

2012



Lesson 2: Determining Eligibility

Mini-workbook

Updated 1/31/2012

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About the Mini-workbooks

The **mini-workbooks** are designed to use with the *Interactive Homelessness Lessons* on the Early Childhood Learning and Knowledge Center (ECLKC). The mini-workbooks are optional. You can successfully complete the Web version of the lessons without this resource. However, the mini-workbooks offer a multidimensional learning experience for programs who want to use the *Interactive Homelessness Lessons* as a training tool with groups of staff. You will find that the mini-workbooks point to the Web version to find answers and to discover more information.

The **Explore Information** tab in the Web version of each Lesson contains information, resources and materials to support your knowledge gathering and knowledge sharing. Some of the resources that are listed in the Web version are also included in the mini-workbooks. The computer symbol  indicates resources that are included in the Web version of the *Interactive Homelessness Lessons*. This symbol  indicates resources that are included in the mini-workbook version of the *Interactive Homelessness Lessons*. These symbols are used in the table on the next page.

Throughout the mini-workbook you will be asked to share your thoughts in the “Idea Box”. The light bulb is the symbol for the idea box.

This symbol  precedes instructions that direct you to a particular section of the Web version of the *Interactive Homelessness Lessons* for answers and for more information.

The Web version can be found on the Early Childhood Learning and Knowledge Center (ECLKC). The instructions on page 6 display how to access the ***Interactive Homelessness Lessons***.

The ***Interactive Homelessness Lessons*** take account of many real-life scenarios that may occur in programs and communities. The Lessons include a myriad of useful resources to support your learning and discovery of new strategies and ideas as you work with families experiencing homelessness.

In ***Lesson 2: Determining Eligibility***, Office of Head Start Director, Yvette Sanchez Fuentes shares why it is important to understand the definition of homelessness.

In this lesson, you are introduced to the Ramirez Family, the Sampson Family, and the Turner Family. You will be asked to make a recommendation as to whether or not each family is eligible for Head Start based on homelessness.

Each family is asked a series of questions. You will be guided to the Web version to read the responses to the questions each family was asked. After reading their responses, you will write your recommendation in the “Idea Box”. You will return to the Web version to read which

About the Mini-workbooks (continued)

recommendation was deemed to be the most appropriate recommendation and to compare your recommendation with the Web's recommendation.

Resources that are listed in the **Explore Information** section of the Interactive Homelessness Lesson 2 are included in this table:

Lesson 2: Determining Eligibility	
Legal Definition of Homelessness	
Get the Facts	
Sample Questions	
Analyze the Facts	
Khari, Collaboration Director, Talks about Eligibility	

How to Access the Interactive Homelessness Lessons on the ECLKC

The Interactive Homelessness Lessons can be found on the Early Childhood Learning and Knowledge Center (ECLKC).

1. Enter ECLKC.ohs.acf.hhs.gov in the browser. After the ECLKC page appears, enter 'Interactive Homelessness Lessons' in the search box. Click on 'search'.

...enter 'Interactive Homelessness Lessons' in the search box



2. Select the Interactive Homelessness Lessons icon.



3. Welcome to the Interactive Homelessness Lessons page will appear.



4. Go to the **Eligibility** tab.

Why Determining Eligibility is Important

Children ages birth to five and enrolled pregnant women who are experiencing homelessness are automatically eligible for Head Start (42 U.S.C. 9840(a)(1)(B)). The McKinney-Vento Homeless Assistance Act defines homeless children and youths as “individuals who lack a fixed, regular, and adequate nighttime residence.” (42 U.S.C. 11431 et seq.) If a living arrangement does not meet all three criteria (fixed, regular, and adequate), it is considered a homeless situation. Because the circumstances of homelessness vary with each family’s situation, the decision process for determining the extent to which the family experiences are represented by the homelessness definition in the McKinney-Vento Act is determined on a case-by-case basis.

The following guidelines will help you to determine eligibility based on a family’s experience of homelessness:

- Determine eligibility on a case-by-case basis by examining the living arrangement of each family.
- Use good questioning techniques to get as much information as possible, while making sure parents feel comfortable.
- Use respect and sensitivity to gather and analyze the facts to verify whether a child’s experiences are represented by the homelessness definition in the McKinney-Vento Act.
- Discuss each situation with your supervisor in order to make the best determination.

Legal Definition of Homelessness

According to section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), the term “homeless children and youths”—

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...;
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 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 ...;

(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 who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

Children and youth are considered homeless if they fit both part A and any one of the subparts of part B of the definition above.

What is the meaning of fixed, regular, and adequate?

What is the meaning of fixed, regular, and adequate?

