OBJECTIVES

During this session, meeting attendees will be able to:

▪ Understand the U.S. Department of Education’s focus for monitoring of the EHCY and ARP-HCY programs (FY 22-24)
▪ Understand SEA/LEA uses of funds under the ARP-HCY
▪ Know your contacts on the ED team and NCHE’s plans for ARP-HCY support this year
AGENDA

1. Introductions

2. FY 22 EHCY/ARP-HCY Monitoring Plan
   15 minutes

3. Questions and Answers
   Time permitting

4. ARP-HCY Implementation & Use of Funds Questions
   15 minutes

5. NCHE updates on ARP-HCY TA in FY 22
PRESENTERS

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STATE CONTACTS ON ED’S ARP-HCY/EHCY TEAM

- John: AZ, CA, CT, DE, DC, ID, LA, MT, NC, NJ, NY, OH, PR, RI, VA, WA, WV
- Sophie: AL, AK, FL, GA, IL, IN, KY, MA, MD, ME, MI, MN, MS, NE, SC, WI, WY
- Heather: AR, CO, HI, IA, KS, MO, NV, NH, ND, OK, OR, PA, SD, TN, TX, UT, VT, BIE
- Bryan: NCHE liaison

Please direct e-mail messages to HomelessED@ed.gov
AFGHAN EVACUEE ELIGIBILITY FOR MCKINNEY-VENTO SERVICES

- Message from SSA Director Patrick Rooney sent on 2/7/22
- Available at https://oese.ed.gov/files/2022/02/McKinney-Vento-for-Afghan-Evacuee-Students-FOR-POSTING.pdf
- Afghan evacuee children may be eligible for McKinney-Vento services even if placed in a hotel/motel by a Federal agency or its contractors
- This is not categorical eligibility for all hotel/motel placements or stays; it’s a case-by-case determination based on specific circumstances
EHCY and ARP-HCY
Monitoring Plan for FY '22
2022 MONITORING PLAN FEATURES

- Conducted remotely using consultants
- Incorporates ARP-HCY (ARP Homeless I and II) programs
- SEA completes a self-assessment and submits documentation via an NCHE portal
- LEAs participate in single or group interviews of liaisons
- Debrief meeting with ED staff within a week of interviews
- Follows OESE/SSA timelines for preparing reports
MONITORING PROCESS

Step 1: SEA Notification & LEA Selection
Step 2: Document to ED
Step 3: Document and Data Review
Step 4: Monitoring Event
Step 5: Draft Report to SEA
Step 6: Final Report Posted to Ed.gov
RESOURCES

▪ General information is on the EHCY performance page

▪ Monitoring protocols and past reports (back to 2007) are on SSA’s Key Documents page

▪ Chapter K in NCHE’s State Coordinator’s Handbook (to be updated)
The SEA self-assessment includes:

- A column for brief narrative responses
- Suggested list of supporting documentation
- Based on SEA response some questions will be removed from the interview protocol
QUESTIONS ON ARP-HCY IN SEA SELF-ASSESSMENT BY TOPIC (1 & 2)

Topic 1: SEA Monitoring of LEAs

1.1. Fiscal Risk Assessment
- The SEA conducts annual risk assessment of EHCY and ARP-HCY subgrantees.

1.2 Performance Risk Assessment
- The SEA conducts an annual performance risk assessment of all subgrantees using LEA data.

1.3 Monitoring Process
- The SEA conducts monitoring of all LEAs with and without EHCY and ARP-HCY subgrants.

Topic 2: SEA and LEA Performance Evaluation
Questions are the same for both programs
3.2 ARP-HCY State plan implementation
- The SEA has adapted the ARP-HCY State plan during the implementation process to meet changing needs.

3.9 Cross-Program and Interagency Coordination and Collaboration
- The SEA’s EHCY/ARP-HCY program collaborates with other federal programs across agencies (HUD, HHS, etc.).

3.11 Other State Collaborations with State/Local Agencies and CBOs
- The State Coordinator participates in other statewide activities with other agencies or community-based organizations.
QUESTIONS ON ARP-HCY IN SEA SELF-ASSESSMENT BY TOPIC (4)

Topic 4: SEA Program Support

4.1 Provision of PD and TA to LEAs
  ▪ The SC offers professional development and technical assistance on the requirements of McKinney-Vento and implementation of ARP-HCY.

4.5 Implementation of EHCY and ARP-HCY Requirements
  ▪ The SEA ensures that LEAs understand their obligation to identify students experiencing homelessness and provide services in compliance with the McKinney-Vento Act and ARP-HCY.
Topic 5: SEA Fiscal Oversight of LEA Subgrantees (EHCY and ARP-HCY)

5.4 ARP Homeless II Allocations
- The SEA calculated allocations using the formula provided in the grant application, informed LEAs of their allocations, and encouraged LEAs receiving less than $5,000 to join consortia.

5.5 Subgrant Evaluation Plan
- 5.5 The SEA emphasizes academic outcomes in the application process for the EHCY and ARP-HCY I subgrants.

5.6 Use of Funds Guidance
- 5.6 The SEA provides use of funds guidance to LEAs receiving EHCY, ARP-HCY I, and ARP-HCY II funds.
QUESTIONS ON ARP-HCY IN SEA SELF-ASSESSMENT BY TOPIC (6 & 7)

Topic 6: SEA Set-aside Oversight for EHCY and ARP-HCY

6.2 ARP-HCY I and ARP-HCY II set asides
- The SEA uses the state level ARP-HCY I and ARP-HCY II set asides for allowable activities.

