the right to appeal the LEA-level decision to the Florida Department of Education (FDOE). 8. The local homeless liaison shall report each LEA-level incident of a school selection/enrollment dispute in the FDOE's Dispute Resolution Tracking System which is located at: https://data.fldoe.org/homelessdispute (see Appendix B for system instructions).
Step 3 – State-level Appeal Process	<ol style="list-style-type: none"> 9. The local homeless liaison must provide the <i>FDOE School Dispute Resolution Appeal Process</i> form to the parent, guardian, or unaccompanied youth. This form is available at http://www.fldoe.org/bsa/title1/titlex.asp and in Appendix C. 10. The parent, guardian, or unaccompanied youth may file an appeal, within ten working days after receiving the written notification of the LEA-level school selection or enrollment decision with the local homeless liaison, who must provide it to the FDOE. 11. The local homeless liaison is required to notify the FDOE of the state-level appeal by providing the appeal. The liaison also must log incidents of state-level appeals in the FDOE Online Dispute Resolution Tracking System at https://data.fldoe.org/homelessdispute. 12. Upon receipt of a notice of appeal, the State Homeless Education Coordinator must, within ten working days, convene a FDOE panel, comprised of the Coordinator, the Director of the Title I Programs, and the Chief of the Bureau of Student Assistance. 13. This panel shall review the entire record of the dispute, including any written statements submitted, and make a determination based on the child's or youth's best interest. 14. Within ten working days of the date the panel convenes, the panel shall provide its recommendation to the Commissioner of Education. 15. Within ten working days of receipt of the recommendation, the Commissioner shall make the final determination. For educational purposes, the decision of the Commissioner in such cases is final. 16. The FDOE will provide a written decision regarding the appeal to all parties involved, including the LEA homeless liaison.

Appendix B

Florida Department of Education Education of Homeless Children and Youth Dispute Resolution Tracking System

The local homeless liaison will report each incident of a local-level “Original” dispute and a state-level “Appeal” of the local-level dispute, if applicable, through the Florida Department of Education (FDOE) Online Dispute Resolution Tracking System. To access the system, the liaison should follow the instructions below:

1. Access the system at: <https://data.fldoe.org/homelessdispute>.
2. The initial login requires the user to enter a “Username” (Local Educational Agency (LEA) name), and “Password” (two-digit LEA number). For example, Username: Alachua, Password: 01.
3. The next screen requires the user to change his/her password (the old password is the two-digit LEA number).
4. Once the user enters a new password, a screen will appear, informing the user that the password has been changed successfully. A link is provided for the user to continue to the “Main Menu,” which prompts a link to submit a new record.
5. Below is a picture of the screen that allows the liaison to submit a record of the district-level dispute, including the reason and outcome, in the “Reason” text box.
6. All district-level disputes will be tracked in the system, whether they are appealed or not. The “Type of Report” in these disputes will be “Original.”
7. If a district-level dispute is appealed to the state, the “Type of Report” will be “Appeal.”

The FDOE Homeless Education Coordinator will have access to the system to provide comments per original dispute or appeal. LEAs will not be able to edit their original dispute or appeal after the FDOE Homeless Education Coordinator has made an entry for that particular incident. Should you experience difficulty accessing the system, please contact the Bureau of Student Assistance at 850-245-0415.

Education of Homeless Children and Youth Dispute Resolution Tracking System

Main Menu You are logged in as **Alachua**. Log Out

Information regarding student's address, phone number, and information protected by the Family Educational Rights and Privacy Act (FERPA) and Protection of Pupil Rights Amendment (PPRA)

Complete the following form. All fields are required.

Student First Name:

Student Last Name:

Student ID:

Grade Level: -- select --

School: --- select a school ---

Date of Notification of Dispute (mm/dd/yyyy):

Type of Report: Original Appeal

Reason for Dispute (limited to 4000 character or about 660 words):

Appendix C
Florida Department of Education
School Dispute Resolution Appeal Process Form
(Student vs. School District)

School District Name: _____

Student's Name/I.D. #: _____

Student's Grade: K 1st 2nd 3rd 4th 5th 6th
 7th 8th 9th 10th 11th 12th

Requested School Name: _____

Requested School Address: _____

Requested School Phone: _____

Is the requested school the same as the school of origin? Yes No

If "No," what is the name of the school of origin: _____

Local Homeless Liaison: _____

Liaison's Phone: _____

The following should be filled out by the parent, guardian, unaccompanied youth, or other designee:

Did you receive a school placement decision in writing from the local homeless liaison, school, or school district that included information on your right to appeal this decision? Yes No

If "Yes," when did you receive it? Date: _____

Why are you appealing the school district's decision? (Please attach additional pages as needed.)

Which rights do you feel the school or school district have not honored? (Please attach additional pages as needed.) _____

Form completed by: _____

Relationship: Parent Guardian Unaccompanied Youth Other: _____

Current Phone: _____

Current Address: _____

Signature of Person Completing Form

Date

Note: Please return this form and a copy of the written school placement decision to the Florida Department of Education no later than ten days after you receive the school district's written decision.

Please have the homeless liaison fax this form with the accompanying document(s) to:

Florida Homeless Education Coordinator
Florida Department of Education
850-245-0697

Florida Department of Education
School Dispute Resolution Appeal Process Form
(School District vs. School District)

Date: _____

School District 1: Name of school district/state filing dispute: _____

Name of person completing form: _____

Person's Title: _____

Current Phone: _____

Current Address: _____

Local Homeless Liaison for School District 1: _____

Current Phone: _____

School District 2: Name of school district /state that dispute is being filed against: _____

Contact Name: _____

Current Phone: _____

Current Address: _____

Student's Name/I.D. #: _____

Student's Grade: [] K [] 1st [] 2nd [] 3rd [] 4th [] 5th [] 6th
[] 7th [] 8th [] 9th [] 10th [] 11th [] 12th

Requested School Name: _____

Requested School Address: _____

- 1. Please explain the nature of the dispute with the other school district. (Please attach additional pages as needed.)
2. What do you believe is in the "best interest" of the child/youth? Why? (Please attach additional pages as needed.)
3. Please document what has been done to date to settle this dispute. (Please attach additional pages as needed.)

Signature of Person Completing Form

Date

Please have the homeless liaison fax this form with the accompanying document(s) to:

Florida Homeless Education Coordinator
Florida Department of Education
850-245-0697

SAMPLE

School District Name

School Dispute Resolution Process

Requested School Name: _____

Requested School Address: _____

Requested School Phone/Fax: _____

Is this the school of origin? (School of origin is defined as the school that the child attended when permanently housed or the school in which the child was last enrolled.) Yes No

If "No," provide the name and address of the last school the child attended: _____

Student's Name/I.D. #: _____

Student's Grade: K 1st 2nd 3rd 4th 5th 6th
 7th 8th 9th 10th 11th 12th

Student's Current Address: _____

Student's Current Phone: _____

Parent/Guardian/Disputing Party's Name: _____

Relationship: Parent Guardian Unaccompanied Youth Other: _____

Current Address: _____

Current Phone: _____

Does the student live in a shelter? Yes No

Reason for dispute: _____

Principal's Actions on the Dispute

The local homeless liaison was notified of the dispute on this date: _____

Principal took action within how many school day(s) after receiving notice of dispute: _____

Describe action taken by the principal to resolve the dispute: _____

Was the dispute resolved? Yes No

Provide explanation below (provide additional pages, if needed): _____

If the dispute was not resolved, did the school or liaison provide the parent, guardian, or unaccompanied youth with a written school placement decision that included information on his/her right to appeal this decision to the school district? Yes No

Signature of Principal or Local Homeless Liaison

Date

SAMPLE

School District Name

School District Dispute Resolution Process

Requested School Name: _____

Requested School Address: _____

Student's Name/I.D. #: _____

Student's Grade: K 1st 2nd 3rd 4th 5th 6th
 7th 8th 9th 10th 11th 12th

School District's Actions on the Dispute

The local homeless liaison was notified of the dispute on this date: _____

The school district took action within how many school days after receiving notice of dispute: _____

Was the dispute resolved to the satisfaction of the parent, guardian, or unaccompanied youth? Yes No

Did the local homeless liaison carry out the dispute resolution process? Yes No

If the dispute was resolved, describe the actions taken by the local homeless liaison to resolve the dispute to the satisfaction of the parent/guardian or unaccompanied youth: _____

If the dispute was not resolved to the satisfaction of the parent/guardian or unaccompanied youth, provide the date that the school district representative convened a meeting of the involved parties and briefly describe the outcome of the meeting.

Date meeting convened: _____

Outcome: _____

Please attach to this form the written decision that was given to the homeless child's or youth's parent/guardian or unaccompanied youth. Did the decision include a statement regarding the right to appeal its decision to the Florida Department of Education (FDOE)? Yes No

On what date did the liaison log in the dispute incident in the FDOE Online Dispute Resolution Tracking System at <https://data.fldoe.org/homelessdispute?> _____

On what date did the local homeless liaison provide the FDOE *School Dispute Resolution Appeal Process* form to the parent, guardian, or the unaccompanied youth? _____

On what date, if applicable, did the local homeless liaison notify the FDOE that the parent/guardian or unaccompanied youth filed a state-level appeal? _____

If there is an appeal to the FDOE, on what date did the liaison log in the dispute appeal in the FDOE Online Dispute Resolution Tracking System at <https://data.fldoe.org/homelessdispute?> _____

Signature of Local Homeless Liaison or School District's Designee

Date

Florida Department of Education

Homeless Education Program Web Page
<http://www.fldoe.org/bsa/title1/titlex.asp>

Laws/Guidance: State and Federal

State of Florida Statutes Pertaining to Education of Homeless Children and Youth
<http://www.fldoe.org/bsa/title1/titlexlaw.asp>

Federal Law Pertaining to the Education of Homeless Children and Youth
<http://www.ed.gov/programs/homeless/legislation.html>

McKinney-Vento Act Non-Regulatory Guidance (July 2004)
<http://www.ed.gov/programs/guidance.pdf>

U.S. Department of Education Enrollment Guidelines (Federal Register: March 8, 2002)
(Volume 67, Number 46)
http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2002_register&docid=02-5737-filed

U.S. Department of Education 2006 Report to Congress
<http://www.ed.gov/programs/homeless/rpt2006.doc>

Child Nutrition and Women, Infants, and Children Reauthorization Act
http://www.serve.org/nche/legis_resources.php#nutrition

Runaway and Homeless Youth Act (April 2004)
<http://www.acf.hhs.gov/programs/fysb/content/aboutfysb/RHYComp.pdf>

Family Educational Rights and Privacy Act (FERPA)
http://www.serve.org/nche/legis_resources.php#ferpa

Head Start Act
http://www.serve.org/nche/downloads/hhs_preschool_memo.pdf

Individuals with Disabilities Education Act (IDEA)
http://www.serve.org/nche/legis_resources.php#idea

Child Find (IDEA)
<http://www.childfindidea.org>

National Resources

11-50

National Center for Homeless Education

<http://www.serve.org/nche>

National Association for the Education of Homeless Children and Youth

<http://www.naehcy.org>

National Law Center on Homelessness and Poverty

<http://www.nlchp.org>

State Data Resources

Florida Department of Education, DOE Information Data Base Requirements

Volume I: Automated Student Information System, Automated Student Data Elements

Element Name: Homeless Student, PK-12

http://www.fldoe.org/eias/dataweb/database_0708/st172_1.pdf

Element Name: Homeless Unaccompanied Youth

http://www.fldoe.org/eias/dataweb/database_0708/st173_1.pdf

Coalitions: State

Florida Coalition for the Homeless

<http://www.fchonline.org/>

Florida Housing Coalition, Inc.

<http://www.flhousing.org/>

Other Resources for Florida

National Coalition for the Homeless: State Resources for Florida

<http://www.nationalhomeless.org/resources/local/florida.html>

U.S. Department of Housing and Urban Development: Resources for the Homeless in Florida

<http://www.hud.gov/local/index.cfm?state=fl&topic=homeless>

Publications

McKinney-Vento Data Standards and Indicators - 2006 Revisions

http://www.serve.org/nche/downloads/st_and_ind_2006_rev.doc

The 100 Most Frequently Asked Questions on the Education Rights of Children and Youth in Homeless Situations

<http://www.naehcy.org/dl/faq.pdf>

Education for Homeless Children and Youth Program, Title VII-B of the McKinney-Vento Homeless Assistance Act, as Amended by the No Child Left Behind Act of 2001, Non-regulatory Guidance (July 2004). Washington, DC: United States Department of Education.

The 100 Most Frequently Asked Questions on the Education Rights of Children and Youth in Homeless Situations. (2004). National Association for the Education of Homeless Children and Youth and the National Law Center on Homelessness & Poverty.

PUBLIC LAW

PUBLIC LAW 107-110

The McKinney-Vento Homeless Assistance Act

“SEC. 721. STATEMENT OF POLICY

“The following is the policy of the Congress:

“(1) Each State educational agency shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths.

“(2) In any State that has a compulsory residency requirement as a component of the State's compulsory school attendance laws or other laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youths, the State will review and undertake steps to revise such laws, regulations, practices, or policies to ensure that homeless children and youths are afforded the same free, appropriate public education as provided to other children and youths.

“(3) Homelessness alone is not sufficient reason to separate students from the mainstream school environment.

“(4) Homeless children and youths should have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.

“SEC. 722. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTHS

“(a) GENERAL AUTHORITY- The Secretary is authorized to make grants to States in accordance with the provisions of this section to enable such States to carry out the activities described in subsections (d) through (g).

“(b) APPLICATION- No State may receive a grant under this section unless the State educational agency submits an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

“(c) ALLOCATION AND RESERVATIONS-

“(1) ALLOCATION-

“(A) Subject to subparagraph (B), the Secretary is authorized to allot to each State an amount that bears the same ratio to the amount appropriated for such year under section 726 that remains after the Secretary reserves funds under paragraph (2) and uses funds to carry out section 724(d) and (h), as the amount allocated under section 1122 of the Elementary and Secondary Education Act of 1965 to the State for that year bears to the total amount allocated under section 1122 of such Act to all States for that year, except that no State shall receive less than the greater of--

“(i) \$150,000;

“(ii) one-fourth of 1 percent of the amount appropriated under section 726 for that year;

or

“(iii) the amount such State received under this section for fiscal year 2001.

“(B) If there are insufficient funds in a fiscal year to allot to each State the minimum amount under subparagraph (A), the Secretary shall ratably reduce the allotments to all States based on the proportionate share that each State received under this subsection for the preceding fiscal year.

“(2) RESERVATIONS-

“(A) The Secretary is authorized to reserve 0.1 percent of the amount appropriated for each fiscal year under section 726 to be allocated by the Secretary among the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, according to their respective need for assistance under this subtitle, as determined by the Secretary.

“(B)(i) The Secretary shall transfer 1 percent of the amount appropriated for each fiscal year under section 726 to the department of the Interior for programs for Indian students served by schools funded by the Secretary of the Interior, as determined under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), that are consistent with the purposes of the programs described in this subtitle.