Fixed nighttime residence: Stationary, permanent, and not subject to change.

Regular nighttime residence: Used on a predictable, routine, or consistent basis.

Adequate nighttime residence: Sufficient for meeting both the physical and psychological needs typically met in home environments.

Legal Definition of Homelessness (continued)

What is substandard housing?

What is substandard housing?

Excerpt from The Office of Head Start Policy Clarification (OHS-PC- I-0) states:

“...In determining whether a child is living in "substandard housing", Head Start staff must evaluate whether the child's housing situation falls short of community standards or is of lower quality than the law prescribes. Staff should consider factors such as whether there are health and safety concerns related to the housing; the number of occupants per square foot; the age(s) of the occupants; and whether the housing meets State or local building codes. Does a comparison of the housing in question with community norms and laws lead staff to conclude that it is lower than what community norms or laws require?...”

Informal Guidance, May 8, 2008

Get the Facts

The first step in determining eligibility is to get the facts to assess the child's situation. Refer to the table ***Procedures and Rationale for Gathering Facts***.

Procedures and Rationale for Gathering Facts

Do this...	Because...
Gather initial information through your usual processes.	It's crucial to find out about the family's living situation.
Talk to the family in a quiet space where staff and other children cannot overhear the conversation.	This shows respect for the family's privacy. These are often very personal discussions for a family.
Avoid using the word "homeless." Use terms such as "temporary living arrangement."	It reduces the possibility that the stigma associated with the word may lead parents to insist they are not homeless, even though their living situation is represented by the homelessness definition in the McKinney-Vento Act. Also, some families may not consider themselves homeless and yet they may be eligible.
Ask questions to get a better sense of the family's circumstances and living situation, and to determine eligibility.	It's a way to obtain more information. Explain the reason for your questions in order to reduce the hesitancy of some families to answer questions due to a desire for privacy, concerns related to domestic violence, or fear of losing their children or housing.

What are basic principles of asking questions?

Before asking any questions, keep these basic principles in mind:

Treat families with respect.

Families experiencing homelessness are highly stressed. They are often involved in multiple systems, and are not always treated respectfully by service providers. Begin by recognizing a family's strengths and competencies. Acknowledge that they are facing tremendous challenges and are making the best choices they can. Earn their trust, maintain their confidentiality, and treat them with dignity and sensitivity. In your work, focus on what families do well and help them identify these as strengths. Maintain positive and supportive interactions.

Watch your language.

Many families in these difficult situations, despite their eligibility under the law, would not describe themselves as "homeless." To gather information from families, ask about their living situations. Avoid using the term "homeless" to describe what you hear, due to the associated stigma. Instead, use terminology such as "in a temporary living arrangement."

Have a conversation, not an interrogation.

Which questions you decide to ask, how you ask the questions, when you ask the questions and to whom you ask the questions have a significant impact on your relationship with the family. It affects the responsiveness of the family as well as your success in getting the responses you need to make a clear determination about whether the family may be in a homeless situation.

Sample Questions

The following are examples of questions to help determine whether a family's experiences are represented by the homelessness definition in the McKinney-Vento Act.

- Questions to find out if the living situation is **fixed**
- Questions to find out if the living situation is **regular**
- Questions to find out if the living situation is **adequate**

Questions to find out if the living situation is **fixed** (stationary, permanent, and not subject to change)

- Where are you living now?
- Is this a permanent arrangement or just temporary? How long have you lived here? How long do you plan to live here? Are you able to stay here? For how long?
- Are you looking for another place to live?
- Are you planning to move soon?
- What brought you to live where you are living now?
- Where were you living right before this place? Why did you leave (choice or crisis situation)?
- Suppose you couldn't stay where you are now. Where would you go?
- Are you staying with friends/relatives just for a little while? How long have you lived here? How long do you plan to live here?
- Did you and your friends/relatives decide to move in together and share a home and expenses for the long term or is this a temporary situation for you?
- What would happen if your friends/relatives asked you to leave?
- Are you all sharing the home equally, or are you more like guests in the home?
- If you moved out to do repairs on your home, are you planning to move back when the repairs are completed?
- Do you have affordable housing?

-

Questions to find out if the living situation is **regular** (used on a regular and nightly basis)

- Do you stay in the same place every night?
- Do you have a key to the place where you are living?
- Do you move around a lot?
- How long have you been at that place? How long do you plan to stay?
- How long did you live in your last place?
- Do you have to pay anything to stay where you are now?
- What do you like about where you are living? What don't you like about it?

