

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Amendment)

5 704 KAR 7:090. Homeless Children Education Program.

7 RELATES TO: KRS 156.035, 42 U.S.C. 11432

8 STATUTORY AUTHORITY: KRS 156.160, 156.070

9 NECESSITY, FUNCTION, AND CONFORMITY: In accordance with the ~~[Stewart B. McKinney]~~

10 McKinney-Vento Homeless Assistance Act [Amendments of 1990] as amended under the Every Student

11 Succeeds Act of 2015, the Kentucky Department of Education, when applying to the U.S. Department of

12 Education for participation in programs for homeless children and unaccompanied youth under the Act,

13 shall submit an approvable plan and satisfactory assurances that all requirements of the law set forth in 42

14 USC Section 11432 shall be met. This administrative regulation implements the ~~[State Board for~~

15 ~~Elementary and Secondary Education]~~ Kentucky Board of Education's duties pursuant to KRS 156.029 and

16 156.035 duties to develop education policy, to implement acts of Congress appropriating and apportioning

17 funds to the state and to provide for the proper implementation of federal law in accordance with the state's

18 current plan. This administrative regulation sets forth criteria regarding residency policies, the provision of

19 a free, appropriate public education to homeless children and unaccompanied youth, provides informal

20 procedures for resolution of disputes regarding educational placement of homeless children and

21 unaccompanied youth, provides grants to local educational agencies for the enrollment, retention and

22 educational success of homeless children and unaccompanied youths, and provides for an annual count of

23 homeless children and ~~[homeless]~~ unaccompanied youth.

24 Section 1. Definitions. (1) "Homeless child", "homeless children", ~~["homeless youth"],~~ and

1 "homeless student" means a child or children who are between the ages of ~~[five (5)]~~ birth and  
2 twenty-one (21) inclusive and who lack a fixed, regular, and adequate nighttime residence. The  
3 term includes children and youths who are:

4 ~~(a) [Living with their families in hotels, motels, public or private shelters or other temporary~~  
5 ~~living arrangements due to the lack of a fixed, regular and adequate residence; Sharing the~~  
6 ~~housing of other persons due to loss of housing, economic hardship, or a similar reason;~~

7 ~~(b) Residing in special care homes such as runaway shelters or spouse abuse centers due to the~~  
8 ~~lack of a fixed, regular and adequate residence; Are living in motels, hotels, trailer parks, or~~  
9 ~~camping grounds due to lack of alternative adequate accommodations;~~

10 ~~(c) Placed by parents under the care of relatives or nonrelatives due to the homeless situation~~  
11 ~~of the family or due to their impoverished condition which may cause the family members to live~~  
12 ~~separately from one another; Are living in emergency or transitional shelters;~~

13 ~~(d) Sleeping in a public or private place not ordinarily used as a regular sleeping~~  
14 ~~accommodation for human beings; Are abandoned in hospitals;~~

15 ~~(e) Sick or abandoned children staying in hospitals, who would otherwise be released if they~~  
16 ~~have a place to go; Have a primary nighttime residence that is a public or private place not~~  
17 ~~designed for, or ordinarily used as, a regular sleeping accommodation for human beings;~~

18 ~~(f) Living in campgrounds or similar temporary sites because they lack living accommodations~~  
19 ~~that are fixed, regular and adequate. Those living in campgrounds on a long term basis in~~  
20 ~~adequate accommodations shall not be considered homeless; or Are living in cars, parks, public~~  
21 ~~spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and~~

22 ~~(g) Runaway or throwaway youth who have been "thrown out" of their home environment and~~  
23 ~~who are living in a shelter, on the street, or who move from one friend's house to another in a~~  
24 ~~cycle of transiency.] Migratory children who qualify as homeless because they are living in~~  
25 circumstances described above.

26 (2) "Free, appropriate public education" means the educational programs and services that are  
27 provided the children of a resident of a state, and that are consistent with state school attendance

1 laws. It includes educational services for which the child meets the eligibility criteria, such as  
 2 magnet schools, charter schools, compensatory education programs for the disadvantaged, and educational  
 3 programs for the handicapped and for students with limited English proficiency; programs in  
 4 vocational education; programs for the gifted and talented; school meals programs; extended  
 5 school programs; preschool programs; and programs developed by the family resource and youth  
 6 services centers.