“(ii) The Secretary and the Secretary of the Interior shall enter into an agreement, consistent with the requirements of this subtitle, for the distribution and use of the funds described in clause (i) under terms that the Secretary determines best meet the purposes of the programs described in this subtitle. Such agreement shall set forth the plans of the Secretary of the Interior for the use of the amounts transferred, including appropriate goals, objectives, and milestones.

“(3) STATE DEFINED- For purposes of this subsection, the term ‘State’ does not include the United States Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands.

“(d) ACTIVITIES- Grants under this section shall be used for the following:

“(1) To carry out the policies set forth in section 721 in the State.

“(2) To provide activities for, and services to, homeless children, including preschool-aged homeless children, and youths that enable such children and youths to enroll in, attend, and succeed in school, or, if appropriate, in preschool programs.

“(3) To establish or designate an Office of Coordinator for Education of Homeless Children and Youths in the State educational agency in accordance with subsection (f).

“(4) To prepare and carry out the State plan described in subsection (g).

“(5) To develop and implement professional development programs for school personnel to heighten their awareness of, and capacity to respond to, specific problems in the education of homeless children and youths.

“(e) STATE AND LOCAL SUBGRANTS-

“(1) MINIMUM DISBURSEMENTS BY STATES- From the sums made available each year to carry out this subtitle, the State educational agency shall distribute not less than 75 percent in subgrants to local educational agencies for the purposes of carrying out section 723, except that States funded at the minimum level set forth in subsection (c)(1) shall distribute not less than 50 percent in subgrants to local educational agencies for the purposes of carrying out section 723.

“(2) USE BY STATE EDUCATIONAL AGENCY- A State educational agency may use funds made available for State use under this subtitle to conduct activities under subsection (f) directly or through grants or contracts.

“(3) PROHIBITION ON SEGREGATING HOMELESS STUDENTS-

“(A) IN GENERAL- Except as provided in subparagraph (B) and section 723(a)(2)(B)(ii), in providing a free public education to a homeless child or youth, no State receiving funds under this subtitle shall segregate such child or youth in a separate school, or in a separate program within a school, based on such child's or youth's status as homeless.

“(B) EXCEPTION- Notwithstanding subparagraph (A), paragraphs (1)(J)(i) and (3) of subsection (g), section 723(a)(2), and any other provision of this subtitle relating to the placement of homeless children or youths in schools, a State that has a separate school for homeless children or youths that was operated in fiscal year 2000 in a covered county shall be eligible to receive funds under this subtitle for programs carried out in such school if—

“(i) the school meets the requirements of subparagraph (C);

“(ii) any local educational agency serving a school that the homeless children and youths enrolled in the separate school are eligible to attend meets the requirements of subparagraph (E); and

“(iii) the State is otherwise eligible to receive funds under this subtitle.

“(C) SCHOOL REQUIREMENTS- For the State to be eligible under subparagraph (B) to receive funds under this subtitle, the school described in such subparagraph shall—

“(i) provide written notice, at the time any child or youth seeks enrollment in such school, and at least twice annually while the child or youth is enrolled in such school, to the parent or guardian of the child or youth (or, in the case of an unaccompanied youth, the youth) that—

“(I) shall be signed by the parent or guardian (or, in the case of an unaccompanied youth, the youth);

“(II) sets forth the general rights provided under this subtitle;

“(III) specifically states—

“(aa) the choice of schools homeless children and youths are eligible to attend, as provided in subsection (g)(3)(A);

“(bb) that no homeless child or youth is required to attend a separate school for homeless children or youths;

“(cc) that homeless children and youths shall be provided comparable services described in subsection (g)(4), including transportation services, educational services, and meals through school meals programs; and

“(dd) that homeless children and youths should not be stigmatized by school personnel; and

“(IV) provides contact information for the local liaison for homeless children and youths and the State Coordinator for Education of Homeless Children and Youths;

“(ii)(I) provide assistance to the parent or guardian of each homeless child or youth (or, in the case of an unaccompanied youth, the youth) to exercise the right to attend the parent's or guardian's (or youth's) choice of schools, as provided in subsection (g)(3)(A); and

“(II) coordinate with the local educational agency with jurisdiction for the school selected by the parent or guardian (or youth), to provide transportation and other necessary services;

“(iii) ensure that the parent or guardian (or, in the case of an unaccompanied youth, the youth) shall receive the information required by this subparagraph in a manner and form understandable to such parent or guardian (or youth), including, if necessary and to the extent feasible, in the native language of such parent or guardian (or youth); and

“(iv) demonstrate in the school's application for funds under this subtitle that such school—

“(I) is complying with clauses (i) and (ii); and

“(II) is meeting (as of the date of submission of the application) the same Federal and State standards, regulations, and mandates as other public schools in the State (such as complying with sections 1111 and 1116 of the Elementary and Secondary Education Act of 1965 and providing a full range of education and related services, including services applicable to students with disabilities).

“(D) SCHOOL INELIGIBILITY- A separate school described in subparagraph (B) that fails to meet the standards, regulations, and mandates described in subparagraph (C)(iv)(II) shall not be eligible to receive funds under this subtitle for programs carried out in such school after the first date of such failure.

“(E) LOCAL EDUCATIONAL AGENCY REQUIREMENTS- For the State to be eligible to receive the funds described in subparagraph (B), the local educational agency described in subparagraph (B)(ii) shall—

“(i) implement a coordinated system for ensuring that homeless children and youths—

“(I) are advised of the choice of schools provided in subsection (g)(3)(A);

“(II) are immediately enrolled, in accordance with subsection (g)(3)(C), in the school selected under subsection (g)(3)(A); and

“(III) are promptly provided necessary services described in subsection (g)(4), including transportation, to allow homeless children and youths to exercise their choices of schools under subsection (g)(3)(A);

“(ii) document that written notice has been provided—

“(I) in accordance with subparagraph (C)(i) for each child or youth enrolled in a separate school under subparagraph (B); and

“(II) in accordance with subsection (g)(6)(A)(v);

“(iii) prohibit schools within the agency's jurisdiction from referring homeless children or youths to, or requiring homeless children and youths to enroll in or attend, a separate school described in subparagraph (B);

“(iv) identify and remove any barriers that exist in schools within the agency's jurisdiction that may have contributed to the creation or existence of separate schools described in subparagraph (B); and

“(v) not use funds received under this subtitle to establish—

“(I) new or additional separate schools for homeless children or youths; or

“(II) new or additional sites for separate schools for homeless children or youths, other than the sites occupied by the schools described in subparagraph (B) in fiscal year 2000.

“(F) REPORT-

“(i) PREPARATION- The Secretary shall prepare a report on the separate schools and local educational agencies described in subparagraph (B) that receive funds under this subtitle in accordance with this paragraph. The report shall contain, at a minimum, information on—

“(I) compliance with all requirements of this paragraph;

“(II) barriers to school access in the school districts served by the local educational agencies; and

“(III) the progress the separate schools are making in integrating homeless children and youths into the mainstream school environment, including the average length of student enrollment in such schools.

“(ii) COMPLIANCE WITH INFORMATION REQUESTS- For purposes of enabling the Secretary to prepare the report, the separate schools and local educational agencies shall cooperate with the Secretary and the State Coordinator for Education of Homeless Children and Youths established in the State under subsection (d)(3), and shall comply with any requests for information by the Secretary and State Coordinator for such State.

“(iii) SUBMISSION- Not later than 2 years after the date of enactment of the McKinney-Vento Homeless Education

Assistance Improvements Act of 2001, the Secretary shall submit the report described in clause (i) to—

“(I) the President;

“(II) the Committee on Education and the Workforce of the House of Representatives; and

“(III) the Committee on Health, Education, Labor, and Pensions of the Senate.

“(G) DEFINITION- For purposes of this paragraph, the term ‘covered county’ means--

“(i) San Joaquin County, California;

“(ii) Orange County, California;

“(iii) San Diego County, California; and

“(iv) Maricopa County, Arizona.

“(f) FUNCTIONS OF THE OFFICE OF COORDINATOR- The Coordinator for Education of Homeless Children and youths established in each State shall—

“(1) gather reliable, valid, and comprehensive information on the nature and extent of the problems homeless children and youths have in gaining access to public preschool programs and to public elementary schools and secondary schools, the difficulties in identifying the special needs of such children and youths, any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties, and the success of the programs under this subtitle in allowing homeless children and youths to enroll in, attend, and succeed in, school;

“(2) develop and carry out the State plan described in subsection (g);

“(3) collect and transmit to the Secretary, at such time and in such manner as the Secretary may require, a report containing such information as the Secretary determines is necessary to assess the educational needs of homeless children and youths within the State;

“(4) facilitate coordination between the State educational agency, the State social services agency, and other agencies (including agencies providing mental health services) to provide services to homeless children, including preschool-aged homeless children, and youths, and to families of such children and youths;

“(5) in order to improve the provision of comprehensive education and related services to homeless children and youths and their families, coordinate and collaborate with—

- “(A) educators, including child development and preschool program personnel;
- “(B) providers of services to homeless and runaway children and youths and homeless families (including domestic violence agencies, shelter operators, transitional housing facilities, runaway and homeless youth centers, and transitional living programs for homeless youths);
- “(C) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; and
- “(D) community organizations and groups representing homeless children and youths and their families; and

“(6) provide technical assistance to local educational agencies in coordination with local educational agency liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of section 722(e)(3) and paragraphs (3) through (7) of subsection (g).

“(g) STATE PLAN-

“(1) IN GENERAL- Each State shall submit to the Secretary a plan to provide for the education of homeless children and youths within the State. Such plan shall include the following:

“(A) A description of how such children and youths are (or will be) given the opportunity to meet the same challenging State academic achievement standards all students are expected to meet.

“(B) A description of the procedures the State educational agency will use to identify such children and youths in the State and to assess their special needs.

“(C) A description of procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths.

“(D) A description of programs for school personnel (including principals, attendance officers, teachers, enrollment personnel, and pupil services personnel) to heighten the awareness of such personnel of the specific needs of runaway and homeless youths.

“(E) A description of procedures that ensure that homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local food programs.

“(F) A description of procedures that ensure that—

“(i) homeless children have equal access to the same public preschool programs, administered by the State agency, as provided to other children in the State;

“(ii) homeless youths and youths separated from the public schools are identified and accorded equal access to appropriate secondary education and support services; and

“(iii) homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local before- and after-school care programs.

“(G) Strategies to address problems identified in the report provided to the Secretary under subsection (f)(3).

“(H) Strategies to address other problems with respect to the education of homeless children and youths, including problems resulting from enrollment delays that are caused by--

“(i) immunization and medical records requirements;

“(ii) residency requirements;

“(iii) lack of birth certificates, school records, or other documentation;

“(iv) guardianship issues; or

“(v) uniform or dress code requirements.

“(I) A demonstration that the State educational agency and local educational agencies in the State have developed, and shall review and revise, policies to remove barriers to the enrollment and retention of homeless children and youths in schools in the State.

“(J) Assurances that—

“(i) the State educational agency and local educational agencies in the State will adopt policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless;

“(ii) local educational agencies will designate an appropriate staff person, who may also be a coordinator for other Federal programs, as a local educational agency liaison for homeless children and youths, to carry out the duties described in paragraph (6)(A); and

“(iii) the State and its local educational agencies will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the

case of an unaccompanied youth, the liaison), to and from the school of origin, as determined in paragraph (3)(A), in accordance with the following, as applicable:

“(I) If the homeless child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.

“(II) If the homeless child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the homeless child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

“(2) COMPLIANCE-

“(A) IN GENERAL- Each plan adopted under this subsection shall also describe how the State will ensure that local educational agencies in the State will comply with the requirements of paragraphs (3) through (7).

“(B) COORDINATION- Such plan shall indicate what technical assistance the State will furnish to local educational agencies and how compliance efforts will be coordinated with the local educational agency liaisons designated under paragraph (1)(J)(ii).

“(3) LOCAL EDUCATIONAL AGENCY REQUIREMENTS-

“(A) IN GENERAL- The local educational agency serving each child or youth to be assisted under this subtitle shall, according to the child's or youth's best interest--

“(i) continue the child's or youth's education in the school of origin for the duration of homelessness—

“(I) in any case in which a family becomes homeless between academic years or during an academic year; or

“(II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or

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

“(B) BEST INTEREST- In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

“(i) to the extent feasible, keep a homeless child or youth in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian;

“(ii) provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), to the homeless child's or youth's parent or guardian, if the local educational agency sends such child or youth to a school other than the school of origin or a school requested by the parent or guardian; and

“(iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E).

“(C) ENROLLMENT- (i) The school selected in accordance with this paragraph shall immediately 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.

“(ii) The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.

“(iii) If the child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining

necessary immunizations, or immunization or medical records, in accordance with subparagraph (D).

“(D) RECORDS- Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained—

“(i) so that the records are available, in a timely fashion, when a child or youth enters a new school or school district; and

“(ii) in a manner consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

“(E) ENROLLMENT DISPUTES- If a dispute arises over school selection or enrollment in a school—

“(i) the child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;

“(ii) the parent or guardian of the child or youth shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision;

“(iii) the child, youth, parent, or guardian shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(C) as expeditiously as possible after receiving notice of the dispute; and

“(iv) in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

“(F) PLACEMENT CHOICE- The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

“(G) SCHOOL OF ORIGIN DEFINED- In this paragraph, the term ‘school of origin’ means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

“(H) CONTACT INFORMATION- Nothing in this subtitle shall prohibit a local educational agency from requiring a parent or guardian of a homeless child to submit contact information.

“(4) COMPARABLE SERVICES- Each homeless child or youth to be assisted under this subtitle shall be provided services comparable to services offered to other students in the school selected under paragraph (3), including the following:

“(A) Transportation services.

“(B) Educational services for which the child or youth meets the eligibility criteria, such as services provided under title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency.

“(C) Programs in vocational and technical education.

“(D) Programs for gifted and talented students.

“(E) School nutrition programs.

“(5) COORDINATION-

“(A) IN GENERAL- Each local educational agency serving homeless children and youths that receives assistance under this subtitle shall coordinate--

“(i) the provision of services under this subtitle with local social services agencies and other agencies or programs providing services to homeless children and youths and their families, including services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); and

“(ii) with other local educational agencies on interdistrict issues, such as transportation or transfer of school records.

“(B) HOUSING ASSISTANCE- If applicable, each State educational agency and local educational agency that receives assistance under this subtitle shall coordinate with State and local housing agencies responsible for developing the comprehensive housing affordability strategy described in section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705) to minimize educational disruption for children and youths who become homeless.