Sample Questions (continued)

Questions to find out if the living situation is **adequate** (sufficient for meeting both the physical and psychological needs typically met in home environments)

- How many people are living in the home? How many bedrooms/bathrooms does it have?
- Are you and your children sharing a room? How many people are staying in one room?
- Are you and your children sleeping in a bedroom, or a public area, like a dining room?
- Does the home have heat/electricity/running water?
- What condition is the home in? Does it keep out rain and wind? Is it safe? Is it warm and dry? Do the windows have glass panes?
- Are you comfortable where you are living now?
- Can you come and go as you please?

Analyze the Facts

A family whose experiences are represented by the homelessness definition in the McKinney-Vento Act is eligible for Head Start services. A family is considered homeless under the McKinney-Vento Act if their experiences are represented in the specific examples of homelessness in the definition and the family lacks a fixed, regular, and adequate nighttime residence. This requires a case-by-case analysis. Once you have collected the information, use the table below to help you determine whether a family is eligible for Head Start services.

Decision Table for Determining a Homeless Situation

Step	Action
1	Does the family's living arrangement fit into one of the specific examples from part (B) of the McKinney-Vento definition of homelessness? If YES, go to step 2 If NO, go to step 4
2	Does the family lack a fixed, regular, and adequate nighttime residence? If YES, go to step 3 and STOP If NO, go to step 4
3	The family is considered homeless and is eligible for Head Start services.
4	The family is NOT considered homeless. Consider other eligibility criteria.

Select from the list below to help you analyze whether a family's experience is represented in the McKinney-Vento definition of homelessness. All examples below include migratory children.

➤ **Specific examples from part (B) of the McKinney-Vento definition of homelessness including:**

- *Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason*

“Sharing the housing of other persons...” implies that the child is staying in another person's home.

Analyze the following:

- Does the family have any legal right to be in that home?
- Can the family be asked to leave at any time with no legal recourse?
- Is the living situation intended to be temporary or long term?
- Did the family move into the home as an urgent measure to avoid being on the street or in another precarious situation?

Analyze the Facts (continued)

“...Due to loss of housing...” implies that the child has no personal housing available.

Determine whether the child or family lost their previous housing due to:

- An eviction or an inability to pay the rent or other bills
- Destruction of or damage to the previous home
- Abuse or neglect
- Unhealthy conditions such as an inadequate physical environment, infestations, drug or alcohol abuse in the home, or domestic violence
- The absence of a parent or guardian due to abandonment, the parent’s or guardian’s incarceration, or another reason

“...Economic hardship...” includes cases where limited financial resources have forced families to leave personal residences and share housing due to an inability to pay rent and other bills. The way that the shared housing came about and the intention of the residents are significant.

Analyze the following:

- Did an economic hardship such as an accident or illness, loss of employment, loss of public benefits, or condition of poverty force the family to share housing temporarily? If yes, the children are eligible for McKinney-Vento services.
 - Is the family in a long-term, cooperative living arrangement with relatives or friends that is fixed, regular, and adequate even if the parties are living together to save money? If yes, this is not considered a homeless situation.
- *Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations*

“...due to the lack of alternative accommodations” helps determine whether these living situations should be considered homeless situations.

Analyze the following:

- Is there an alternative accommodation to living in a motel, hotel, or camping ground, all of which are rarely fixed or regular? If not, then it is probably a homeless situation. If there are alternatives, then it is not a homeless situation. An example is a wealthy family living in a luxury hotel on a long-term basis when **adequate alternatives** are available.

Analyze the Facts (continued)

- Is a child living in a trailer park eligible for McKinney-Vento services even though trailer parks are often fixed, regular, and adequate residences? To determine if the child is eligible, ask questions about:
 - The condition and size of the trailer
 - The number of people living there
 - The intended length of stay
 - Whether the family has an adequate alternative

- *Living in emergency or transitional shelters*

Review your collected facts to determine if a family is living in an emergency or transitional shelter.

See the examples below:

- Youth shelters
- Domestic violence shelters
- Family shelters
- Transitional living programs
- Supportive housing program

- *Abandoned in hospitals or awaiting foster care placement*

A child abandoned in a hospital would become a ward of the state and most likely go into the foster care system. Foster children are automatically eligible for Head Start/Early Head Start whether they are awaiting placement, in a temporary placement, or have been placed.