7 (3) "School of origin" shall mean the school that the child or youth attended when permanently housed, or  
 8 the school in which the child or youth was last enrolled. Consistent with McKinney-Vento as reauthorized  
 9 by ESSA, this shall include preschool and designated receiving schools at the grade level for all feeder  
 10 schools when a student completes the final grade level served by the school of origin.

11 (4) "Unaccompanied youth" shall mean a youth that meets the definitions of  
 12 unaccompanied youth and homeless included in the McKinney-Vento Homeless Assistance Act.

13 Section 2. Criteria for Program Implementation. Homeless children or ~~homeless~~ unaccompanied youth who reside  
 14 within the boundaries of a local school district shall be provided a free, appropriate public education. Programs for  
 15 homeless children and unaccompanied youth shall be provided in a timely fashion and shall be ensured by the  
 16 following actions:

17 (1) Each local district shall designate a person in the district to be a homeless child education  
 18 ~~coordinator~~ liaison, ~~and~~ shall submit the name of the person to the Kentucky Department of Education,  
 19 and shall allocate sufficient time to the homeless child education liaison to perform the required responsibilities. The  
 20 ~~coordinator's~~ homeless liaison's responsibilities shall be to:

21 (a) Obtain all necessary records, including birth certificates and immunization records, of each homeless  
 22 student and unaccompanied youth identified as living within the boundaries of the school district and ~~as expeditiously~~  
 23 ~~as legally possible,~~ immediately place the student in appropriate programs. In cases where records are not readily  
 24 available, the ~~coordinator~~ liaison shall contact the school district(s) of last attendance for verbal  
 25 confirmation of essential information. The ~~coordinator~~ liaison shall assist the homeless student or unaccompanied  
 26 youth to obtain essential records which are not in existence ~~in order that enrollment shall not be delayed or denied~~;

27 (b) Receive and resolve any requests for resolution of disputes related to the educational placement of

- 1 homeless students or unaccompanied youth within the district. The [~~coordinator~~] liaison shall provide the necessary  
2 information to the Department of Education for final resolution whenever such a request is received and is not resolved;
- 3 (c) Assist the homeless student or unaccompanied youth to obtain the appropriate program and services,  
4 including transportation and referrals to medical, dental, mental and other appropriate services;
- 5 (d) Develop procedures to ensure that homeless student or unaccompanied youth records are readily available upon  
6 request by a new receiving school district; [~~and~~]
- 7 (e) Develop a [~~liaison~~] relationship with known homeless service providers and state agencies in the  
8 community to identify and enroll homeless students or unaccompanied youth living there[.];
- 9 (f) Review local data indicating the prevalence of homelessness in the community and assess needs of local homeless  
10 children and unaccompanied youth with LEA administrators based on the review of data;
- 11 (g) Ensure school personnel providing McKinney-Vento services receive professional development and  
12 other support related to addressing the challenges of homelessness and supporting homeless children and  
13 unaccompanied youth;
- 14 (h) Ensure unaccompanied youths are enrolled and receive support to accrue credits and access higher  
15 education; and
- 16 (i) Receive annual department approved training, to cover at least the following topic areas: the rights and services  
17 provided for homeless children and unaccompanied youth; identification of homeless children and unaccompanied  
18 youth; the state dispute resolution process; data utilization, monitoring and reporting requirements under this regulation;  
19 and best practices to serve homeless children and unaccompanied youth;
- 20 (2) Each local district shall designate a person in the district to be a foster care liaison, shall submit the name  
21 of the person to the Kentucky Department of Education, and shall allocate sufficient time to the foster care liaison to  
22 perform required responsibilities. The foster care liaison may also be the homeless education liaison. The foster care  
23 liaison's responsibilities shall be to ensure that:
- 24 (a) A child in foster care remains in his or her school of origin, unless it is determined that remaining in the  
25 school of origin is not in that child's best interest;
- 26 (b) If it is not in the child's best interest to stay in his or her school of origin, the child is immediately  
27 enrolled in the new school even if the child is unable to produce records normally required for enrollment; and

1 (c) That the new (enrolling) school immediately contacts the school of origin to obtain relevant academic  
2 and other records.