“(C) COORDINATION PURPOSE- The coordination required under subparagraphs (A) and (B) shall be designed to—

“(i) ensure that homeless children and youths have access and reasonable proximity to available education and related support services; and

“(ii) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

“(6) LOCAL EDUCATIONAL AGENCY LIAISON-

“(A) DUTIES- Each local educational agency liaison for homeless children and youths, designated under paragraph (1)(J)(ii), shall ensure that--

“(i) homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;

“(ii) homeless children and youths enroll in, and have a full and equal opportunity to succeed in, schools of that local educational agency;

“(iii) homeless families, children, and youths receive educational services for which such families, children, and youths are eligible, including Head Start and Even Start programs and preschool programs administered by the local educational agency, and referrals to health care services, dental services, mental health services, and other appropriate services;

“(iv) the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

“(v) public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens;

“(vi) enrollment disputes are mediated in accordance with paragraph (3)(E); and

“(vii) the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, as described in paragraph (1)(J)(iii), and is assisted in accessing transportation to the school that is selected under paragraph (3)(A).

“(B) NOTICE- State coordinators established under subsection (d)(3) and local educational agencies shall inform school personnel, service providers, and advocates working with homeless families of the duties of the local educational agency liaisons.

“(C) LOCAL AND STATE COORDINATION- Local educational agency liaisons for homeless children and youths shall, as a part of their duties, coordinate and collaborate with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.

“(7) REVIEW AND REVISIONS-

“(A) IN GENERAL- Each State educational agency and local educational agency that receives assistance under this subtitle shall review and revise any policies that may act as barriers to the enrollment of homeless children and youths in schools that are selected under paragraph (3).

“(B) CONSIDERATION- In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship.

“(C) SPECIAL ATTENTION- Special attention shall be given to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.

“SEC. 723. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTHS

“(a) GENERAL AUTHORITY-

“(1) IN GENERAL- The State educational agency shall, in accordance with section 722(e), and from amounts made available to such agency under section 726, make subgrants to local educational agencies for the purpose of facilitating the enrollment, attendance, and success in school of homeless children and youths.

“(2) SERVICES-

“(A) IN GENERAL- Services under paragraph (1)—

“(i) may be provided through programs on school grounds or at other facilities;

“(ii) shall, to the maximum extent practicable, be provided through existing programs and mechanisms that integrate homeless children and youths with nonhomeless children and youths; and

“(iii) shall be designed to expand or improve services provided as part of a school's regular academic program, but not to replace such services provided under such program.

“(B) SERVICES ON SCHOOL GROUNDS- If services under paragraph (1) are provided on school grounds, schools—

“(i) may use funds under this subtitle to provide the same services to other children and youths who are determined by the local educational agency to be at risk of failing in, or dropping out of, school, subject to the requirements of clause “(ii); and

“(ii) except as otherwise provided in section 722(e)(3)(B), shall not provide services in settings within a school that segregate homeless children and youths from other children and youths, except as necessary for short periods of time--

“(I) for health and safety emergencies; or

“(II) to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youths.

“(3) REQUIREMENT- Services provided under this section shall not replace the regular academic program and shall be designed to expand upon or improve services provided as part of the school's regular academic program.

“(b) APPLICATION- A local educational agency that desires to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing or accompanied by such information as the State educational agency may reasonably require. Such application shall include the following:

“(1) An assessment of the educational and related needs of homeless children and youths in the area served by such agency (which may be undertaken as part of needs assessments for other disadvantaged groups).

“(2) A description of the services and programs for which assistance is sought to address the needs identified in paragraph (1).

“(3) An assurance that the local educational agency's combined fiscal effort per student, or the aggregate expenditures of that agency and the State with respect to the provision of free public education by such agency for the fiscal year preceding the fiscal year for which the determination is made, was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made.

“(4) An assurance that the applicant complies with, or will use requested funds to comply with, paragraphs (3) through (7) of section 722(g).

“(5) A description of policies and procedures, consistent with section 722(e)(3), that the agency will implement to ensure that activities carried out by the agency will not isolate or stigmatize homeless children and youths.

“(c) AWARDS-

“(1) IN GENERAL- The State educational agency shall, in accordance with the requirements of this subtitle and from amounts made available to it under section 726, make competitive subgrants to local educational agencies that submit applications under subsection (b). Such subgrants shall be awarded on the basis of the need of such agencies for assistance under this subtitle and the quality of the applications submitted.

“(2) NEED- In determining need under paragraph (1), the State educational agency may consider the number of homeless children and youths enrolled in preschool, elementary, and secondary schools within the area served by the local educational agency, and shall consider the needs of such children and youths and the ability of the local educational agency to meet such needs. The State educational agency may also consider the following:

“(A) The extent to which the proposed use of funds will facilitate the enrollment, retention, and educational success of homeless children and youths.

“(B) The extent to which the application--

“(i) reflects coordination with other local and State agencies that serve homeless children and youths; and

“(ii) describes how the applicant will meet the requirements of section 722(g)(3).

“(C) The extent to which the applicant exhibits in the application and in current practice a commitment to education for all homeless children and youths.

“(D) Such other criteria as the State agency determines appropriate.

“(3) QUALITY- In determining the quality of applications under paragraph (1), the State educational agency shall consider the following:

“(A) The applicant's needs assessment under subsection (b)(1) and the likelihood that the program presented in the application will meet such needs.

“(B) The types, intensity, and coordination of the services to be provided under the program.

“(C) The involvement of parents or guardians of homeless children or youths in the education of their children.

“(D) The extent to which homeless children and youths will be integrated within the regular education program.

“(E) The quality of the applicant's evaluation plan for the program.

“(F) The extent to which services provided under this subtitle will be coordinated with other services available to homeless children and youths and their families.

“(G) Such other measures as the State educational agency considers indicative of a high-quality program, such as the extent to which the local educational agency will provide case management or related services to unaccompanied youths.

“(4) DURATION OF GRANTS- Grants awarded under this section shall be for terms not to exceed 3 years.

“(d) AUTHORIZED ACTIVITIES- A local educational agency may use funds awarded under this section for activities that carry out the purpose of this subtitle, including the following:

“(1) The provision of tutoring, supplemental instruction, and enriched educational services that are linked to the achievement of the same challenging State academic content standards and challenging State student academic achievement standards the State establishes for other children and youths.

“(2) The provision of expedited evaluations of the strengths and needs of homeless children and youths, including needs and eligibility for programs and services (such as educational programs for gifted and talented students, children with disabilities, and students with limited English proficiency, services provided under title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, programs in vocational and technical education, and school nutrition programs).

“(3) Professional development and other activities for educators and pupil services personnel that are designed to heighten the understanding and sensitivity of such personnel to the needs of homeless children and youths, the rights of such children and youths under this subtitle, and the specific educational needs of runaway and homeless youths.

“(4) The provision of referral services to homeless children and youths for medical, dental, mental, and other health services.

“(5) The provision of assistance to defray the excess cost of transportation for students under section 722(g)(4)(A), not otherwise provided through Federal, State, or local funding, where necessary to enable students to attend the school selected under section 722(g)(3).

“(6) The provision of developmentally appropriate early childhood education programs, not otherwise provided through Federal, State, or local funding, for preschool-aged homeless children.

“(7) The provision of services and assistance to attract, engage, and retain homeless children and youths, and unaccompanied youths, in public school programs and services provided to nonhomeless children and youths.

“(8) The provision for homeless children and youths of before- and after-school, mentoring, and summer programs in which a teacher or other qualified individual provides tutoring, homework assistance, and supervision of educational activities.

“(9) If necessary, the payment of fees and other costs associated with tracking, obtaining, and transferring records necessary to enroll homeless children and youths in school, including birth certificates, immunization or medical records, academic records, guardianship records, and evaluations for special programs or services.

“(10) The provision of education and training to the parents of homeless children and youths about the rights of, and resources available to, such children and youths.

“(11) The development of coordination between schools and agencies providing services to homeless children and youths, as described in section 722(g)(5).

“(12) The provision of pupil services (including violence prevention counseling) and referrals for such services.

“(13) Activities to address the particular needs of homeless children and youths that may arise from domestic violence.

“(14) The adaptation of space and purchase of supplies for any nonschool facilities made available under subsection (a)(2) to provide services under this subsection.

“(15) The provision of school supplies, including those supplies to be distributed at shelters or temporary housing facilities, or other appropriate locations.

“(16) The provision of other extraordinary or emergency assistance needed to enable homeless children and youths to attend school.

“SEC. 724. SECRETARIAL RESPONSIBILITIES

“(a) REVIEW OF STATE PLANS- In reviewing the State plan submitted by a State educational agency under section 722(g), the Secretary shall use a peer review process and shall evaluate whether State laws, policies, and practices described in such plan adequately address the problems of homeless children and youths relating to access to education and placement as described in such plan.

“(b) TECHNICAL ASSISTANCE- The Secretary shall provide support and technical assistance to a State educational agency to assist such agency in carrying out its responsibilities under this subtitle, if requested by the State educational agency.

“(c) NOTICE- The Secretary shall, before the next school year that begins after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, create and disseminate nationwide a public notice of the educational rights of homeless children and youths and disseminate such notice to other Federal agencies, programs, and grantees, including Head Start grantees, Health Care for the Homeless grantees, Emergency Food and Shelter grantees, and homeless assistance programs administered by the Department of Housing and Urban Development.

“(d) EVALUATION AND DISSEMINATION- The Secretary shall conduct evaluation and dissemination activities of programs designed to meet the educational needs of homeless elementary and secondary school students, and may use funds appropriated under section 726 to conduct such activities.

“(e) SUBMISSION AND DISTRIBUTION- The Secretary shall require applications for grants under this subtitle to be submitted to the Secretary not later than the expiration of the 60-day period beginning on the date that funds are available for purposes of making such grants and shall make such grants not later than the expiration of the 120-day period beginning on such date.

“(f) DETERMINATION BY SECRETARY- The Secretary, based on the information received from the States and information gathered by the Secretary under subsection (h), shall determine the extent to which State educational agencies are ensuring that each homeless child and homeless youth has access to a free appropriate public education, as described in section 721(1).

“(g) GUIDELINES- The Secretary shall develop, issue, and publish in the Federal Register, not later than 60 days after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, school enrollment guidelines for States with respect to homeless children and youths. The guidelines shall describe—

“(1) successful ways in which a State may assist local educational agencies to immediately enroll homeless children and youths in school; and

“(2) how a State can review the State's requirements regarding immunization and medical or school records and make such revisions to the requirements as are appropriate and necessary in order to enroll homeless children and youths in school immediately.

“(h) INFORMATION-

“(1) IN GENERAL- From funds appropriated under section 726, the Secretary shall, directly or through grants, contracts, or cooperative agreements, periodically collect and disseminate data and information regarding—

“(A) the number and location of homeless children and youths;

“(B) the education and related services such children and youths receive;

“(C) the extent to which the needs of homeless children and youths are being met; and

“(D) such other data and information as the Secretary determines to be necessary and relevant to carry out this subtitle.

“(2) COORDINATION- The Secretary shall coordinate such collection and dissemination with other agencies and entities that receive assistance and administer programs under this subtitle.

“(i) REPORT- Not later than 4 years after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, the Secretary shall prepare and submit to the President and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the status of education of homeless children and youths, which shall include information on—

“(1) the education of homeless children and youths; and

“(2) the actions of the Secretary and the effectiveness of the programs supported under this subtitle.

“SEC. 725. DEFINITIONS

“For purposes of this subtitle:

“(1) The terms ‘enroll’ and ‘enrollment’ include attending classes and participating fully in school activities.

“(2) The term ‘homeless children and youths’—

“(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and

“(B) includes—

“(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

“(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C));

“(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

“(iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

“(3) The terms ‘local educational agency’ and ‘State educational agency’ have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965.

“(4) The term ‘Secretary’ means the Secretary of Education.

“(5) The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(6) The term ‘unaccompanied youth’ includes a youth not in the physical custody of a parent or guardian.

“SEC. 726. AUTHORIZATION OF APPROPRIATIONS

“For the purpose of carrying out this subtitle, there are authorized to be appropriated \$70,000,000 for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2007.’

FUNDING PRESCHOOL OR EARLY CHILDHOOD PROGRAMS

Timeline: N/A

FDOE Contact: Audrey Obinyan, (850) 245-0690

Overview

Many Florida districts use the flexibility of Title I to fund preschool programs. Under Title I, preschool programs must:

- Be educational; and
- Serve only eligible children.

Since in Florida, public education begins with Kindergarten, preschool programs are those that serve children too young for Kindergarten.

Eligibility

Some children are *automatically* eligible for Title I preschool services because of participation in other programs or their status.

- **Program participation:** Automatically eligible children are those who, within the last two years, participated in:
 - a Head Start program;
 - an Even Start program;
 - an Early Reading First program; or
 - a Title I preschool program.
- **Status:** Automatically eligible children are those who are:
 - Homeless; or
 - In institutions for neglected or delinquent children.

For all other children, the definition of an eligible child depends on where the program operates.

In a program operated at a **Title I schoolwide program school**, all children in that school's attendance area are eligible.

In a program operated at a **Title I Targeted Assistance school**, to be eligible, children must be failing, or most at risk of failing to meet Florida's challenging student academic achievement standards as determined by criteria that are:

- Multiple;
- educationally related; and
- objective.

These criteria are established by the LEA and supplemented by the school. They can include:

- Teacher judgment;
- Interviews with parents; and
- Developmentally appropriate measures of child development.

Reserving Funds

An LEA may reserve an amount from the LEA's total allocation to fund Title I preschool programs. These funds are reserved "off-the-top" and are not subject to private school set-aside requirements. Private school children are not entitled to equitable preschool services.

These funds should not be included in the annual application as "district-wide" set-asides. The LEA may distribute those funds to specific programs.

Additionally, schools may use their Title I funds to operate preschool programs.

Highly Qualified Requirements

Requirements vary by the type of program. In schoolwide programs, all instructional paraprofessionals must meet the highly qualified requirements. In Targeted Assistance schools, only those preschool paraprofessionals funded with Title I funds must meet the highly qualified requirements.

All teachers must meet the highly qualified requirements.

Parent Involvement Requirements

The same requirements that apply to schools (see Section Ten) also apply to Title I preschool programs. The only exception is the requirement concerning the discussion of the school-parent compact at parent-teacher conferences. All parent involvement policies apply.

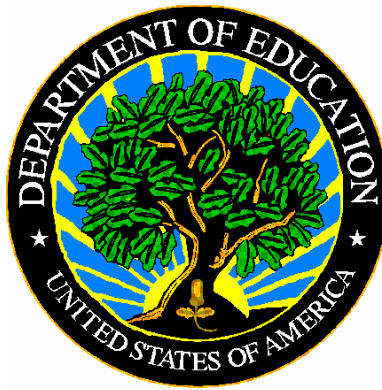
Coordination Requirements

NCLB requires Title I preschool programs to coordinate and integrate services under Title I with other educational services including Head Start, Even Start, Early Reading First, and other preschool programs. The statute also requires LEAs to coordinate and integrate Title I services with those provided for migratory children.

March 4, 2004

Serving Preschool Children Under Title I

Non-Regulatory Guidance



March 4, 2004

Introduction

“The years between birth and age five are the foundation upon which successful lives are built.”