- *Living in 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*

Review your collected facts to determine if a family is living in a place that meets criteria including these examples:

- Health clinic
- Office
- Public restroom
- Unfinished basement or attic

- *Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings*

Analyze the Facts (continued)

Substandard means “deviating from or falling short of a standard or norm” or “of a quality lower than that prescribed by law.” Review your collected facts and determine if the housing is substandard by comparing it with community norms and the law, including a consideration of such factors as:

- Health and safety concerns
- Number of occupants per square foot
- Age of occupants
- State and local building codes

➤ **Fixed, regular, and adequate nighttime residence**

A living situation is considered **fixed** if it is:

- Stationary, permanent, and not subject to change
- A place where a family has a permanent home and from which it has no present intention of moving

A living situation is considered **regular** if it is:

- Consistent and familiar
- Used on a regular (i.e., nightly) basis

A living situation is considered **adequate** if it is:

- Lawfully and reasonably sufficient for what is required
- Sufficient for meeting both the physical and psychological needs typically met in home environments

NOTE: Once a family is considered homeless, they are eligible for Head Start services through the end of that school year, even if they secure permanent housing during the year.

➤ **If you are still not sure**

If you are still not sure if a child is eligible for McKinney-Vento services, consider using the following resources:

- Contact your local homeless education liaison (if you are a school staff person).
- Contact your State Coordinator for Homeless Education.
- Post a question to the National Center for Homeless Education (NCHE) Homeless Education Listserv to solicit input from other homeless education practitioners. (Contact NCHE at <http://center.serve.org/nche>).

Call the NCHE Helpline at 800-308-2145

Meet the Ramirez Family

Ms. Ramirez and her two children, three-year-old Inez and nine-month-old Paulo, come into your center. Ms. Ramirez tells you the following:

“I need to put my two children in Head Start. We moved to California from Texas so I could get work. I’ve been working here for a few weeks and got paid, but the check bounced. I didn’t have any money to pay my rent so I had to leave my apartment. We’re staying with another family right now but I don’t know how long we can stay there. I’m trying to find work so we can get another apartment, but I need you to take my children so I have time to find work. Can you take them right away?”

Conversation with Ms. Ramirez

How will you engage Ms. Ramirez? What questions will you ask her? You may want to review ***Get the Facts, Sample Questions, and Analyze the Facts*** for procedures and tips to help you determine eligibility. In your initial conversation with Ms. Ramirez ensure that she is comfortable. It is advisable to continue the conversation in a private space. Review the questions below and select the ones you will ask her. **Note:** In real-life situations, you can weave these questions into your conversations with families. Given that each family situation is uniquely different, you may be compelled to reword or ask other questions.

➡ Go to ***Interactive Homelessness Lesson 2: Determining Eligibility – The Ramirez Family*** to find out how Ms. Ramirez responded to these questions.

1. Where are you living now?
2. Is the place you’re staying close to here?
3. Have you been in situations where you’ve had to move around a lot?
4. What kind of job are you looking for?
5. Do you have any of your children’s records with you, such as immunization information?

The Ramirez Family: Make a Recommendation

Your Task:

1. Review and analyze the *Conversation with Ms. Ramirez*.
2. Is the Ramirez family experiencing homelessness?
3. Record your recommendation in the idea box.



➡ Go to ***Interactive Homelessness Lesson 2: Determining Eligibility – The Ramirez Family - Recommendation*** to find out what recommendation was proposed.

- What are your thoughts about the proposed recommendation?
- Is it similar to what you thought?

Meet the Sampson Family

Ms. Sampson and her three-year-old son, Darryl, walk into your center. Ms. Sampson wants to enroll Darryl in Head Start.

Conversation with Ms. Sampson

Before you have a conversation with Ms. Sampson, you may want to review ***Get the Facts***, ***Sample Questions***, and ***Analyze the Facts*** for procedures and tips to help you determine eligibility.

As you begin to determine if Darryl is eligible for Head Start, you find out that Ms. Sampson is not working, she does not have a husband or significant other who helps her support Darryl, and that she is currently living with her sister.

To help you determine if Darryl is eligible for Head Start services based on homelessness, you will need to find out if the Sampson family has a fixed, regular, and adequate nighttime residence. In your initial conversation ensure that Ms. Sampson is comfortable and then invite her to talk with you in a quiet area. Review the questions below. Which questions would you ask Ms. Sampson? **Note:** In real-life situations, you can weave these questions into your conversations with families. Given that each family situation is uniquely different, you may be compelled to reword or ask other questions.

➡ Go to ***Interactive Homelessness Lesson 2: Determining Eligibility – The Sampson Family*** to find out how Ms. Sampson responded to these questions.

1. Tell me about where you are living now.
2. Are you homeless?
3. Are you just temporarily living with your sister?
4. Are you and your sister comfortable with your current living arrangement?
5. Where were you living before you came to live with your sister?
6. Do you have income to support your family?
7. I'd like to set up a time to visit you at your home. What time would be good for you?