3 Section 3. Residency. The school district of residence shall be the district in which the homeless  
4 student or unaccompanied youth physically resides with his or her parent or legal custodian, unless by  
5 reason of marriage, emancipation, or basic physical necessity the child resides elsewhere. The school  
6 district of residence shall ensure that:

7 (1) The homeless student or unaccompanied youth is enrolled in the school attendance area in which he or  
8 she is physically located or that the homeless student's or unaccompanied youth's education is continued in  
9 the school of origin for the remainder of the academic year, or in any case in which the family becomes  
10 homeless between academic years, for the following academic year; or enroll the child or youth in any  
11 school that nonhomeless students who live in the attendance area in which the child or youth is actually  
12 living are eligible to attend, whichever is in the best interest of the homeless student or unaccompanied  
13 youth.

14 (2) In determining the best interests of the child or youth for purposes of making a school  
15 assignment under Section 3(1) of this administrative regulation, consideration shall be given to a  
16 request made by the parent or unaccompanied youth regarding school selection.

17 (3) A homeless student or unaccompanied youth shall not be denied enrollment in the school district of  
18 residence due to the absence of a parent or a court-appointed guardian or custodian. Such a homeless  
19 student or unaccompanied youth shall be enrolled and provided educational services until such time that  
20 the school district can substantiate that the enrollment is contrary to Section 1(2) of this administrative  
21 regulation.

22 (4) In the absence of a parent, and a court-appointed custodian or guardian, any medical, dental  
23 and other health services may be rendered to a homeless student or unaccompanied youth who is a minor  
24 of any age when, in the judgment of the school principal or other professional that the risk to the minor's  
25 health is of such a nature that treatment should be given without delay and the requirements of consent  
26 would result in delay or denial of treatment as stated in KRS 214.185(3)(4).

27 (5) Homeless children or unaccompanied youth shall not include any individual imprisoned or otherwise

1 detained by act of Congress or a state law. Nor shall a child be classified as "homeless" to circumvent state  
2 law and administrative regulations which:

3 (a) Prohibit the attempted enrollment of nonresident students for the express purposes of obtaining  
4 school accommodations and services without the payment of tuition to the nonresident school

5 district or for the purpose of obtaining specific programs not available in the school of residence; or

6 (b) Regulate interschool athletic recruiting by the Kentucky High School Athletic Association.

7 (6) School district policy shall not delay or deny the [~~timely~~] immediate provision of educational  
8 placement and appropriate services to the homeless student or unaccompanied youth, including policies  
9 related to guardianship issues.

10 Section 4. Resolution of Disputes. Disputes arising between or among the school district of  
11 residency; another school district; and the parent, [~~homeless~~] youth, or person in parental  
12 relationship to the homeless student or unaccompanied youth regarding the school district in which the  
13 child shall attend school or the educational placement of the homeless student or unaccompanied youth  
14 shall be resolved through the following procedures:

15 (1) The local district homeless child education liaison shall ensure immediate enrollment and  
16 the provision of services to the homeless child or unaccompanied youth throughout the dispute  
17 resolution process.

18 (2) All concerns regarding the education of a homeless child or unaccompanied youth shall be  
19 referred to the local district liaison. If a complaint arises regarding services or placement of a  
20 homeless child or unaccompanied youth the school district's homeless child education liaison shall  
21 inform the homeless student or unaccompanied youth of his or her rights under the McKinney-  
22 Vento Act and this regulation.

23 (3) The local district liaison shall make a determination within a reasonable number of days as to  
24 the complaint. The liaison will document this and all subsequent communications, determinations,  
25 and evidences. A copy of that determination shall be presented to the complainant. If the  
26 complaint is not resolved, the complainant will be advised by the local district liaison of the  
27 opportunity to present a written request for mediation. The local district liaison shall assist the

1 representative to complete a written request for mediation, including an indication of the specific  
2 point at issue.

