The purpose of this document is to identify the unique circumstances that often present to school divisions pertaining to students with disabilities who are in foster care or who are experiencing homelessness. Given the high mobility both of these groups of students experience, how do school divisions both comply with the law AND ensure that these high risk students get what they need? This document offers special considerations and suggestions for use of the CARES Act Elementary and Secondary School Emergency Relief (ESSER) Funds to support these students.

Students who lack stable housing and meet the education definition of homelessness have educational rights under the Education of Homeless Children and Youth program in the McKinney-Vento Homeless Assistance Act, Title IX, Part A of the Every Student Succeeds Act (ESSA). Students in foster care have similar educational rights mandated in Title I, Part A of ESSA. A greater percentage of students are identified with disabilities in both of these subgroups than the general population.

When determining how ESSER funds will be used, divisions should apply an equity lens and consider the impacts on underserved groups, including these highly vulnerable subpopulations of students with disabilities: students experiencing homelessness and students in foster care. Graduation rates and achievement are lower for these students. Appendix A provides a graph and table that compare achievement and graduation rates and show the added challenges faced by these subpopulations of students. (Note, data for students in foster care is still baseline as the flag for foster care has been included in the student record collection for a limited time; not all students may be flagged properly at this time.)

Research suggests that a disproportionate share of low income students lose some of the academic year’s gains during school breaks in a phenomenon called summer slide. Based on our understanding of the achievement gap prior to COVID-19, it is expected that students in high risk groups, such as those with disabilities and experiencing homelessness or in foster care, could start the beginning of the school year at a significant disadvantage.

While the economic crisis and uncertainty of the pandemic has added stress to most families, many of them for the first time, students with disabilities who are experiencing homelessness or placed in foster care have experienced multiple traumas prior to the pandemic. Current events exacerbate challenges for these students. The following table offers some suggestions for the use of ESSER funds based on those challenges and likely needs.

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| ESSER funds uses | Considerations and needs |
| School of origin transportation | For students who are experiencing homelessness and placed in foster care, school is often the one constant in their lives. Students with disabilities rely on consistent specialized instruction from teachers and other school staff who understand their unique learning profile. Maintaining school of origin means students with disabilities stay connected to vital services and school personnel, and less staff time is spent recreating IEP documents as students transfer from school to school. School of origin transportation needs are expected to grow as families become destabilized as a result of the economic impact of COVID-19. Additionally, increased family stress is likely to result in more children and youth entering foster care, and dependent on placement location, costs related to IEP transportation needs could increase. |
| Staffing to support temporary reassignment of duties or shift in roles | IEP team members and other decision makers in the IEP process (i.e., special education coordinators) play an important role in consultation to determine best interest, and help facilitate efficiency by participating in concurrent BID and IEP meetings. Closer to school openings, the demand for staff time spent engaging in activities such as reviewing records and consultation with BID teams is likely to increase as collaborative teams work to make thoughtful decisions for growing numbers of students whose placements have changed since schools closed. |
| Staffing and materials to support tutoring, remediation or ESY, and social emotional skill development | As a group, students with disabilities who are also experiencing homelessness or in foster care achieve at lower rates than students with disabilities, students who are experiencing homelessness, or students placed in foster care alone. The trauma and uncertainty of COVID-19 felt by many students is compounded by previous trauma and gaps in skills for students experiencing homelessness or placed in foster care. Despite schools’ best efforts, many students will disengage from learning and fall further behind. Tutoring and remediation during the regular school year, additional support through weekend, afterschool, or summer programming, and ESY should be considered as indicated by measurement of students’ regression and the rate of educational recoupment. Additionally, social emotional support may be necessary to help students deal with the emotions associated with academic challenges, or may be a precursor to students’ readiness to learn. |
| Staff for parent training/ parent support programs and activities to support parent engagement | Parents may not have the training or resources to work with students’ exceptional needs during the regular school year or during planned and unplanned breaks. Now, more than ever, parents are important partners, and need support and training to help their child learn. This may involve training on how to use assistive technology or manage behavioral and academic needs, or accessing technology to engage in online learning activities. Consider including birth parents in training and engagement efforts of students placed in foster care if reunification is part of the student’s permanency plan. |

**Who should be included when determining how to prioritize needs?**

As school divisions prioritize needs and how to most effectively budget the ESSER Funds, leadership is encouraged to consider the additional support needed by these highly at-risk subpopulations Including input from the school division’s foster care and homeless liaison to determine how funds will be used is critical to ensuring equity and access.

**What are some other funding options for meeting students’ needs during school closures?**

School divisions should consider other funding sources the school division may be able to access to serve these students in their deliberations regarding ESSER Funds to create a comprehensive approach to meeting educational needs. Further, the considerations in this guidance may be useful should additional federal funds become available.

For students experiencing homelessness, the school division should review its Title I, Part A reservation and the proposed use of those funds. Divisions with a current McKinney-Vento subgrant or those who receive a 2020-2023 subgrant have additional federal funding stream to access. Finally, nonsubgrant school divisions may apply for a modest state McKinney-Vento award described in the May 29, 2020 Supt Memo.

For students in foster care, Title I, Part A funds may be used. The U.S. Department of Education is allowing the optional reservation for school of origin transportation to be used for additional needs as a result of the pandemic. (See VDOE FAQ question.) Limited funds may be available for students through the Department of Social Services. Chafee Program Funds for youth 14 and older may provide additional support in accessing educational materials, including technology. Consultation with your LDSS may assist in navigating such coordination.