The Sampson Family: Make a Recommendation

Your Task:

1. Review and analyze the *Conversation with Ms. Sampson*.
2. Is the Sampson family experiencing homelessness? What would you recommend to your supervisor?
3. Record your recommendation in the idea box.



➡ Go to ***Interactive Homelessness Lesson 2: Determining Eligibility – The Sampson Family - Recommendation*** to find out what recommendation was proposed.

- What are your thoughts about the proposed recommendation?
- Is it similar to what you recommended?

Meet the Turner Family

Mrs. Turner brings her four-year-old granddaughter, Roxanne, into your center to enroll her in Head Start. Mrs. Turner tells you:

“This is my granddaughter Roxanne, and she just started living with me last week. I want to enroll her in your Head Start program. She has two older brothers who are in school all day. I have some health problems so it’s hard for me to take care of Roxanne all day so I thought this would be a good place for her. You can see I also have trouble walking and I go to physical therapy during the day.”

Conversation with Mrs. Turner

Before you have a conversation with Mrs. Turner, you may want to review ***Get the Facts***, ***Sample Questions***, and ***Analyze the Facts*** for procedures and tips to help you determine eligibility. In your initial conversation, ensure that Mrs. Turner is comfortable. While a colleague looks after Roxanne, invite Mrs. Turner to talk with you. When you are ready, review the questions below and select the ones you might ask her. **Note:** In real-life situations, you can weave these questions into your conversations with families. Given that each family situation is uniquely different, you may be compelled to reword or ask other questions.

1. Why aren't these children living with their mother?
2. How is it that Roxanne came to live with you?
3. You mentioned that Roxanne has two brothers. What are their names, how old are they, and where do they go to school?
4. How long do you think Roxanne and her brothers will be living with you?
5. You mentioned you have some health problems. Would you mind telling me what they are?
6. You know we can't just take kids in Head Start because people need babysitters. Why don't you just take Roxanne to physical therapy with you?
7. Do you have any other family members who could help you take care of your grandchildren?

➡ Go to ***Interactive Homelessness Lesson 2: Determining Eligibility – The Turner Family*** to find out how Mrs. Turner responded to these questions.

The Turner Family: Make a Recommendation

Your Task:

1. Review and analyze the *Conversation with Mrs. Turner*.
2. Is the Turner family experiencing homelessness? What decision will you make?
3. Record your decision in the idea box.



A large empty rectangular box for recording a decision. In the top left corner of the box, there is a simple line drawing of a lit lightbulb with rays emanating from it, symbolizing an idea or a decision.

➡ Go to ***Interactive Homelessness Lesson 2: Determining Eligibility – The Turner Family - Recommendation*** to find out what was decided.

- What are your thoughts about the decision?
- Is it similar to your decision?

Key Points about Determining Eligibility Based on Homelessness

In this lesson, you built upon your knowledge and you had the opportunity to practice making eligibility determinations with families who present with different living circumstances.

- Through interactive experiences, you determined eligibility for homeless children and families on a case-by-case basis.
- You had opportunities to use the McKinney-Vento definition as the basis for understanding what you need to know about a family's situation in order to make an eligibility determination.
- You explored different ways to be sensitive to families' privacy and feelings about their situation by using good conversational and questioning techniques and by treating families with respect and consideration.

Remember that serving children experiencing homelessness is crucial to our mission of serving the neediest children in our country. Together let's continue to make Head Start and Early Head Start a reality for as many families in homeless situations as we can.

Acknowledgements

The creation of the *Interactive Homelessness Lessons* was a collaborative project. The overarching goal, *to create a knowledge base with which Head Start and Early Head Start staff who work with families could enhance their skills and knowledge as it relates to their work with families experiencing homelessness*, was achieved through mutual sharing of ideas, time and an enormous amount of effort.

The Homelessness Workgroup played an integral role to ensure that the experiences in each lesson were far-reaching and all encompassing. The Homelessness Workgroup includes a dynamic group of knowledge experts: Kiersten Beigel (Federal Lead), Marco Beltran, Diana Bowman, Jacqueline Davis, Mary Lynne Diggs, Barbara Duffield, Shirley Fan-Chan, Carolyn Garmise, Khari Garvin, Christina Murphy, Tamara Perez, Mary Vanderwert, Sheri Watkins, and Grace Whitney.

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The Workgroup also extends a warm and sincere thank you to Yvonne Andersen and Sara Villavicencio who shared their personal experiences with homelessness, and to the staff who supported them, Kim Garcia and Dora McKean.

The Workgroup commends the Head Start Knowledge and Information Management Services (HSKIMS) team who videotaped, formatted, and designed the lessons for use on the Web.

You are encouraged to explore all that this dynamic resource has to offer.

Thank you