3 (4) The mediation shall be scheduled within a reasonable number of days of the written request  
4 and shall be convenient to the needs of the homeless student or unaccompanied youth. The district liaison,  
5 the district(s) representative(s), and the child's representative shall be present. The local district homeless  
6 liaison shall facilitate the mediation.

7 (5) During the hearing, the school district(s) shall discuss considerations that led to the placement  
8 decision and the specific point in issue determined previously. The mediation may also include  
9 discussion of the ability of the school district to provide continuity in educational programs, the  
10 need of the homeless student or unaccompanied youth for special instructional programs, the amount of  
11 time and arrangements required to transport the student to the original school district, the age of the  
12 homeless student or unaccompanied youth and the school placement of siblings, and the time remaining  
13 until the end of the semester or the end of the school year. Documentation regarding those proceedings  
14 must be provided with any appeal to the state homeless coordinator.

15 (6) Where an agreement cannot be reached among by the parties, either party may request review  
16 by the state homeless coordinator. Upon written request, the state coordinator shall make a determination  
17 and communicate with the involved parties to discuss available alternatives and seek to resolve the dispute.  
18 Any party requesting review by the state coordinator must provide reasoning for the review including  
19 specific questions of law and/or fact.

20 (7) Where such a request for the assistance of the state coordinator is made, the school district of  
21 residence shall provide sufficient information as required, including but not limited to:

22 (a) A description of the situation that prompted the complaint;

23 (b) The name(s) and age(s) of the child or children involved;

24 (c) The name(s) of the involved school district personnel and the school district or districts  
25 involved; and

26 (d) Copies of any documentation used up to that point including reasoning for district decisions,  
27 appropriate evidence to substantiate reasoning, and other evidence the district sees relevant.

1 (e) All information is subject to FERPA.

2 (8) The state coordinator shall collect appropriate evidence, review such evidence, and provide an  
 3 initial decision. Parties may request that the state coordinator's decision be reviewed by a three-  
 4 member panel convened by the state coordinator within the Department of Education. The three-  
 5 member panel shall review the state coordinator's decision and either adopt the decision or reject it. If  
 6 rejected, the panel shall provide an alternative finding with appropriate reasoning. The panel's  
 7 decision is a final decision and not appealable. A final decision will be rendered within a  
 8 reasonable number of days after receiving a complaint.

9 (9) Students must be immediately enrolled in the school in which enrollment is being sought in the  
 10 case of a dispute, including unaccompanied youth. Enrollment must continue until the final  
 11 resolution of the dispute, including all available appeals.

12 (10) Unaccompanied youth have the right to receive such written notice, as well as  
 13 parents/guardians who accompanying their children. Written explanation is required of decisions  
 14 made by the school, LEA, or SEA must be in an understanding form.

15 Section 5. Annual Count. The Department of Education shall annually conduct a count of all  
 16 homeless children and unaccompanied youth in the state as follows:

17 ~~(1) [Survey instruments shall be distributed to local school districts, related social agencies, and~~  
 18 ~~appropriate service providers no later than October 1 of each year.]~~ Local school districts shall  
 19 utilize the state student information system for the collection of data regarding homeless children  
 20 and unaccompanied youth.

21 (2) Local school districts [~~social agencies, and service providers~~] shall [~~take~~] report an  
 22 unduplicated count by school of homeless children and unaccompanied youth [~~and shall return the~~  
 23 ~~completed forms~~] via the state student information system to the Department of Education  
 24 according to the time lines provided.

25 (3) The Department of Education shall develop procedures as required to ensure that the homeless  
 26 child count is accurate and verifiable.

27 Section 6. Local Education Agency Grants for the Education of Homeless Children and



1 Unaccompanied Youth. The Kentucky Department of Education shall make grants to local  
2 education agencies (LEA) when such funds become available through a competitive application  
3 process. Grants [~~will~~] shall be awarded to LEAs based upon the review and rating of their applications.