-Laura Bush

President George W. Bush and First Lady Laura Bush believe that all children must begin school with an equal chance to achieve so that no child is left behind. Recognizing the importance of preparing children to enter school with the language, cognitive, and early reading skills that will help them meet challenging State academic achievement standards in elementary school and beyond, President Bush unveiled his early childhood education initiative: *Good Start, Grow Smart*. This initiative is intended to help States and local communities strengthen early learning for young children. Title I, Part A (hereinafter referred to as only Title I)- supported preschool education is an important part of this initiative.

Since the enactment of the Elementary and Secondary Education Act (ESEA) in 1965, preschool services to eligible children have been an allowable use of Title I funds. Performance reports from State educational agencies (SEAs) for school year 2001-02 indicate that approximately two percent of children benefiting from Title I services are in preschool. This percentage may seem small, but it represents more than 300,000 children, and we anticipate that the number will grow as schools and local educational agencies (LEAs) recognize the importance of a high-quality early childhood education.

Providing high-quality early childhood experiences can help ensure that children in Title I schools and programs have the foundation to meet academic standards and experience success throughout elementary and secondary school. Several studies demonstrate the powerful effects of high-quality early childhood programs on children’s later academic success. A longitudinal study of over 800 children (Cost, Quality, and Outcomes, 1999) found that children in high-quality early childhood programs displayed better language and mathematics skills, acquired more cognitive and social skills, and engaged in better relationships with classmates than did children who attended low-quality preschool programs. An evaluation of the Chicago Child-Parent Centers found that children who participated in their Title I preschool programs were less likely to repeat a grade and be referred for special education compared to children in the control group who were from similar socioeconomic backgrounds (Reynolds, 2000).

Educators, especially those in schools that predominantly serve students with economic need or with limited English proficiency, often find that a significant percentage of scarce resources are spent helping students with skill deficiencies in reading relative to their grade level. If a Title I preschool is of high-quality, it may prevent the need for remediation by addressing children’s educational needs early. Ensuring that kindergartners arrive at school with the language, cognitive and early reading foundation needed to begin formal reading instruction has a positive impact on future performance, thereby reducing the need for remediation later.

Purpose of the Guidance

This guidance provides the rationale for using Title I dollars for preschool services, identifies the components of a quality preschool program, and addresses many of the administrative issues that often arise when implementing a Title I preschool program. In addition, the reader will find examples that illustrate what instruction and learning look like in a high-quality Title I preschool program that ensures that children enter kindergarten with the necessary skills for later school success. Although support services, including the provision of nutritious meals are very important, especially in programs serving disadvantaged children, this issue is not discussed in this guidance. Guidance in this document is not intended for use by programs serving kindergarten-age children. This guidance is primarily geared toward programs serving children between three to five years of age, although serving younger children is an allowable use of funds.

Guidance in this document replaces all previous non-regulatory Title I guidance on serving preschool children. The guidance reflects changes in program implementation as a result of amendments made by the No Child Left Behind (NCLB) Act, and also addresses questions raised by SEAs, LEAs, and other officials regarding this law that so profoundly affects American public education. Recipients of Title I funds may refer to this guidance when administering or operating projects supported by Title I funds.

This Serving Preschool Children Under Title I, Part A Guidance is written to assist SEAs, LEAs and schools in understanding and implementing preschool programs supported with Title I funding. While SEAs may consider this guidance in the development of their own guidelines and standards, they are free to identify alternative approaches that are consistent with applicable Federal statutes and regulations.

Table of Contents

A. General Information..... 1

A-1. What does “preschool program” mean for the purposes of Title I? 1

A-2. Who is considered a preschool-age child?..... 1

A-3. What is the purpose of a Title I preschool program?..... 1

A-4. What are the benefits of a high-quality preschool experience? 2

B. Components of High-Quality Preschool Programs 2

B-1. What are the characteristics of a high-quality preschool program?..... 2

B-2. What types of activities occur throughout the day in a high-quality preschool? 4

B-3. Don’t young children naturally develop the skills they need for school success?.. 4

B-4. What does the instruction *look like* throughout the day’s activities in a high-quality preschool? 4

B-5. Does ED encourage the formal teaching of reading in Title I preschools? 9

B-6. What general strategies do high-quality preschools use in selecting, developing, or supplementing a curriculum?..... 10

B-7. What does the classroom environment look like in a high-quality preschool? 10

B-8. How can preschool teachers effectively monitor children’s progress to ensure that children enter school ready for success?..... 11

B-9. What type of professional development enables teachers to provide a high-quality early childhood education program?..... 11

B-10. How do high-quality preschool programs engage parents?..... 12

B-11. How can preschools effectively transition children from preschool to kindergarten?..... 13

B-12. How can gains made in preschool be sustained in subsequent years?..... 14

C. State Administration..... 14

C-1. What type of oversight responsibility do SEAs have for Title I preschools?..... 14

C-2. How can SEAs support Title I preschools? 14

C-3. What type of technical assistance can SEAs provide to LEAs in order to ensure high-quality Title I preschools? 15

C-4. What achievement standards apply to preschool programs receiving Title I funds? 15

C-5. What requirements must a Title I preschool program meet if it uses an Even Start model?..... 16

D. LEA and School-Level Administration of Preschools..... 16

D-1. How may preschool programs be funded under Title I?..... 16

D-2. How may district-operated Title I preschool programs be funded? 16

D-3. Where may Title I preschool services be provided?..... 17

D-4. If appropriate facilities are not available to house a preschool program in the district or a school, how might preschool services be provided? 17

D-5. What children are eligible for participation in a Title I-supported preschool program in a school operating a schoolwide program? 17

D-6. What children are eligible for participation in a Title I-supported preschool program in a Title I targeted assistance school? 17

D-7. May an LEA or school use Title I funds to identify eligible preschool children? 18

D-8. Must a schoolwide program include plans to assist preschool children in the transition from preschool to local elementary school? 18

D-9. What responsibility do targeted assistance programs have with respect to assisting preschool children in the transition from preschool to local elementary school?. 18

D-10. May an LEA or school use Title I School Improvement funds for a preschool program? 18

D-11. Are LEAs or schools required by Title I to test preschool children?..... 19

E. Qualifications of Teachers and Paraprofessionals in Title I Preschool Programs..... 19

E-1. What are the required qualifications for teachers working in Title I preschools? 19

E-2. What are the required qualifications for paraprofessionals working in Title I preschool programs? 20

E-3. Who qualifies as a paraprofessional in a Title I preschool program?..... 20

E-4. Do the requirements apply to paraprofessionals working in preschool programs jointly funded by Head Start and Title I?..... 21

E-5. What are the requirements for the supervision of paraprofessionals working in a Title I preschool program?..... 21

E-6. May Title I funds be used to provide professional development for preschool teachers and paraprofessionals not paid with Title I funds? 21

F. Parental Involvement..... 22

F-1. Why is parental involvement important in preschool programs? 22

F-2. Do the parental involvement provisions in section 1118 of Title I apply to preschool programs? 22

F-3. Do the LEA and school’s written parental involvement policies apply to parents of children in Title I preschool programs?..... 23

F-4. What is the relationship between Title I parental involvement policies and those in other programs? 23

F-5. How can Title I preschools build capacity for significant parental involvement? 23

F-6. May schools include parents of children in Title I preschool programs in professional development activities? 24

G. Coordination with Other Federal Programs..... 24

G-1. How must Title I preschool programs coordinate with other preschool programs providing educational services? 24

G-2. How may a school or LEA coordinate the use of Title I funds with Even Start Title I, Part B funds?..... 24

G-3. How may a school or LEA use Title I funds to complement or extend Head Start programs?..... 25

G-4. Are children with disabilities eligible to participate in Title I preschool programs? 25

G-5. Are migrant children eligible to participate in Title I preschool programs?..... 26

G-6. Are Title I preschool programs required to coordinate with Migrant Education Program (MEP) services? 26

G-7. What is the relationship between Early Reading First and Title I preschool? 26

H. Fiscal and Legal Requirements..... 26

H-1. May Title I funds be used to pay the cost of renting or leasing privately owned facilities for preschool instructional purposes or for office space? 26

H-2. May Title I funds be used for minor remodeling to accommodate a preschool program? 27

H-3. May a portion of Title I funds be used to provide preschool participants with comprehensive services?..... 27

H-4. Must Title I preschools meet the supplement-not-supplant requirement? 27

H-5. Are children in private preschools eligible for equitable Title I services? 27

H-6. What portions of the Education Department General Administrative Regulations (EDGAR) apply to Title I preschools? 27

Appendix A: Resources on High-Quality Early Childhood Education 28

A. General Information

A-1. What does “preschool program” mean for the purposes of Title I?

For the purpose of Title I, a preschool program is a program of educational services for eligible children below the age at which the LEA provides elementary education and is focused on raising the academic achievement of children once they reach school age. [Section 1115(b)(1)(A)(ii), ESEA.] [See D-5 through D-7 for further information on eligible children.] In some States, elementary education begins at first grade; in others it begins at kindergarten or before.

A-2. Who is considered a preschool-age child?

A preschool-age child is one who is below the grade level and age at which the LEA provides elementary education. [34 CFR Section 77.1(c).] For the purposes of Title I, children from birth to the age that the LEA provides a free public elementary education may receive preschool services. [Section 1115(b)(1)(A)(ii), ESEA.]

A-3. What is the purpose of a Title I preschool program?

Title I preschool programs provide young children with the early learning experiences that will enable them to meet academic standards throughout elementary and secondary school. Research has consistently shown that children in poverty lag behind their more affluent counterparts in academic achievement. The 1998 report, *School Poverty and Academic Performance: NAEP Achievement in High-Poverty Schools -- A Special Evaluation Report for the National Assessment of Title I*, reported that the average math score for a nine year old enrolled in a high-poverty school was more than two grade levels behind those of an average nine year old enrolled in low-poverty schools. More critically, reading scores showed an astounding three-to-four year gap in achievement between the same groups. Gaps in academic achievement between poor and disadvantaged elementary school children and their more well-to-do counterparts can often be traced back to their earliest encounters with formal instruction. Many simply start out so far behind that they never catch up with the expectations of the school (Entwisle, Alexander, & Olson, 2000). One of the purposes of Title I is to narrow and eventually eliminate this gap.

Preschool can play a major role in this effort. Research has found that intensive, high-quality preschool programs can close much of the early achievement gap for lower-income children (Barnett, 1998). Title I recognizes the value of early intervention through proven approaches. Section 1112(c)(1)(F) of the ESEA requires LEAs, when developing their

plans, to provide an assurance that they will take into account the experience of model programs for the educationally disadvantaged, and the findings of relevant scientifically-based research indicating that services may be most effective if focused on students in the earliest grades at Title I schools. Supporting children's growth, development, and learning in the early years, particularly for children who face significant challenges to successful learning, is an important strategy for preventing school failure and preparing children to demonstrate reading proficiency by the end of third grade.

A-4. What are the benefits of a high-quality preschool experience?

All children can benefit from high-quality early education programs, but the benefits are especially strong for children from low-income families. Research over the last 20 years has provided convincing evidence that children who have attended high-quality pre-kindergarten programs (Reynolds, 2000) —

- perform better in reading and math throughout the elementary grades;
- are less likely to be held back a grade;
- are less likely to require special education;
- are less likely to present discipline problems; and
- are more likely to be enthusiastic about school and have good school attendance.

B. Components of High-Quality Preschool Programs

B-1. What are the characteristics of a high-quality preschool program?

High-quality early learning programs may look different depending on the communities and families they serve. While there is no precise “cookie-cutter” model, and parents should have a role in deciding what their child's early education program looks like, there are some things that all high-quality programs will include if they are to prepare young children for later academic success.

In school, just like at home, young children need safe, nurturing, and stimulating environments as well as the supervision and guidance of caring, competent adults. In a high-quality early education program, teachers maintain a safe, healthy environment and carefully supervise the children. Teachers plan a balanced schedule in which the children don't feel rushed or fatigued. They also provide nutritious meals and snacks. Yet, while these things are necessary, high-quality preschool programs that will give children the prerequisite skills for school success need to provide more.

In the pre-kindergarten years, research describes three key components of a high quality program for reading and academic success. These include a strong foundation in: (1) language development; (2) early literacy (phonological awareness, letter knowledge, written expression, book and print awareness, motivation to read); and early math (number and operations) (Lyon, 2003). There are several other characteristics consistent among high-quality educational programs that have demonstrated significant positive outcomes on measures of children's academic and social-emotional development. These are—

- The program contains a clear statement of goals and philosophy that is comprehensive and addresses all areas of child development, including how the program will develop children's cognitive, language, and early reading skills, the cornerstones of later school success.
- Children are engaged in purposeful learning activities and play, and are taught by teachers who work from lesson and activity plans.
- Instruction is guided by a coherent curriculum that includes meaningful content (such as science) and has a strong and systematic focus on cognitive skills, including the language, early reading, writing skills and math skills children need to develop before they enter kindergarten.
- Instruction is always intentional, and frequently is direct and explicit. There is a balance between individual, small-group, and large-group activities.
- The classroom environment is one where children feel well cared for and safe. It also stimulates children's cognitive growth and provides multiple and varied opportunities for language and literacy experiences.
- Teachers frequently check children's progress. Ongoing assessment allows teachers to tailor their instruction to the needs of individual children as well as identify children who may need special help.
- The preschool staff regularly communicate with parents and caregivers so that caregivers are active participants in their children's education. [See Section F]
- Services are sufficiently intensive to allow more time for children to benefit from cognitive experiences. Preschools that operate for a full day, on a year-round basis, or have provided children with two years of preschool, show better results than those that offer less intense services (Reynolds, 2000).

B-2. What types of activities occur throughout the day in a high-quality preschool?

The schedule of a high-quality preschool classroom is often broken into blocks of time for different types of learning and instruction. Good teachers know when to teach directly, when to provide time for exploration and discovery, when to provide opportunities for children to practice skills, and when to encourage creativity. However, teachers should use the entire time during the preschool day in meaningful ways, regardless of whether the teacher is engaging in direct instruction. For example, teachers may point out new words or concepts during the daily book read-aloud, or provide opportunities for children to develop their language skills while transitioning to snack or outdoor time.

B-3. Don't young children naturally develop the skills they need for school success?

Children are able to learn a great deal by simply exploring their environment independently and by interacting with people, given that some knowledge is naturally discoverable. Some knowledge, as well as many skills, however, are not naturally discoverable through independent exploration or through typical interactions with others, and these skills must be explicitly taught. Scientifically-based reading research has identified specific skills that young children need to acquire a foundation for reading success. (Adams, 1997; Bryant, 1990; Dickinson & Smith, 1994; Dickinson & Tabors, 2001; Karweit & Wasik, 1996; Snow, et al., 1998; Sulzby, 1985)

B-4. What does the instruction *look like* throughout the day's activities in a high-quality preschool?

It is vital that early education programs pay strong and consistent attention to all of the developmental domains of early childhood. Those domains (social, emotional, cognitive, linguistic, and physical) are closely related, and growth in language and cognition will optimally occur in the context of the other areas of development. For example, language development emerges from social interactions and rich experiences; good health and nutrition are foundational for all types of learning, and self-assurance in a group setting helps children profit from school experiences.

