

6A-10.088 Florida McKinney-Vento Program Training and Identification

(1) Purpose. This rule sets forth requirements relating to the identification of students experiencing homelessness and required reporting to the Florida Department of Education relating to the Florida McKinney-Vento Program (FMVP), operated pursuant to the federal McKinney-Vento Homeless Assistance Act (hereafter referred to as the McKinney-Vento Act or MVA) (42 U.S.C. Sections 11431-11434A) and pursuant to Florida's Every Student Succeeds Act State Plan.

(2) Definitions.

(a) "McKinney-Vento liaison" means the person designated by a school district that is responsible for carrying out the duties outlined in 42 U.S.C. Section 11432(g)(6)(A).

(b) "School district" or "district" means a Florida school district or district school board, the Florida Virtual School (Section 1002.37, Florida Statutes (F.S.)), the Florida School for the Deaf and the Blind (Section 1002.36, F.S.), Developmental Research (Laboratory) Schools (Section 1002.32, F.S.); and charter school governing boards designated as local educational agencies (LEAs) (Section 1002.33(25), F.S.).

(c) "Student experiencing homelessness" means an individual who lacks a fixed, regular, and adequate nighttime residence, as defined in 42 U.S.C. Section 11434(a)(2) and includes:

1. 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; or are abandoned in hospitals;

2. 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;

3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

4. Migratory children who are living in circumstances described in subparagraphs (2)(c)1.-3.

(d) "Unaccompanied Homeless Youth" or "UHY" means a child or youth whose living arrangement qualifies as homeless under paragraph (2)(c) and who is not in the physical custody of a parent or guardian.

(e) "Department" means the Florida Department of Education.

(3) School districts must adopt procedures to identify students experiencing homelessness, to refer such students and their families for services available through the McKinney-Vento Act and services provided by local community

social service entities. These procedures must include, at a minimum, designating a McKinney-Vento liaison, providing training to selected school district personnel, developing and distributing a student housing questionnaire, and reporting to the Department, in accordance with the requirements of this rule.

(4) McKinney-Vento Liaisons.

(a) School districts must designate at least one McKinney-Vento liaison to serve as the district's lead homeless education contact. Duties of the liaison include:

1. Ensuring that procedures are in place to identify students experiencing homelessness and to provide them with applicable services under the McKinney-Vento Act;

2. Identifying and addressing barriers to enrollment, regular attendance, and academic achievement of students experiencing homelessness within the district; and

3. Providing training to other district- and school-level personnel in accordance with district policies to personnel identified under subparagraph (3)(c)2.

(b) Except for charter schools that are designated as a LEA under Section 1002.33(25), F.S., McKinney-Vento liaisons must support charter schools sponsored by their district in the same manner as traditional public schools.

(c) Training of and by McKinney-Vento Liaisons.

1. McKinney-Vento liaisons must participate in at least two training courses each school year provided or recommended by the Department. Training topics include the responsibilities of McKinney-Vento liaisons, identification of students experiencing homelessness, data collection and reporting requirements, and supports and services available under the McKinney-Vento Act.

2. School districts must identify district- and school-level personnel who must participate in training provided by the McKinney-Vento liaison. Such training includes the importance of identifying and supporting students experiencing homelessness, the identification of such students, and actions to take if staff suspect a student is experiencing homelessness. In identifying district- and school-level personnel who must be trained, school districts must consider principals and other school leaders, school-level homeless student contacts, attendance officers, enrollment personnel, bus drivers, cafeteria staff, school counselors, teachers, and others that have direct contact with students.

3. School districts must maintain documentation of liaison training, as set forth in paragraph (4)(c) of this rule and provide it to the Department upon request.

(5) Student Housing Questionnaire.

(a) School districts must create student housing questionnaire(s) to be used in all public schools, including public charter schools, to identify students who are experiencing homelessness and who may be eligible for services under the McKinney-Vento Act.

1. A student housing questionnaire must be provided to parents, guardians, and unaccompanied homeless youths at least once annually and whenever there is evidence that a student may be experiencing homelessness throughout the school year.

2. A student housing questionnaire must be included in the annual school enrollment packet.

3. A student housing questionnaire may be distributed or returned electronically, but it must be available in hard copy, if requested.

4. A template that can be modified by school districts is available on the Department's website at <https://www.fldoe.org/policy/federal-edu-programs/title-ix-mvp/>.

(b) Beginning July 1, 2024, any student housing questionnaire must prominently explain that the purpose of the form is to identify students and families who may be eligible for services in the school or local community. In addition, a questionnaire must, at a minimum, request the following information:

1. Student's name (first name, middle initial, last name);

2. Student's birth date;

3. Student's school and grade;

4. Names, birthdates, school and grade for each additional child or youth in the household;

5. Parent's or guardian's name;

6. Street address;

7. Length of time at current address;

8. Former address;

9. Parent's, guardian's or UHY's phone number;

10. Parent's, guardian's, or UHY's signature and date of signature;

11. Selection of nighttime residence type, using the residences defined in the "Homeless Student, PK-12" data element in Rule 6A-1.0014, F.A.C., Comprehensive Management Information System;

12. Selection if the student is an UHY, as defined in 42 U.S.C. Section 11434(a)(6); and

13. Selection of homelessness cause, using the causes defined in the “Homelessness Cause” data element in Rule 6A-1.0014, F.A.C., Comprehensive Management Information System.

(6) Required Reporting.

(a) By August 1 of each year, school districts must submit the Florida McKinney-Vento Program District Contact Directory and Listserve Update, Form FMP-1 (insert link), effective August 2023, to the Department at FLMVP@fldoe.org. School districts must notify the FMVP within ten (10) school days of a change in assignment of or contact information for a McKinney-Vento liaison.

(b) School districts must report information on students experiencing homelessness to the Department during the survey periods and use the elements set forth in Rule 6A-1.0014, F.A.C., Comprehensive Management Information System.

Rulemaking Authority 1001.02(1), (2)(n), 1008.33(1), 1008.385(3) FS. Law Implemented 1008.33, 1008.385 FS.

History – New