4 (1) Not less than fifty (50) percent of amounts provided under a grant to local districts shall be  
5 used to provide primary services of tutoring, remedial education services, or other education  
6 services to homeless children or [~~homeless~~] unaccompanied youths.

7 (2) Not less than thirty-five (35) nor more than fifty (50) percent of amounts provided to local  
8 districts shall be used for related activities including expedited evaluations, professional  
9 development for school personnel, referrals for medical, dental, mental and other health services,  
10 transportation, before- and after-school care, and school supplies.

11 (3) A local district that desires to receive a grant shall submit an application to the Kentucky  
12 Department of Education. Each application shall include:

13 (a) The number of homeless children and unaccompanied youth enrolled in preschool, elementary and  
14 secondary

15 school, the needs of such children and the ability of the district to meet these needs;

16 (b) A description of the services and programs for which assistance is sought and the problems  
17 sought to be addressed through the provision of such services and programs (i.e., enrollment,  
18 retention and educational success);

19 (c) An assurance that assistance under the grant shall supplement and not supplant funds used  
20 before the award of the grant for purposes of providing services to homeless children and  
21 [~~homeless~~] unaccompanied youths;

22 (d) A description of policies and procedures that the district shall implement to ensure that  
23 activities carried out by the district shall not isolate or stigmatize homeless children and [~~homeless~~]  
24 unaccompanied youth;

25 (e) A description of coordination with other local and state agencies that serve homeless children  
26 and [~~homeless~~] unaccompanied youths; and

27 (f) Other criteria the Kentucky Department of Education deems appropriate.

Section 7. The "Special Amendment to School Data Form for Homeless Children/Youth" dated October

1 ~~2017 [July 1992 and the "Homeless Children and Youth Education Program~~  
2 ~~Educational and Related Services for Homeless Students Grant Application", dated May, 1993] , [are] is~~  
3 hereby adopted and incorporated by reference. [~~These] This~~ document[s] may be inspected, copied, and  
4 obtained from the Department of Education, [~~1715 Capital Plaza Tower, 500 Mero Street,] 300 Sower  
5 Boulevard, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (16 Ky.R. 676; Am.  
6 1183; eff. 12-6-89; Am. 17 Ky.R. 2061; eff. 2-7-91; 18  
7 Ky.R. 482; 1011; eff. 10-6-91; 20 Ky.R. 420; 762; eff. 10-7-93.)~~

This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(5).

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Stephen L. Pruitt, Ph.D.  
Commissioner of Education

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mary Gwen Wheeler, Chairperson  
Kentucky Board of Education

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on XX, at XX., in the State Board Room, Fifth Floor, Sower Building, 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by 5 workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through XX. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

**CONTACT PERSON:** Kevin C. Brown, Associate Commissioner and General Counsel, Kentucky Department of Education, 300 Sower Boulevard, Fifth Floor, Sower Building, Frankfort, KY 40601, phone 502-564-4474, fax 502-564-9321, email [kevin.brown@education.ky.gov](mailto:kevin.brown@education.ky.gov).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Administrative Regulation: 704 KAR 7:090 Homeless Children Education Program.

Agency Contact Person: Kevin C. Brown, 502-564-4474, [kevin.brown@education.ky.gov](mailto:kevin.brown@education.ky.gov)

(1) Provide a brief summary of:

(a) What this administrative regulation does: The amendments to this regulation are to bring the regulation in alignment with the changes made in the reauthorization of the McKinney-Vento Act by the Every Student Succeeds Act. This regulation is not all encompassing of the entire Homeless Education Program, but provides the required framework for essential functions and requirements under McKinney-Vento.

(b) The necessity of this administrative regulation: The amendments to this regulation are required for alignment to the State Plan, as submitted to the United States Department of Education. This regulation reflects the essential functions and requirements under McKinney-Vento, as reauthorized under the Every Student Succeeds Act.