Early care and early education programs go a long way to address the social, emotional and health needs of children and families. However, new research points to the importance of the language and cognitive domains as well. That research (Dickinson & Tabors, 2001; Snow, et al., 1998) illustrates the importance of developing the intellectual competencies of young children and suggests specific ways to support learning through the use of strategies such as explicit and “scaffolded”

instruction (instruction in which adults build upon what children already know to help them accomplish a complex task by breaking it down into simpler components). An extensive body of evidence, much of which is summarized in the National Research Council report *Preventing Reading Difficulties in Young Children* (Snow, et. al, 1998), is also available that stresses the importance of early reading skills, including phonological awareness and vocabulary development.

In high-quality preschool programs, you should see children doing the following—

- learning the letters of the alphabet;
- learning to hear the individual sounds in words. Children need to rhyme, to break words apart into their separate sounds (segmenting), and put sounds together to make words (blending);
- learning new words and how to use them;
- learning early writing skills;
- learning to use language by asking and answering questions, and by participating in discussions and engaging in conversations;
- learning about written language by looking at books and by listening to stories and other books that are read to them every day; and
- becoming familiar with math and science.

As indicated in *Teaching Our Youngest*, an ED guide for preschool teachers and child-care and family providers [available free of charge by calling 1-877-EDPUBS, 1-800-USA LEARN or ordering on-line at: <http://www.edpubs.ed.gov/webstore/Content/search.asp>] some of the components of a high-quality preschool are—

➤ **Teachers enabling children to develop listening and speaking skills**

Children should be able to listen carefully and speak for a variety of purposes, such as following and giving simple instructions, asking questions, and expressing their ideas and feelings. Teachers in Title I preschools can help children develop these skills by—

- asking open-ended questions that invite children to expand upon their answers;
- using a diversity of words to expand children’s vocabularies;
- letting children take the conversational lead; and
- responding to children with a positive and encouraging tone and guidance style.

Examples of how teachers can...

...engage children in conversation throughout the day: “Why did you color the house orange, Rana?”

...gently reinforce the rules of good listening and speaking: “Connor, please don’t talk while Yi is asking a question – you’ll get your turn.”

➤ **Teachers reading aloud with children**

Reading aloud with young children is important because it helps them acquire the information and skills they need to succeed in school and life, such as: printed letters and words and the relationship between sound and print; the meanings of many words; an understanding of the world in which they live; and the development of enjoyment in reading.

Teachers should—

- read aloud with children several times a day, establishing regular times for reading and finding other opportunities; and
- make reading books an enjoyable experience for children by choosing a comfortable place for reading and showing enthusiasm for reading.

Reading aloud with children (“book sharing”) is different from traditional reading to children (“book reading”) that does not involve children’s active participation. In *book sharing* teachers—

- help children to learn through reading, by helping them notice new information, offering explanations, and explaining unfamiliar words; and
- ask children meaningful questions while reading and encourage discussion about the book.

Examples of how teachers can...

...ask children questions that help them make connections between the book and their own experiences:

Adult: “What does it feel like to play in the snow?”

Child: “It’s cold.”

...evaluate the child’s response, and expand if necessary by adding new information.

Adult: “Yes, it’s cold when your feet get wet or when someone hits you with a snowball.”

... wait until the end of the book and ask the child to recall some of the new information

Adult: “Can you remember some of the things we talked about that make people cold when they play in the snow?”

➤ **Teaching about the sounds of spoken language (phonological awareness)**

Learning to hear the individual sounds in words is essential for children's reading readiness. Children need to learn to break words apart into their separate sounds (segmenting) and put sounds together to make words (blending). Teachers can help children develop their phonological awareness by—

- reading books aloud that focus on sounds, rhyming and alliteration;
- playing games that isolate the beginning sounds in familiar words; and
- recognizing the common sounds at the beginning of a series of words (alliteration).

Examples of how teachers can...

...invite children to identify and manipulate the beginning sounds of words: "Let's say 'Humpty Dumpty' again, but this time make it 'Lumpty Gumpty'."

...play word games that help children identify and generate rhyming words: "Which of these words rhyme: *snow*, *lamb*, and *go*?"... or "How many words can you think of that rhyme with *clock*?"

➤ **Teaching about print**

It is important for children to recognize print in their surroundings, understand that it carries meaning, know that it is used for many purposes, and to experience print through writing. Teachers should—

- create print rich-environments that include books, photographs and pictures with captions and labels, calendar and bulletin board displays, and labels and signs for special areas of the classroom, and
- make a variety of props that use printed letters and words available for use in dramatic play, such as menus, play money, recipes, empty food cartons, and telephone books.

Examples of how teachers can...

...draw children's attention to print everyday life: "I'm going grocery shopping later, so I wrote this list of the things I need to buy. Can you tell me how many things are on the list?"

...distinguish between children's beginning writing and drawing: "I like the cat you drew. She is a pretty orange cat. Oh, I see over here you wrote your cat's name. Can you tell me your cat's name?"

➤ **Teaching about books**

It is important for young children to know how to handle books appropriately, recognize books' features such as the cover and title, and recognize it was written by an author and has drawings by an illustrator. Children should also recognize that printed letters and words run from left to right across the page and from top to bottom.

Examples of how teachers can...

...draw children's attention to how print functions in books: Teachers can emphasize the direction in which we read by pointing to the first word on a line and running a finger beneath the words while reading from left to right and top to bottom.

➤ **Teaching about letters**

In order for children to enter kindergarten ready to learn to read, it is essential that they leave preschool with the ability to: recognize and name letters; recognize beginning letters in familiar words (e.g., their own name); recognize both capital and lowercase letters; and relate some letters to the specific sounds they represent. Teachers should—

- create a classroom environment that provides a variety of opportunities to learn about letters through manipulatives, environmental print including an alphabet posted at eye-level, alphabet books, and at a writing center; and
- play games that use letters, provide children with letter manipulatives, and encourage children to write letters using various materials.

Examples of how teachers can...

...help children write letters: “Look, I made the letter “C” out of play dough. Now can you make a letter “C”? Good! What other letter should we make together?”

...help children hear the sounds that letters can make: “Linn, your name begins with an “L” (emphasizing the beginning sound). Who else has a name that begins with the same sound? Yes, Larry! Your name also begins with an “L” sound, made by the letter “L” (saying the letter name).”

➤ **Building children's background knowledge and thinking skills**

It is important for young children to learn information about the world around them, to discover what things are and how they work. Through

learning about the world, they extend their use of language, develop vocabulary, and develop their abilities to figure things out and to solve problems. Teachers should—

- provide children with opportunities to develop concepts by exploring and working with a variety of equipment and materials; and
- share informational books, especially those that use pictures and illustrations that children can understand easily.

Examples of how teachers can...

...teach children new words and concepts: “Look at the seeds we planted. They’re *sprouting!* See how the seedling is pushing through the dirt? See the tiny green leaves? That means it is growing!”

➤ **Teaching about numbers and counting**

Teachers can help children learn about numbers and counting in numerous ways, such as through pointing to and counting objects as part of the classroom’s daily routine and when passing out materials.

Teaching in more direct ways can involve—

- providing children opportunities to count using manipulatives;
- teaching counting songs and rhymes that use different actions;
- reading and discussing number-counting books; and
- including numbers in the pictures they draw and in the words and stories they write.

Examples of how teachers can...

...use manipulatives to teach numbers, counting and math concepts: Teachers can provide children with different types of macaroni and encourage the children to sort the different types and then count them aloud. With older children, teachers can teach the concepts of “*same, different, more than, less than, and one more*” while comparing the groups of objects.

B-5. Does ED encourage the formal teaching of reading in Title I preschools?

ED encourages Title I preschools to teach early reading and cognitive skills that provide the foundation for formal reading instruction. Early childhood education programs, including Title I preschools, should not be implementing an elementary school curriculum, either; they should be providing opportunities for children to develop early reading skills through activities that are appropriate and enjoyable for young children. Along that vein, early childhood education programs, including Title I

preschools, do not de-emphasize play—rather, they encourage teachers to use constructive and imaginative play as intentional opportunities for children to develop their vocabulary, understanding, and ability to think about the world around them.

B-6. What general strategies do high-quality preschools use in selecting, developing, or supplementing a curriculum?

Teachers should identify and provide activities and instructional materials, based on scientifically-based reading research, that develop children’s language, cognitive, and early reading skills. If the State in which the preschool is located has high-quality preschool guidelines in cognitive and language domains, we encourage the preschool to align the curriculum with those standards. If a State does not have preschool guidelines in the language and cognitive domains, we recommend that the curriculum be aligned with the State K-12 standards so that children develop the prerequisite skills so they will succeed in reading when they start formal schooling.

The curriculum should be intellectually engaging, have meaningful content, and provide multiple opportunities for developing and practicing language and cognitive skills, including the use of explicit instruction.

B-7. What does the classroom environment look like in a high-quality preschool?

Preschool teachers should plan the classroom environment carefully so that literacy is an integral part of everything they do. In this way literacy learning, that is reading and writing, becomes a meaningful part of their everyday lives. For example, research shows (Neuman and Dickinson, 2001) that children’s literacy development is supported in classrooms that—

- have a large number of high-quality, age-appropriate books in a variety of genres (e.g., story books, alphabet books, nonfiction books, and wordless picture books) that can be easily accessed by the children);
- are print-rich, with letters of the alphabet, labels, and printed directions clearly displayed at the children's eye level;
- have play and learning centers that include a large number and wide variety of books, writing tools, and other materials and props conducive to dramatic play;
- have a book-reading area with comfortable furniture, a carpet, or pillows; and
- display children’s work throughout the room.

Many of the displays throughout the room, whether books, labels or other printed materials, will change throughout the year as children study different topics and the environment reflects their learning.

B-8. How can preschool teachers effectively monitor children's progress to ensure that children enter school ready for success?

Throughout the year, teachers should regularly monitor children's academic, social, and emotional development in a variety of ways. Through progress monitoring, teachers are better able to plan instruction and ensure that children's needs are being met. There should be formal and informal observations of children's progress in academic and social activities. Teachers can monitor children's progress by—

- observing children as they play with each other, respond to directions, participate in activities, and use language to communicate;
- collecting samples of children's drawings and writings;
- documenting progress;
- talking with children about their own progress; and
- talking with parents about what they have observed at home.

Teachers should think about how their instruction can be better tailored to the individual child's needs if the student is not progressing in a particular area. Through the use of screening and diagnostic tools, teachers can become aware if the child should be referred for any special services. It is important that teachers communicate with parents about the child's strengths and share any concerns about the child's development.

B-9. What type of professional development enables teachers to provide a high-quality early childhood education program?

Teacher knowledge is a crucial ingredient in a high-quality early education program. Children's cognitive growth and language development are primarily influenced by the daily interactions between children and the adults who are teaching them, caring for them, and guiding their learning opportunities. The curriculum, learning environment, and materials available to children are important elements of quality, but it is the teacher's ability to implement the curriculum and to use effective instructional approaches that result in a long-term difference for learning (Whitebrook, 2003). [See Appendix A and <http://www.iir.berkeley.edu/csce> for additional information.]

Many preschool teachers do not have formal training in providing explicit instruction or supporting and expanding children's cognitive and language skills. Some school-based early education programs hire elementary

school teachers and, although these teachers traditionally have at least a bachelor's degree in education, they need additional training in child development, language acquisition, early literacy, observation, and assessment.

Professional development for preschool staff should be based on knowledge from scientifically-based research of how children develop their cognitive language, literacy, and other essential skills for school readiness. For example—

- strategies for reading to children,
- extending discourse; and
- teaching new words.

In addition, preschool educators can benefit from sustained professional development that uses such strategies as mentoring and coaching. For example, a coach might model effective teaching strategies for the teacher, and/or observe the teacher's instruction, which is followed by discussion and reflection on the effectiveness of instructional strategies and how they support young children's progress.

The statutory definition of "professional development" in section 9101(34) of the ESEA, which applies to Title I preschools, lists a number of activities. Those most applicable to the preschool level are listed below.

Professional development includes activities that—

- are high-quality, sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and the teacher's performance in the classroom;
- are not one-day or short-term workshops or conferences;
- are designed to advance teachers' understanding of effective instructional strategies that are based on scientific research;
- are aligned with and directly related to any applicable State content standards;
- provide instruction in methods of teaching children with special needs; and
- are regularly evaluated for effectiveness.

B-10. How do high-quality preschool programs engage parents?

The quality of family environments and parent-child interactions is central to a child's literacy and cognitive development. Parents strengthen their child's literacy development and school-related competencies when they engage in language-rich, parent-child interaction, provide supports for literacy in the family, such as by reading to their children, and hold appropriate expectations of the child's learning and development. High-quality preschool programs provide explicit training for parents in the

skills and behaviors that support their child's development. For example, parents and other family members should be encouraged to—

- talk with children and engage them in conversations, and help them to name objects in their environment (“labeling”);
- read and re-read stories;
- encourage children to recount experiences and describe ideas that are important to them;
- visit the library and museums; and
- provide opportunities for children to draw and print, using a variety of implements, such as markers, crayons, and pencils.

Teachers and parents are partners in preparing children for future school success. It is essential that teachers engage in consistent and meaningful sharing of information with parents and caregivers, including meeting with parents to talk about any areas in which their child is experiencing difficulties. In addition, by sharing specific information about the topics children are learning, and the skills they are developing, teachers strengthen parents’ ability to support their children’s learning at home. Some examples of ways in which teachers can communicate with parents are—

- talking to parents as they deliver and pick up their children;
- sending home newsletters or notes that share what children are learning at school;
- arranging regular meetings to discuss the child’s progress; and
- identifying strengths and any areas in which the child could use extra support at home.

Teachers should communicate with parents in other languages when appropriate to facilitate effective communications, (see for example, 34CFR200.6(c)(2) of Title I regulations). Teachers also should work with parents to develop a plan for summer or other vacation periods between preschool and kindergarten that allows the child to continue in an instructional program and prevents the loss of previously acquired skills. Teachers can encourage parents to become their child's advocate and spend time in the preschool observing and helping their own child.

B-11. How can preschools effectively transition children from preschool to kindergarten?

Some of the ways in which preschool programs can help ensure continuity in children’s learning are—

- coordinating the professional development activities of preschool and kindergarten teachers in order to align prekindergarten and kindergarten curricula and goals;

- arranging for kindergarten and preschool teachers to visit each other's classrooms; and
- having preschool teachers provide the future kindergarten teacher with children's portfolios or a written record of their learning during preschool.

Sharing information about a child's experience in preschool is particularly important in cases where a child may need extra support in order to experience success in school. For example, for children who are having particular difficulty with spoken language or cognitive skills upon entry to kindergarten, the preschool teacher should provide the kindergarten teacher with the child's history, which would likely include documentation of steps taken to help the child progress toward his or her program goals, and a discussion of areas where the child is still experiencing difficulty.

