

# Act 1 of 2022 – Assisting Students Experiencing Education Instability

## Children and Youth Experiencing Homelessness

### Did you know?

**Children and youth experiencing homelessness** who have experienced “education instability” — meaning one or more school changes in school entity enrollment during a single school year — are eligible for assistance under Pennsylvania law.<sup>1</sup>

**Act 1 of 2022 (Act 1)** promotes timely high school graduation and facilitates equal access to academics and extracurricular activities and the removal of systemic barriers for students who experience education instability as defined by the legislation. This includes children and youth experiencing homelessness.

Children and youth experiencing homelessness have a **right to school stability** and other school protections under the McKinney-Vento Homeless Assistance Act.<sup>2</sup> While experiencing homelessness, a change in schools is sometimes necessary or appropriate for the student.

Under Act 1, school entities must work with these students experiencing homelessness who have experienced education instability **to remove a variety of barriers** that could impact their success in school.

### Why is Act 1 important?

Educators play a critical role in creating a school environment that is safe and supportive for students experiencing housing instability, including knowledge and understanding of the stress and trauma that often accompanies homelessness.

Educators are often the first to notice signs that a student’s housing status has changed and can connect with the Homeless Liaison immediately to help collaborate with other staff, the student, and family on other resources, services, and supports as needed.

When a change in school enrollment is necessary or appropriate for children and youth experiencing homelessness, schools can reduce education barriers caused by housing instability. The law requires schools to facilitate equal access to academic and extracurricular activities, and to promote grade retention and on-time high school graduation.

### What does the law provide children and youth experiencing homelessness?

#### Point of Contact

**Establishes a Point of Contact** for the student. The Point of Contact established by the student’s school entity ensures that the student receives all benefits of the law, and this information is added to the student’s education record. School entities already have an identified McKinney-Vento Homeless Liaison.<sup>3</sup> Schools must determine the most appropriate Point of Contact for the student, which may include a building-level Point of Contact, to ensure eligible students receive all benefits of the law.

#### Equal Access

**Ensures equal access** for the student to participate in school-sponsored and extracurricular activities if they meet placement and qualification requirements. This includes lifting registration deadlines due to attending a prior school or other barriers that may be caused by experiencing school instability.

#### Fees Assistance

**Eliminates fees** that create a barrier for students to participate in school and school-sponsored activities. Fees may include school identification fees, uniform fees, fees for athletics, extracurricular activities, school-sponsored trips, library fees, materials fees, fees for lost or damaged materials, and graduation regalia fees. **Title I, Part A funds must be used only as a last resort** after other funding sources have been exhausted.

#### Timely Graduation

**Assesses graduation progress** to ensure **timely graduation** of students. This includes adopting more flexible policies regarding course credits, credit transfers, and developing a student-specific graduation plan for youth experiencing homelessness in grades 9-12.

#### Pathways to Graduation

**Considers alternative pathways to graduation** for students, including a diploma issued by the student’s prior school or a Keystone Diploma issued by the Pennsylvania Department of Education (PDE).



# How to put Act 1 into Action



## Address fees

School entities should explore the allowability of Title I or other funding sources to address fees covered under Act 1.

School entities may collaborate with their Pennsylvania Education for Children and Youth Experiencing Homelessness (PA ECYEH) Program Regional Office to inquire if assistance may be available.<sup>iv</sup>

School entities are required to set-aside Title I funds for McKinney-Vento students. **Title I, Part A funds must be used only as a last resort** when funds or services are not available from other public or private sources such as the United States Department of Agriculture's (USDA) National School Lunch Program, USDA's School Breakfast Program, public health clinics, or local discretionary funds used to provide similar services for other special student populations.

**Title I, Part A services must be reasonable and necessary** to assist students experiencing homelessness to take advantage of educational opportunities. Schools may use Title I, Part A to defray the excess cost of school of origin transportation.

School entities can learn more about serving students experiencing homelessness under Title I, Part A, including allowable usages, from the National Center for Homeless Education.<sup>v</sup>



## Identify and name a Point of Contact

School entities may identify their Homeless Liaison as the Act 1 Point of Contact. However, to ensure completion of all tasks required by the law, school entities may consider appointing a building level

Point of Contact. School entities may use Title I homeless funds (reservation) to fund a local Homeless Liaison's salary and expenses.



## Build a community of support

When children and youth experiencing homelessness begin at a new school, the student's established Act 1 Point of Contact and Homeless Liaison should meet to review all available resources and participation opportunities to promote belonging and inclusion in their new school community.



## Assess all prior work and award credits

The Act 1 Point of Contact works with relevant school staff to carefully assess the student's academic history and investigate whether the student has already completed partial credit or a course that meets a requirement at the current school.



## Develop pathways to graduation

The Act 1 Point of Contact works with relevant school staff to create a graduation plan for students in grades 9-12 that thoroughly assesses and specifies the courses necessary for a student to graduate on time. The graduation plan is developed and reviewed with the student and parent.



## Consider Act 1 and special education

School entities should carefully work with children and youth experiencing homelessness with Individualized Education Programs (IEPs) or 504 Plans to ensure that Act 1 does not conflict with these applicable laws. Importantly, students who have IEPs may elect to remain in school until age 22, even if Act 1 offers an earlier pathway to graduation.<sup>vi</sup>

For more information, visit the webpage for [Pennsylvania Department of Education's Basic Education Circular, "Act 1 of 2022"](#).

Contact [RA-EDDOP@pa.gov](mailto:RA-EDDOP@pa.gov).

Learn more about Pennsylvania's Education for Children and Youth Experiencing Homelessness (PA ECYEH) Program at [ECYEHpennsylvania.center-school.org](http://ECYEHpennsylvania.center-school.org).



Scan QR code to go to  
PDE Act 1 of 2022 webpage.

i See [Public School Code of 1949 – Assisting Students Experiencing Education Instability](#)

ii See [McKinney-Vento Homeless Education Assistance Act](#)

iii See [ECYEH Program Homeless Liaison Directory](#)

iv See [ECYEH Program Regional Office Directory](#)

v See [Serving Students Experiencing Homelessness under Title I, Part A](#)

vi See [IDEAB FAQ \(pa.gov\)](#)



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