(c) How this administrative regulation conforms to the content of the authorizing statute: The regulation conforms to the authority given to the Kentucky Board of Education in KRS 156.060 and KRS 156.070. It also aligns with the requirements under the McKinney-Vento Act, 42 U.S.C. 11432, as reauthorized by the Every Student Succeeds Act.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation does not fully encompass the Homeless Children Education Program, as described in the State Plan submitted to the United States Department of Education, but it does outline the essential functions and requirements established for state education agencies under the McKinney-Vento Act, as reauthorized under the Every Student Succeeds Act.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendments will modify definitions, processes, and procedures so as to bring the regulation into alignment with the McKinney-Vento Homeless Education Act.

(b) The necessity of the amendment to this administrative regulation: The amendments are necessary to ensure alignment between the regulation and the McKinney-Vento Act, as reauthorized by the Every Student Succeeds Act and the State Plan, as submitted to the United States Department of Education.

(c) How the amendment conforms to the content of the authorizing statute: KRS 156.060 and KRS 156.070 provides broad authority to the Kentucky Board of Education to develop education policy, to implement acts of Congress appropriating and apportioning funds to the state and to provide for the proper implementation of federal law in accordance with the state's current plan. The McKinney-Vento Homeless Education Act provides a series of requirements that the state education agency must meet for participation in the program. This regulation fulfills the requirements of McKinney-Vento and aligns to the State Plan, as submitted to the United States Department of Education.

(d) How the amendment will assist in the effective administration of the statutes: This regulation

does not fully encompass the Homeless Children Education Program, as described in the State Plan submitted to the United States Department of Education, but it does outline the essential functions and requirements established for state education agencies under the McKinney-Vento Act, as reauthorized under the Every Student Succeeds Act.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Those affected by the amendments made in this regulation include: all local school districts, although their processes will not be impacted as these changes in regulation have already been implemented to maintain compliance with McKinney-Vento; the KDE as it is tasked with providing guidance, technical assistance, and dispute resolution assistance per McKinney-Vento.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: School districts and the KDE are already implementing these requirements.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): While districts are required to appoint Homeless and Foster Care liaisons, these individuals are already identified and have been reported to KDE. Required training for liaisons has already been developed by KDE.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Amendments made in this regulation, especially in the area of dispute resolution, bring authority back to the local education agency, promoting an effort to resolve disputes at the local level rather than quickly rising to the state level. This will remove vague requirements that have resulted in immediate jumps to state level review. The amendments will also result in clearer requirements for the Homeless Children Education Program as the amendments will be brought into alignment with the McKinney-Vento Homeless Education Act.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: The KDE is required by McKinney-Vento to appoint a Homeless Education Coordinator at the State level. This requirement existed prior to the ESSA reauthorization. As a result, there is no initial cost.

(b) On a continuing basis: The State Homeless Education Coordinator is a required position that is covered by Title I and McKinney-Vento funds.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Federal funding under Title I and McKinney-Vento.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: N/A

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly

increases any fees: N/A

(9) TIERING: Is tiering applied? (Explain why or why not) Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all schools and districts. N/A

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 704 KAR 7:090 Homeless Children Education Program.  
 Contact Person: Kevin C. Brown, [kevin.brown@education.ky.gov](mailto:kevin.brown@education.ky.gov)  
 Phone number: 502-564-4474

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? Local education agencies will be impacted although these requirements are already being complied with because they mirror requirements under the McKinney-Vento Act which is already being enforced.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 156.060, KRS 156.070, and 42 USC 11432

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. This should not have a significant impact as these requirements are already enforced as required under the McKinney-Vento Homeless Education Act.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? No revenue.

(c) How much will it cost to administer this program for the first year? The cost will include personnel to administer the homeless education program in each LEA. This is covered by federal funding under the McKinney-Vento Homeless Education Act and Title I Part A. The foster care liaison position may be assigned to already existing district personnel, including the homeless education liaison.

(d) How much will it cost to administer this program for subsequent years? The cost will include maintaining a homeless education liaison and foster care liaison in each LEA. The homeless education liaison will continue to be covered by McKinney-Vento and Title I funding. The foster care liaison, again, will likely be assigned to personnel already working in a district. The district may assign the foster care liaison position to the homeless education liaison.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): N/A

Expenditures (+/-):NA

Other Explanation: N/A