B-12. How can gains made in preschool be sustained in subsequent years?

Participating in even one year of early education of sufficient high quality can make an important contribution to children's later reading and school success. However, programs achieve the most enduring and meaningful results when children continue to receive comparable educational services at least through the primary grades. These follow-on activities include parent involvement and activities that are designed to promote continuity in children's educational experiences (Reynolds, 2000).

C. State Administration

C-1. What type of oversight responsibility do SEAs have for Title I preschools?

As the Title I grantee, the SEA is responsible for oversight of all Title I programs, including preschool programs operated with Title I funds.

[Sections 1111 and 1112, ESEA.]

C-2. How can SEAs support Title I preschools?

Some SEAs are presently supporting Title I preschools through their early childhood endeavors by—

- disseminating information, through publications, conferences, and other events, that describes how Title I funds can best be used to support preschool programs;
- coordinating Title I efforts with offices for early childhood education (where they exist);

- developing State preschool standards in the cognitive and language domains;
- monitoring programs to ensure that Title I preschool is meeting program goals;
- considering early intervention as an appropriate measure to prevent later academic difficulties when providing technical assistance to schools that are in school improvement; and
- providing funds for professional development and improving the cognitive focus in preschools through special initiatives.

C-3. What type of technical assistance can SEAs provide to LEAs in order to ensure high-quality Title I preschools?

In addition to supporting Title I preschools through broad-based efforts, such as those mentioned in C-2, SEAs can provide targeted support to LEAs through technical assistance that is specifically focused upon improving local program quality.

SEAs can –

- provide professional development for early childhood educators, by holding on-going workshops and training for practitioners to learn how to apply research-based practices in their classrooms, and providing support for follow-up coaching and mentoring opportunities;
- provide information about the State content standards for K-3;
- disseminate information through a list-serv, conferences, or other events in order to share research-based practices to use in preschools and highlight particularly effective preschools in their State; and
- encourage the use of mentoring relationships between effective preschools and those that are struggling.

C-4. What achievement standards apply to preschool programs receiving Title I funds?

The Department encourages SEAs to develop developmentally appropriate preschool content standards that are aligned with the SEA's K-3 content standards and that specify what children are expected to know and be able to do when they arrive at kindergarten, and also to develop preschool achievement standards that measure those aligned preschool content standards. If a preschool is located in a State that does not have preschool content standards, or if the State preschool standards do not address the cognitive and language domains, local preschools are encouraged to develop standards that will ensure that children acquire the skills they need to be successful in school.

An LEA that uses Title I funds to provide early childhood development services to low-income children below the age of compulsory school attendance must ensure that those services comply at a minimum with the

achievement standards established under section 641A(a) of the Head Start Act. *[Section 1112(c)(1)(G), ESEA.]* The specific Head Start standards applicable to Title I preschool programs are in regulations at 45 CFR 1304.21—Education and Early Childhood at: <http://www.headstartinfo.org/pdf/1304.pdf>.

If an SEA has preschool achievement standards that are different from and enhance the Head Start achievement standards, LEAs should use those SEA achievement standards in addition to the Head Start standards. Title I preschool programs using the Even Start Family Literacy Program model, or Even Start programs that are expanded through the use of Title I funds, are not required to comply with the Head Start achievement standards. *[Section 1112(c)(3), ESEA.]* However, Even Start programs are governed by indicators of program quality (performance standards) developed in each State for that program.

C-5. What requirements must a Title I preschool program meet if it uses an Even Start model?

A Title I preschool program using an Even Start model must integrate early childhood education, adult literacy or adult basic education, and parenting education into a unified family literacy program. *[Section 1231, ESEA.]* Additionally, the Title I preschool programs using an Even Start model must include program elements (1) through (15) in section 1235 of Title I, Part B (Even Start Family Literacy Program). The legislation for the Even Start Family Literacy Program is at:

<http://www.ed.gov/programs/evenstartformula/legislation.html?exp=0>.

D. LEA and School-Level Administration of Preschools

D-1. How may preschool programs be funded under Title I?

There are several ways in which preschool programs may be funded under Title I. For example—

- A participating school may use its Title I funds to operate a preschool program.
- An LEA may reserve an amount from the LEA's total allocation to operate a Title I preschool program for eligible children in the district as a whole or for a portion of the district. *[Section 1112(b)(1)(K), ESEA.]*

D-2. How may district-operated Title I preschool programs be funded?

An LEA may reserve an amount from the LEA's total allocation and distribute those funds to specific Title I schools, or other comparable public early childhood education programs to operate Title I preschool

programs. Head Start, Even Start, and Early Reading First are examples of such programs. [See G-2 and G-3] [Section 1112(b)(1)(K), ESEA.]

D-3. Where may Title I preschool services be provided?

Preschool services may be provided at any location that other Title I services may be provided, including public school buildings, public libraries, community centers, privately owned facilities (including facilities owned by faith-based organizations (FBOs)), the child's home and other appropriate settings.

D-4. If appropriate facilities are not available to house a preschool program in the district or a school, how might preschool services be provided?

If appropriate district or school facilities are not available for preschool services, the district and school should consider working with children in existing childcare programs such as Head Start, Even Start, Early Reading First, or a program funded under the Child Care Development Block Grant, or a site conducting a family literacy program. In any case, the setting should be of sufficient quality to facilitate effective program implementation.

D-5. What children are eligible for participation in a Title I-supported preschool program in a school operating a schoolwide program?

A preschool that is part of a Title I school operating a schoolwide program is not required to identify particular children as eligible to participate in the Title I preschool. Rather, all children in the attendance area of that school are eligible for preschool services. [Section 1114(a)(2), ESEA.]

D-6. What children are eligible for participation in a Title I-supported preschool program in a Title I targeted assistance school?

To be *eligible* to attend a Title I preschool program in a targeted assistance school, preschool-age children — like school-age children — must be failing or most at risk of failing to meet the State's challenging student academic achievement standards as determined by multiple, educationally related, objective criteria established by the LEA and supplemented by the school. With respect to preschool children, this determination must be made on the basis of criteria such as teacher judgment, interviews with parents, and developmentally appropriate measures of child development. [Section 1115(b), ESEA.]

The use of family income to determine eligibility for Title I preschool is allowable, especially for the purposes of prioritizing when there are not

sufficient Title I resources to serve all preschool age children with other educational needs, but children should not be identified for Title I preschool solely on the basis of family income.

In addition, children who participated in a Head Start, Even Start, Early Reading First, or Title I preschool program at any time during the two preceding years, homeless children, and children in institutions for neglected or delinquent children are automatically eligible for Title I preschool and to continue into Title I school programs. *[Section 1115(b)(2), ESEA.]*

D-7. May an LEA or school use Title I funds to identify eligible preschool children?

Generally, it is the responsibility of an LEA and school to use information it already has available to identify at-risk children. However, if an LEA has no existing assessment data for preschool children, Title I funds may be used for identifying these children.

D-8. Must a schoolwide program include plans to assist preschool children in the transition from preschool to local elementary school?

Yes. A schoolwide program must include plans for assisting preschool children in the transition from early childhood programs, such as Title I preschool, Head Start, Even Start, or Early Reading First, to local elementary school programs. *[Section 1114(b)(1)(G), ESEA.]* [Also see examples of transition activities in B-11.]

D-9. What responsibility do targeted assistance programs have with respect to assisting preschool children in the transition from preschool to local elementary school?

Targeted assistance programs must coordinate with and support the school's regular education program, which may include services to assist preschool children in the transition from early childhood programs such as Head Start, Even Start, Early Reading First, or State-run preschool programs to elementary school programs. *[Section 1115(c)(1)(D), ESEA.]*

D-10. May an LEA or school use Title I School Improvement funds for a preschool program?

Yes. If a local educational agency or school receives School Improvement funds, the district or school may use those School Improvement funds to conduct a preschool program if the preschool program is a strategy that addresses the specific academic issues that caused the district or school to be identified for school improvement, and the preschool program is

carried out in accordance with the district's or school's improvement plan. [Sections 1116(b)(3)(A), 1116(c)(7)(A), ESEA.]

D-11. Are LEAs or schools required by Title I to test preschool children?

No. Under Title I, third grade is the earliest grade at which children must be tested. [Section 1111(b)(3)(C)(v), ESEA.] However, the more that teachers know about children's academic, social, and emotional development, the more able they are to meet those children's needs. Therefore, the Secretary recommends that LEAs and schools develop age-appropriate screening and assessment measures to assist with individualizing instruction so that all Title I preschool students develop a strong foundation in literacy and numeracy. In addition, through initial screening and by checking the children's progress, teachers and schools can identify those children who need special help or who face extra challenges.

Screenings and assessments for preschool children do not imply the use of paper- and-pencil, and large-group assessments, which are not allowed below the third grade in some States. Rather, appropriate assessments for preschool children include individually administered standardized assessments, observational checklists completed by teachers while students play, or an analysis of student work. The information gleaned from these types of assessments should then be used to make informed decisions about instruction and enhance teaching and learning, rather than to make judgments regarding the efficacy of a school or a system.

When choosing a screening or assessment tool, LEAs and schools should ensure that it has been validated for its intended purpose and population. For example, it is not appropriate to use a first-grade skills assessment for screening or assessing a preschool-age child.

E. Qualifications of Teachers and Paraprofessionals in Title I Preschool Programs

E-1. What are the required qualifications for teachers working in Title I preschools?

Well-trained teachers are important to the quality of early childhood education programs and the successful development and learning of young children. Preschool teachers working in Title I preschool programs, in States that consider preschool as part of public elementary education, must meet the applicable Title I teacher qualification requirements. [Sections 200.55 and 200.56, Title I Final Regulations, December 2, 2002.] The Improving Teacher Quality Non-Regulatory Guidance is available at: <http://www.ed.gov/programs/teacherqual/guidance.doc> and the Title I Final

Regulations are available at:

<http://www.ed.gov/legislation/FedRegister/finrule/2003-2/041803a.pdf>.

E-2. What are the required qualifications for paraprofessionals working in Title I preschool programs?

In Title I preschool programs in targeted assistance schools—

- all paraprofessionals paid with Title I funds must have earned a secondary school diploma or its recognized equivalent; and
- any paraprofessional paid with Title I funds and hired after January 8, 2002, must have (1) completed at least two years of study at an institution of higher education; (2) obtained an associate's or higher degree; or (3) met a rigorous standard of quality, and demonstrate — through a formal State or local academic assessment — knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness. All paraprofessionals paid with Title I funds and hired by an LEA must meet these requirements by January 8, 2006.

In Title I preschool programs in schoolwide program schools, all paraprofessionals must meet the above requirements, regardless of how their salary is funded.

Paraprofessionals who only serve as translators or who conduct parental involvement activities must have a secondary school diploma or its equivalent, but do not have to meet these additional requirements. [Section 200.58, Title I Final Regulations (December 2, 2002).] [For more information on paraprofessionals, see <http://www.ed.gov/policy/elsec/guid/paraguidance.doc>.]

E-3. Who qualifies as a paraprofessional in a Title I preschool program?

A paraprofessional, for the purpose of meeting staff qualification requirements in a Title I preschool, means an individual who provides instructional support under the direct supervision of a qualified teacher. Instructional support may include: assisting in classroom management, conducting parent involvement activities, providing instructional support in a library or media center, acting as a translator, or providing instructional support services such as helping children practice reading readiness, writing readiness, and mathematics readiness skills taught by the teacher. Paraprofessionals should not be providing direct instruction or introducing new content or skills. A paraprofessional does not include individuals who have only non-instructional duties, such as providing personal care services or performing clerical duties. [Sections 200.58 and 200.59, Title I Final Regulations (December 2, 2002).]

E-4. Do the requirements apply to paraprofessionals working in preschool programs jointly funded by Head Start and Title I?

The requirements apply to paraprofessionals working in a non-schoolwide Head Start program that is jointly funded with Title I funds if the paraprofessional is paid with Title I funds; for example, a program where Title I funds the instructional component and Head Start funds the remainder of the program activities. The requirements also apply when a jointly funded program is part of a Title I schoolwide program. *[Section 200.58(a)(3), Title I Final Regulations (December 2, 2002).]*

E-5. What are the requirements for the supervision of paraprofessionals working in a Title I preschool program?

Paraprofessionals must provide instructional support under the direct supervision of a teacher. A paraprofessional works under the direct supervision of a teacher if the teacher plans the instructional support activities the paraprofessional carries out, evaluates the achievement of the students with whom the paraprofessional is working, and the paraprofessional works in close and frequent physical proximity with the teacher. *[Section 200.59, Title I final regulations, (December 2, 2002).]*

As a result, a Title I preschool program staffed entirely by paraprofessionals is not permitted. A Title I preschool program where a paraprofessional provides instructional support and a teacher visits a site once or twice a week but otherwise is not in the classroom, or a program where a paraprofessional works with a group of students in another location while the teacher provides instruction to the rest of the class, would also be inconsistent with the requirement that paraprofessionals work in close and frequent proximity to a teacher. [For more information, see the Draft Paraprofessional Guidance <http://www.ed.gov/policy/elsec/guid/paraguidance.doc>.

A paraprofessional may assume limited duties that are assigned to similar personnel who are not working in the Title I preschool program including noninstructional duties and duties that do not benefit participating students, if the amount of time the paraprofessional spends on those duties is the same proportion of total work time as the time spent by similar personnel at the same school. *[Section 222.59(d), Title I Final Regulations.]*

E-6. May Title I funds be used to provide professional development for preschool teachers and paraprofessionals not paid with Title I funds?

Title I funds may be used to provide professional development for any teacher or paraprofessional working in a Title I preschool program supported partly by Title I funding even if their salary is not paid for with Title I funds if the training is related to the Title I program and is designed to meet the educational needs of Title I children. For example, Title I

funds may be used for professional development for a Head Start teacher working in a preschool program jointly funded by Title I and Head Start if the training is related to the Title I program or is designed to help the Head Start teachers meet the educational needs of Title I children.

Under certain conditions, Title I funds may also be used for joint professional development for non-Title I preschool teachers and paraprofessionals working in programs with no Title I funds, such as Head Start staff, and for Title I elementary school teachers and paraprofessionals. For example, Title I funds may be used for such joint professional development if the children served in the non-Title I preschool are likely to be attending a Title I school when they enter kindergarten, and if the purpose of the professional development is to improve coordination between the non-Title I preschool and the Title I school or to facilitate children's transition from preschool into the Title I elementary school.

F. Parental Involvement

F-1. Why is parental involvement important in preschool programs?

Parental involvement in the education of children should begin as soon as they start school. Early childhood, preschool, and kindergarten programs that train parents to work with their children at home tend to have significant, positive effects. Children who participate in these programs have better grades and ratings from teachers both of which tend to improve the longer they are in the program. They also make greater gains than children who do not participate in such programs (Henderson & Mapp, 2002).

Studies that compared levels of involvement found that achievement increased directly with the extent to which parents were engaged in the program. Children who participated from all family backgrounds and income levels made gains and in some cases, children having the most difficulty in school made the greatest gains (Henderson & Mapp, 2002).

F-2. Do the parental involvement provisions in section 1118 of Title I apply to preschool programs?

All provisions in section 1118 apply to Title I preschool programs except the requirement in section 1118 (d)(2)(A) concerning discussion of the school-parent compact at parent-teacher conferences in elementary schools. [See F-3.]

F-3. Do the LEA and school's written parental involvement policies apply to parents of children in Title I preschool programs?

Yes, as applicable. For example, if an LEA operates a preschool program at the district level, the pertinent parent involvement provisions would be those applicable to the LEA.

F-4. What is the relationship between Title I parental involvement policies and those in other programs?

Title I LEAs and schools must, to the extent feasible and appropriate, coordinate and integrate Title I parent involvement strategies and activities with parent involvement strategies under other programs such as Head Start, Reading First, Early Reading First, Even Start, Parents as Teachers Program, the Home Instruction Program for Preschool Youngsters, and State preschool programs. *[Section 1118(a)(2)(D) and 1118(e)(4), ESEA.]*

F-5. How can Title I preschools build capacity for significant parental involvement?

The quality of family environments and parent-child interactions is central to a child's literacy development and education. As described in B-10, parents strengthen their child's literacy development and school-related competencies when they engage in language-rich parent-child interaction, provide support for literacy in the family and hold appropriate expectations of the child's learning and development. Accordingly, preschools can provide parents with educational training in those parenting skills most closely associated with children's language and cognitive development. Furthermore, preschools can share the preschool curriculum goals and indicate how parents can support this learning at home.

Also, preschools should create systems for ongoing communication with parents, such as regular parent-teacher conferences and frequent reports on children's progress. Program staff can also work with parents to develop a plan to consistently reinforce cognitive skills during summer or other extended vacation periods between preschool and kindergarten, which will help prevent the loss of previously acquired skills.

Schools or school districts can inform parents of resources on how to support their children's development, such as directing them to Parent Information Resource Centers (PIRCs) funded by the Department. More information is available about the PIRCs at: pirc-info.net.

Also, preschools can encourage parents to volunteer in the preschool classroom and provide opportunities for parents to observe classroom instruction. In addition, those activities identified in the LEA and school's

parental involvement policies have been specifically designed to build capacity for parental involvement.

F-6. May schools include parents of children in Title I preschool programs in professional development activities?

Yes. Title I schools must provide reasonable support for parental involvement activities as parents of participating children may request, including allowing parents to participate in professional development activities that the school or LEA deems appropriate. In addition, LEA plans must describe the strategy the LEA will use to coordinate the Title I program with professional development programs funded under Title II of the ESEA, to provide professional development to principals and teachers and, if appropriate, to other individuals including parents. *[Section 1118(e), ESEA.]* [See B-10]

G. Coordination with Other Federal Programs

G-1. How must Title I preschool programs coordinate with other preschool programs providing educational services?

An LEA's Title I plan must describe how it will coordinate and integrate services under Title I with other educational services such as Even Start, Head Start, Early Reading First and other preschool programs, including its plans for the transition of children in those programs to elementary school programs. *[Section 1112(b)(1)(E)(i), ESEA.]* An LEA must also describe, if appropriate, how it will use Title I funds to support preschool programs for children, particularly children participating in a Head Start, Early Reading First or Even Start program as these children are automatically eligible for Title I when they enter kindergarten. An LEA may support preschool programs by providing such services directly or through a local Head Start agency, an agency operating an Even Start program, Early Reading First, or another comparable public early childhood education program. *[Section 1112(b)(1)(K), ESEA.]*

G-2. How may a school or LEA coordinate the use of Title I funds with Even Start Title I, Part B funds?

SEAs and LEAs have considerable flexibility in coordinating Title I funds used for preschool with Even Start funds. For example, an LEA may include appropriate Title I activities as part of its Even Start project. A Title I preschool program could provide, in full or part, the early childhood component of an Even Start project. Similarly, Title I services that provide training for parents of Title I participants to help them assist in their children's education could also be included in an Even Start

project. Such coordination is enhanced by several other provisions as well. Title I funds may be used to increase parent involvement, *including family literacy [Section 1118, ESEA]*; and Title I funds or in-kind contributions may be used to meet the local share requirement under Even Start. *[Section 1234(b)(1)(B), ESEA.]* If an LEA includes Title I activities as part of its Even Start project, it must ensure that the Title I activities are consistent with the requirements of the Title I program as well as Even Start.

G-3. How may a school or LEA use Title I funds to complement or extend Head Start programs?

In addition to supporting preschool children participating in Title I programs, Title I funds may also be used to complement or extend Head Start programs. In the examples listed below, all Title I requirements apply to the use of Title I funds—

- Eligibility for Head Start is based on the income levels of parents. Children eligible for Title I because they reside in an eligible attendance area and are most at risk of not meeting the State's challenging student achievement standards, might not qualify for Head Start under Head Start's income requirement. In this case, Title I funds may be used to provide services to Title I eligible children who are not eligible for Head Start services.
- Head Start may be unable to serve all its eligible students. Title I funds may be used to serve unserved children who are also eligible for Title I (i.e., those who reside in eligible Title I attendance areas and are failing, or most at risk of failing, to meet the State's challenging student achievement standards). Note that some Head Start-eligible children might not be eligible for Title I.
- Title I may be used to provide additional services to Head Start children who are also eligible for Title I services. This may include extending the daily program for additional time or increasing the number of days, providing services at times Head Start is not operating, or enriching services through provision of extra personnel to work with Title I-eligible children.
- Title I funds may provide educational services for children who are eligible for both Title I and Head Start, with Head Start funds providing other services.

G-4. Are children with disabilities eligible to participate in Title I preschool programs?

Yes. Children with disabilities are eligible to receive Title I services on the same basis as eligible children without disabilities.

G-5. Are migrant children eligible to participate in Title I preschool programs?

Yes. Migrant children are eligible to receive Title I services on the same basis as eligible non-migrant children. *[Section 1115(b)(2)(A), ESEA.]*

G-6. Are Title I preschool programs required to coordinate with Migrant Education Program (MEP) services?

Yes. The statute requires LEAs to coordinate and integrate Title I services with services provided at the LEA or school level for migratory children. *[Section 1112(b)(1)(E)(ii), ESEA.]* Similarly, the MEP has a responsibility to coordinate with Title I programs. *[Section 1304(c)(1)(B), ESEA.]* The requirements for such coordination increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program.

G-7. What is the relationship between Early Reading First and Title I preschool?

Early Reading First is designed to transform existing early education programs, such as Title I preschools, child care agencies and programs, Head Start centers, and family literacy programs such as Even Start, into centers of early learning excellence that will result in preschool-age children developing the early language and cognitive skills they need to enter school ready to read. Early Reading First funds provide the opportunity for these preschool programs to change the classroom environment, provide professional development for staff in scientific reading research-based instruction, support preschool children's language and cognitive development, and use screening assessments and progress monitoring to identify and work with preschool children who may be at risk for reading failure. *[Sections 1221 –1226, ESEA.]*

H. Fiscal and Legal Requirements

I.

H-1. May Title I funds be used to pay the cost of renting or leasing privately owned facilities for preschool instructional purposes or for office space?

Yes. The cost to rent or lease space in privately owned buildings is allowable if the space is necessary to ensure the success of the program, appropriate space is not available to the grantee, and the cost is reasonable.

H-2. May Title I funds be used for minor remodeling to accommodate a preschool program?

If appropriate space is not available, Title I funds may be used for minor remodeling, which means minor alterations in a previously completed building and does not involve building construction or structural alterations to buildings. *[34 CFR Section 77.1(c).]*

H-3. May a portion of Title I funds be used to provide preschool participants with comprehensive services?

Yes. If preschool children have need for health, nutrition, and other social services, a portion of Title I funds in a targeted assistance school may be used to address those needs, if appropriate, based on a comprehensive needs assessment and funds are not reasonably available from other public or private sources. *[Section 1115(e)(2), ESEA.]*

H-4. Must Title I preschools meet the supplement-not-supplant requirement?

Yes. *[Section 1120A(b), ESEA.]*

H-5. Are children in private preschools eligible for equitable Title I services?

Not generally. Section 1120 of Title I requires an LEA to provide equitable services to eligible children who are enrolled in private elementary schools and secondary schools. As a result, unless State law considers preschools to be part of elementary education, children in private preschools are not enrolled in an elementary school and thus are not eligible to receive Title I services.

H-6. What portions of the Education Department General Administrative Regulations (EDGAR) apply to Title I preschools?

The following parts of EDGAR apply to Title I preschools: Parts 76, 77, 80, 81, 82, 84, 85, 97, 98, and 99. EDGAR is available at: [Education Department General Administrative Regs \(EDGAR\)](#).

Appendix A: Resources on High-Quality Early Childhood Education

The following resources represent a small sample of the research-based resources available on preschool. This list is not exhaustive. The U.S. Department of Education is providing the list of resources below for the reader's convenience, and no official endorsement by the U.S. Department of Education is intended or should be inferred. The views expressed by the authors are their own, and do not necessarily represent the policies of the Federal government or the U.S. Department of Education.

Teaching our Youngest, A Guide for Preschool Teachers and Child-Care Family Providers

This guide, published by the U.S. Department of Education, can be obtained free of charge by calling 1-877-EDPUBS (433-7827) or 1-800-USA-LEARN. Order on-line at edpubs@inet.ed.gov.

Reports

The National Reading Panel (NRP) reviewed more than 100,000 studies on reading and identified five components essential to a child's ability to learn to read: phonics, phonemic awareness, fluency, vocabulary, and comprehension. NRP's findings and their analysis and discussion of these five areas of reading instruction are published in **Reading First: The Research Building Blocks for Teaching Children to Read**. Additional information is available at: [Report of the National Reading Panel: Teaching Children to Read](#).

Put Reading First: The Research Building Blocks for Teaching Children to Read is designed for classroom teachers. It describes the findings of the NRP and provides analysis and discussion in five areas of reading instruction. The publication is also available from EDPUBS at no cost by calling 1-877-EDPUBS (433-7827) or 1-800-USA-LEARN. Order on-line at edpubs@inet.ed.gov.

Suggested Reading: Summaries

Adams, M.J., Foorman, B.R., Lundberg, I., & Beeler, T. (1998). **Phonemic Awareness in Young Children**. Baltimore: Paul H. Brookes Publishing.

This book addresses the "research to practice" issue in phonemic awareness and includes activities that stimulate the development of "phonemic awareness" in early education programs. While most teachers are familiar with the term "phonemic awareness" and its importance in the process of acquiring literacy, knowing how to teach and support "phonemic awareness" learning has been a challenge for many. The authors intend to close the gap between the research findings and classroom instruction by providing a developmental curriculum in "phonemic awareness" based upon validated classroom research that originated in Sweden and Denmark, and was then adapted and researched in classrooms in the United States.

Apel, K., & Masterson, J. (2001). **Beyond Baby Talk: From Sounds to Sentences - A Parent's Guide to Language Development.** California: Prima Publishing.

Sponsored by the American Speech-Language-Hearing Association, this book describes how children develop language from their earliest words to sentences. With the understanding that parents are the primary language role models for their children, the authors provide parents with a guide to understanding language development as well as ways in which they can interact with their children to promote language development.

Burns, M.S., Griffin, P., & Snow, C.E. (Eds.). (1999). **Starting Out Right: A Guide to Promoting Children's Reading Success.** Washington, D.C.: National Academy Press.

This book is edited by members of the Committee on the Prevention of Reading Difficulties in Young Children. It is intended for parents, teachers, policymakers, and community members. The book addresses the following central questions:

- What kinds of language and literacy experiences should be part of all preschool and childcare settings?
- What should reading instruction look like in kindergarten and the early grades?
- What questions should be asked of school boards, principals, elected officials and other policymakers who make decisions regarding early reading instruction?
- Is my child making progress in reading related skills and early reading?

The goal of the book is to share a wealth of knowledge based upon extensive guidelines, program descriptions, and advice on resources, and strategies that can be used in everyday life.

Gopnik, A., Meltzoff, A.N., & Kuhl, P.K. (1999). **The Scientist in the Crib.** New York: Morrow.

This book looks with great detail into the relationship between science and young children's development. There have been many rigorous scientific studies conducted that have helped us better understand how babies think and learn. The latest research on early childhood development tells us that babies and young children know and learn much more about the world around them than we ever have imagined. This book is not the typical parenting advice or "how to" book. Rather, it strives to take a different road and look at the science of babies' minds.

Hart, B., & Risley, T.R. (1999). **The Social World of Children: Learning to Talk.** Baltimore: Paul H. Brookes Publishing.

This book follows the groundbreaking study reported by Hart and Risley in their earlier book, **Meaningful Differences in the Everyday Experiences of Young American Children**. It goes beyond the discussion in the earlier book on the role of language experience in the intergenerational transmission of language competence and examines the patterns in that transmission. The authors provide tables and figures with their data and thoroughly discuss their findings. Hart and Risley state that they have a simple message for parents: their conversation matters when their children are young. Talking with children provides them with experiences that are important to both their cognitive and their social/emotional learning. The authors provide evidence that the language tools provided to children through conversation can contribute at least as much to a child's future success as their heredity and their choice of friends.

Lyon, G. Reid. (2003) Testimony before **The Committee on Health, Education, Labor and Pensions, United States Senate**.

Dr. Lyon is Chief of Child Development and Behavior Branch at the National Institute of Child Health and Human Development, National Institutes on Health, Department of Health and Human Services. His statement is entitled “The Critical Need for Evidence-Based Comprehensive and Effective Early Childhood Programs” and is available at: [2003.07.22: Head Start](#).

Neuman, S.B., & Dickinson, D.K. (Eds.). (2001). **Handbook of Early Literacy Research**. New York: Guilford Press.

This volume examines current research on early literacy and intervention. The *Handbook* begins by addressing broad questions about the nature of early literacy, and then continues by summarizing current knowledge on cognitive development, and emphasizing the importance of cultural contexts in the acquisition of literacy. Subsequent chapters focus on various skills and knowledge that emerge as children become literate, as well as the roles of peers and families in this process. The book devotes attention to the importance of meeting the literacy needs of all children and emphasizes the importance of coordinated school, family, and social services to provide the necessary support for those children who struggle most in school. Various approaches to instruction, assessment, and early intervention and research on the efficacy of these approaches are described.

Reynolds, Arthur J. (2000). **Success in Early Intervention: The Chicago Child-Parent Centers**. Lincoln, Nebraska: University of Nebraska Press.

This book reports on the effects of participation in the Title I funded Chicago Child-Parent Center (CPC) Program in which over 1,200 low-income preschool children participated. Since 1967, the CPC's provided educational and family support services from preschool to the early elementary grades for up to six years of continuous intervention. The data reported in this monograph are from the Chicago Longitudinal Study that began in the spring of 1986.

The strong support for the cognitive advantage hypothesis found in this study indicates that programs may be more likely to have long-term effects if they directly impact cognitive and scholastic development during the early childhood years.

Snow, C.E., Burns, S., & Griffin, P. (Eds.). (1998). **Preventing Reading Difficulties in Young Children**. Washington, D.C.: National Academy Press.

This book is a summary report developed from the findings of the Committee on the Prevention of Reading Difficulties in Young Children. It examines research findings to provide an "integrated picture of how reading develops and how reading instruction should proceed (p. vi)." The core message of the book with regard to reading instruction is: "reading instruction should integrate attention to the alphabetic principle with attention to the construction of meaning and opportunities to develop fluency (p. vii)."

The research reviewed in this book includes studies on normal reading development and instruction; on risk factors that can be useful in identifying children at risk for reading failure; and on prevention, intervention, and instructional approaches to ensuring the most optimal reading outcomes. The committee emphasizes the importance of high-quality preschool and kindergarten environments and their contribution to providing a critical foundation to facilitate children's acquisition of essential reading skills.

Whitebrook, Marcy. (2003). **Early Education Quality: Higher Teacher Qualifications for Better Learning Environments – A Review of the Literature**. Washington, DC: The Education Trust.

This report is a review of the literature on the relationship between teacher education and training and the quality of early education and care. Specifically, the authors draw the conclusion that early childhood classrooms where the teachers have at least a Bachelor's degree are more likely to be of higher quality—as in richer language environments, richer literacy environments, and better teacher-child interactions.

LOCAL EDUCATIONAL AGENCY (LEA) PLANS

Timeline: July 1, 2006 – June 30, 2011 (unless the law is reauthorized sooner)

FDOE Contact: Audrey Obinyan, (850) 245-0690

Overview

Section 1112 states that, in order to receive Title I funds, an LEA must have an approved plan on file with the Florida State Department of Education. The plan must be completed every five years.

Each LEA was required to submit this plan for the first year for which Title I is in effect following the date of the enactment of the No Child Left Behind Act of 2001. Florida's first plan was in effect from July 1, 2002 through June 5, 2006.

The effective dates for the current plan are July 1, 2006 through June 30, 2011. Review of the plan should be on going and revisions should be made as necessary.

The major components of the plan are descriptions of the LEA's:

- Use of additional student academic assessments and other indicators;
- Provision of additional educational assistance to enable the students to meet the state's challenging student academic achievement standards;
- Poverty criteria used for the selection of the school attendance areas;
- Identification process of students most in need of assistance in Targeted Assistance schools;
- Schools' programs conducted in Schoolwide and Targeted Assistance schools and educational services for neglected or delinquent children in local institutions and in community day school programs;
- Assurance that equitable services will be provided to migrant children;
- Use of funds to support preschool programs;
- Actions to assist low achieving schools identified as in need of improvement;
- Implementation of school choice and SES;
- Compliance with the Highly Qualified requirements;
- Services to be provided for the Homeless children;
- Strategy used to implement effective Parent Involvement; and
- Use of funds to support extended programs.

LEAs also must include required assurances. If there has been any allowance for variation from the requirements through an extension, waiver or exception, documentation must be included.

PUBLIC LAW

PUBLIC LAW 107-110**“SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.****“(a) PLANS REQUIRED.—**

“(1) SUBGRANTS.—A local educational agency may receive a subgrant under this part for any fiscal year only if such agency has on file with the State educational agency a plan, approved by the State educational agency, that is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Carl D. Perkins Vocational and Technical Education Act of 1998, the McKinney-Vento Homeless Assistance Act, and other Acts, as appropriate.

“(2) CONSOLIDATED APPLICATION.—The plan may be submitted as part of a consolidated application under section 9305.

“(b) PLAN PROVISIONS.—

“(1) IN GENERAL.—In order to help low-achieving children meet challenging achievement academic standards, each local educational agency plan shall include—

“(A) a description of high-quality student academic assessments, if any, that are in addition to the academic assessments described in the State plan under section 1111 (b)(3), that the local educational agency and schools served under this part will use—

“(i) to determine the success of children served under this part in meeting the State student academic achievement standards, and to provide information to teachers, parents, and students on the progress being made toward meeting the State student academic

“(ii) to assist in diagnosis, teaching, and learning in the classroom in ways that best enable low-achieving children served under this part to meet State student achievement academic standards and do well in the local curriculum;

“(iii) to determine what revisions are needed to projects under this part so that such children meet the State student academic achievement standards; and

“(iv) to identify effectively students who may be at risk for reading failure or who are having difficulty reading, through the use of screening, diagnostic, and classroom-based instructional reading assessments, as defined under section 1208;

“(B) at the local educational agency’s discretion, a description of any other indicators that will be used in addition to the academic indicators described in section 1111 for the uses described in such section;

“(C) a description of how the local educational agency will provide additional educational assistance to individual students assessed as needing help in meeting the State’s challenging student academic achievement standards;

“(D) a description of the strategy the local educational agency will use to coordinate programs under this part with programs under title II to provide professional development for teachers and principals, and, if appropriate, pupil services personnel, administrators, parents and other staff, including local educational agency level staff in accordance with sections 1118 and 1119;

“(E) a description of how the local educational agency will coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as—

“(i) Even Start, Head Start, Reading First, Early Reading First, and other preschool programs, including plans for the transition of participants in such programs to local elementary school programs; and

“(ii) services for children with limited English proficiency, children with disabilities, migratory children, neglected or delinquent youth, Indian children served under part A of title VII, homeless children, and immigrant children in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program;

“(F) an assurance that the local educational agency will participate, if selected, in the State National Assessment of Educational Progress in 4th and 8th grade reading and mathematics carried out under section 411(b)(2) of the National Education Statistics Act of 1994;

“(G) a description of the poverty criteria that will be used to select school attendance areas under section 1113;

“(H) a description of how teachers, in consultation with parents, administrators, and pupil services personnel, in targeted assistance schools under section 1115, will identify the eligible children most in need of services under this part;

“(I) a general description of the nature of the programs to be conducted by such agency’s schools under sections 1114 and 1115 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs;

“(J) a description of how the local educational agency will ensure that migratory children and formerly migratory children who are eligible to receive services under this part are selected to receive such services on the same basis as other children who are selected to receive services under this part;

“(K) if appropriate, a description of how the local educational agency will use funds under this part to support preschool programs for children, particularly children participating in Early Reading First, or in a Head Start or Even Start program, which services may be provided directly by the local educational agency or through a subcontract with the local Head Start agency designated by the Secretary of Health and Human Services under section 641 of the Head Start Act, or an agency operating an Even Start program, an Early Reading First program, or another comparable public early childhood development program;

“(L) a description of the actions the local educational agency will take to assist its low-achieving schools identified under section 1116 as in need of improvement;

“(M) a description of the actions the local educational agency will take to implement public school choice and supplemental services, consistent with the requirements of section 1116;

“(N) a description of how the local educational agency will meet the requirements of section 1119;

“(O) a description of the services the local educational agency will provide homeless children, including services provided with funds reserved under section 1113(c)(3)(A);

“(P) a description of the strategy the local educational agency will use to implement effective parental involvement under section 1118; and

“(Q) where appropriate, a description of how the local educational agency will use funds under this part to support after school (including before school and summer school) and school-year extension programs.

“(2) EXCEPTION.—The academic assessments and indicators described in subparagraphs (A) and (B) of paragraph (1) shall not be used—

“(A) in lieu of the academic assessments required under section 1111 (b)(3) and other State academic indicators under section 1111(b)(2); or

“(B) to reduce the number of, or change which, schools would otherwise be subject to school improvement, corrective action, or restructuring under section 1116, if such additional assessments or indicators described in such subparagraphs were not used, but such assessments and indicators may be used to identify additional schools for school improvement or in need of corrective action or restructuring.

“(c) ASSURANCES.—

“(1) IN GENERAL.—Each local educational agency plan shall provide assurances that the local educational agency will—

“(A) inform eligible schools and parents of schoolwide program authority and the ability of such schools to consolidate funds from Federal, State, and local sources;

“(B) provide technical assistance and support to schoolwide programs;

“(C) work in consultation with schools as the schools develop the schools’ plans pursuant to section 1114 and assist schools as the schools implement such plans or undertake activities pursuant to section 1115 so that each school can make adequate yearly progress toward meeting the State student academic achievement standards;

“(D) fulfill such agency’s school improvement responsibilities under section 1116, including taking actions under paragraphs (7) and (8) of section 1116(b);

“(E) provide services to eligible children attending private elementary schools and secondary

schools in accordance with section 1120, and timely and meaningful consultation with private school officials regarding such services;

“(F) take into account the experience of model programs for the educationally disadvantaged, and the findings of relevant scientifically based research indicating that services may be most effective if focused on students in the earliest grades at schools that receive funds under this part;

“(G) in the case of a local educational agency that chooses to use funds under this part to provide early childhood development services to low-income children below the age of compulsory school attendance, ensure that such services comply with the performance standards established under section 641A(a) of the Head Start Act;

“(H) work in consultation with schools as the schools develop and implement their plans or activities under sections 1118 and 1119;

“(I) comply with the requirements of section 1119 regarding the qualifications of teachers and paraprofessionals and professional development;

“(J) inform eligible schools of the local educational agency’s authority to obtain waivers on the school’s behalf under title IX and, if the State is an Ed-Flex Partnership State, to obtain waivers under the Education Flexibility Partnership Act of 1999;

“(K) coordinate and collaborate, to the extent feasible and necessary as determined by the local educational agency, with the State educational agency and other agencies providing services to children, youth, and families with respect to a school in school improvement, corrective action, restructuring under section 1116 if such a school requests assistance from the local educational agency in addressing major factors that have significantly affected student achievement at the school;

“(L) ensure, through incentives for voluntary transfers, the provision of professional development, recruitment programs, or other effective strategies, that low-income students and minority students are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers;

“(M) use the results of the student academic assessments required under section 1111(b)(3), and other measures or indicators available to the agency, to review annually the progress of each school served by the agency and receiving funds under this part to determine whether all of the schools are making the progress necessary to ensure that all students will meet the State’s proficient level of achievement on the State academic assessments described in section 1111(b)(3) within 12 years from the end of the 2001-2002 school year;

“(N) ensure that the results from the academic assessments required under section 1111(b)(3) will be provided to parents and teachers as soon as is practicably possible after the test is taken, in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand; and

“(O) assist each school served by the agency and assisted under this part in developing or identifying examples of high-quality, effective curricula consistent with section 1111(b)(8)(D).

“(2) SPECIAL RULE.—In carrying out subparagraph (G) of paragraph (1), the Secretary—

“(A) shall consult with the Secretary of Health and Human Services and shall establish procedures (taking into consideration existing State and local laws, and local teacher contracts) to assist local educational agencies to comply with such subparagraph; and

“(B) shall disseminate to local educational agencies the Head Start performance standards as in effect under section 641A(a) of the Head Start Act, and such agencies affected by such subparagraph shall plan for the implementation of such subparagraph (taking into consideration existing State and local laws, and local teacher contracts), including pursuing the availability of other Federal, State, and local funding sources to assist in compliance with such subparagraph.

“(3) INAPPLICABILITY.—Paragraph (1)(G) of this subsection shall not apply to preschool programs using the Even Start model or to Even Start programs that are expanded through the use of funds under this part.

“(d) PLAN DEVELOPMENT AND DURATION.—

“(1) CONSULTATION.—Each local educational agency plan shall be developed in consultation with teachers, principals, administrators (including administrators of programs described in other parts of this

title), and other appropriate school personnel, and with parents of children in schools served under this part.

“(2) DURATION.—Each such plan shall be submitted for the first year for which this part is in effect following the date of enactment of the No Child Left Behind Act of 2001 and shall remain in effect for the duration of the agency’s participation under this part.

“(3) REVIEW.—Each local educational agency shall periodically review and, as necessary, revise its plan.

“(e) STATE APPROVAL.—

“(1) IN GENERAL.—Each local educational agency plan shall be filed according to a schedule established by the State educational agency.

“(2) APPROVAL.—The State educational agency shall approve a local educational agency’s plan only if the State educational agency determines that the local educational agency’s plan—

“(A) enables schools served under this part to substantially help children served under this part meet the academic standards expected of all children described in section 1111(b)(1); and

“(B) meets the requirements of this section.

“(3) REVIEW.—The State educational agency shall review the local educational agency’s plan to determine if such agencies activities are in accordance with sections 1118 and 1119.

“(f) PROGRAM RESPONSIBILITY.—The local educational agency plan shall reflect the shared responsibility of schools, teachers, and the local educational agency in making decisions regarding activities under sections 1114 and 1115.

“(g) PARENTAL NOTIFICATION.—

“(1) IN GENERAL.—

“(A) NOTICE.—Each local educational agency using Deadline. funds under this part to provide a language instruction educational program as determined in part C of title III shall, not later than 30 days after the beginning of the school year, inform a parent or parents of a limited English proficient child identified for participation or participating in, such a program of—

“(i) the reasons for the identification of their child as limited English proficient and in need of placement in a language instruction educational program;

“(ii) the child’s level of English proficiency, how such level was assessed, and the status of the child’s academic achievement;

“(iii) the methods of instruction used in the program in which their child is, or will be participating, and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;

“(iv) how the program in which their child is, or will be participating, will meet the educational strengths and needs of their child;

“(v) how such program will specifically help their child learn English, and meet age-appropriate academic achievement standards for grade promotion and graduation;

“(vi) the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for limited English proficient children, and the expected rate of graduation from secondary school for such program if funds under this part are used for children in secondary schools;

“(vii) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child;

“(viii) information pertaining to parental rights that includes written guidance—

“(I) detailing—

“(aa) the right that parents have to have their child immediately removed from such program upon their request; and

“(bb) the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and

“(II) assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the eligible entity.

“(B) SEPARATE NOTIFICATION.—In addition to providing the information required to be

provided under paragraph (1), each eligible entity that is using funds provided under this part to provide a language instruction educational program, and that has failed to make progress on the annual measurable achievement objectives described in section 3122 for any fiscal year for which part A is in effect, shall separately inform a parent or the parents of a child identified for participation in such program, or participating in such program, of such failure not later than 30 days after such failure occurs.

“(2) NOTICE.—The notice and information provided in paragraph (1) to a parent or parents of a child identified for participation in a language instruction educational program for limited English proficient children shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

“(3) SPECIAL RULE APPLICABLE DURING THE SCHOOL YEAR.— For those children who have not been identified as limited English proficient prior to the beginning of the school year the local educational agency shall notify parents within the first 2 weeks of the child being placed in a language instruction educational program consistent with paragraphs (1) and (2).

“(4) PARENTAL PARTICIPATION.—Each local educational agency receiving funds under this part shall implement an effective means of outreach to parents of limited English proficient students to inform the parents regarding how the parents can be involved in the education of their children, and be active participants in assisting their children to attain English proficiency, achieve at high levels in core academic subjects, and meet challenging State academic achievement standards and State academic content standards expected of all students, including holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of students assisted under this part.

“(5) BASIS FOR ADMISSION OR EXCLUSION.—A student shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status.