6.5 Contracts for Services
- The SEA contracts with CBOs, state agencies, or other programs within the SEA to provide services to LEAs or directly to students identified as homeless using EHCY or ARP-HCY funds.

6.6 Indirect cost rate
- The SEA’s indirect cost rate to administer the EHCY, ARP-HCY I, and ARP-HCY II grants is reasonable.

Topic 7: SEA Fiscal Oversight of the Title I, Part A LEA Homeless Set-Aside
ARP-HCY Implementation
Questions
REMINDER: ARP-HCY FAQ WEBPAGE
ARP-HCY IMPLEMENTATION QUESTIONS

Can faith-based CBOs provide ARP-HCY services?

- A religious or faith-based organization is eligible to apply for and to receive a grant, or to enter into a contract with a grantee or subgrantee, on the same basis as any other private organization (34 C.F.R. § 76.52(a)(1), 2 C.F.R. § 3474.15(b)(1)).

- Grantees, including States, may not discriminate for or against a private organization on the basis of that organization’s religious character, affiliation, or exercise when determining to whom to award a contract or subgrant (34 C.F.R. § 76.52(a)(2); 2 C.F.R. § 3474.15(b)(2)).

- A private organization that provides direct Federal services under the ARP-HCY and engages in explicitly religious activities (e.g., worship, religious instruction, or proselytization) it must offer those religious activities separately in time or location from any ARP-HCY program activities (34 C.F.R. §§ 75.52(c)(1) and 76.52(c)(1), 2 C.F.R. § 3474.15(d)(1)).

(continued on the next slide)
Can faith-based CBOs provide ARP-HCY services?

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- A faith-based organization providing direct ARP-HCY services, either through a subgrant or contract, may not discriminate against a beneficiary or prospective beneficiary in the provision of program goods or services on the basis of religion or religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice (34 C.F.R. §§ 75.52(e) and 76.52(e), 2 C.F.R. § 3474.15(f)) and must comply with all Federal civil rights requirements.

- A grantee that awards a grant or contract to a faith-based organization is responsible for ensuring compliance with applicable Federal requirements governing contracts, grants, and other agreements with faith-based organizations (34 C.F.R. §§ 75.714 and 76.714).

- Additional regulations governing contracts and grants with faith-based organizations can be found at 2 C.F.R. § 3474.15 and 34 C.F.R. § 76.52, § 76.532, and § 76.714. For more information, please also see the Department’s Guidance on Prohibited Uses of Direct Federal Financial Assistance and Protections for Religious Identity and Question A-5 of the McKinney-Vento Non-regulatory Guidance.
USE-OF-FUNDS QUESTIONS

When assessing whether a proposed use of funds is allowable under the ARP-HCY program, SEAs and LEAs should consider:

1. Availability of other district and community resources

2. Statutory parameters
   a. Purpose of EHCY/ARP-HCY
      (McKinney-Vento Act § 721)
   b. Statutorily delineated uses of funds
      (McKinney-Vento Act § 723(d)(1-16))
   c. Comparability
      (McKinney-Vento Act § 722(g)(4))

3. Allocability requirements
   (2 CFR § 200.405)

4. “Necessary & reasonable” requirements
   (2 CFR § 200.404)
### USE-OF-FUNDS QUESTIONS

#### ARP-HCY IMPLEMENTATION QUESTIONS

1. **Availability of other district and community resources**

   - (4) in order to improve the provision of comprehensive education and related services to homeless children and youths and their families, coordinate activities and collaborate with—
     - (A) educators, including teachers, special education personnel, administrators, and child development and preschool program personnel;
     - (B) providers of services to homeless children and youths and their families, including public and private child welfare and social services agencies, law enforcement agencies, juvenile and family courts, agencies providing mental health services, domestic violence agencies, child care providers, runaway and homeless youth centers, and providers of services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); 1
     - (C) providers of emergency, transitional, and permanent housing to homeless children and youths, and their families, including public housing agencies, shelter operators, operators of transitional housing facilities, and providers of transitional living programs for homeless youths;
     - (D) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; and
     - (E) community organizations and groups representing homeless children and youths and their families;

   **McKinney-Vento Act § 722(f)(4)(E)**

   - (C) Local and State coordination
     - Local educational agency liaisons for homeless children and youths shall, as a part of their duties, coordinate and collaborate with State Coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of paragraphs (1) and (3) of subsection (f).

   **McKinney-Vento Act § 722(g)(6)(C)**

   Are other resources in the community available to meet the targeted need/achieve the desired outcome?
USE-OF-FUNDS QUESTIONS

ARP-HCY IMPLEMENTATION QUESTIONS

2. Statutory parameters
   a. Purpose of EHCY/ARP-HCY

§11431. Statement of policy
The following is the policy of the Congress:
   (1) Each State educational agency shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths.
   (2) In any State where compulsory residency requirements or other requirements, in laws, regulations, practices, or policies, may act as a barrier to the identification of, or the enrollment, attendance, or success in school of, homeless children and youths, the State educational agency and local educational agencies in the State will review and undertake steps to revise such laws, regulations, practices, or policies to ensure that homeless children and youths are afforded the same free, appropriate public education as provided to other children and youths.
   (3) Homelessness is not sufficient reason to separate students from the mainstream school environment.
   (4) Homeless children and youths should have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging State academic standards to which all students are held.

(b) GRANTS.—From funds provided under subsection (a), the Secretary shall—
   (1) use $800,000,000 for the purposes of identifying homeless children and youth and providing homeless children and youth with—
      (A) wrap-around services in light of the challenges of COVID–19; and
      (B) assistance needed to enable homeless children and youth to attend school and participate fully in school activities; and

McKinney-Vento Act § 721

American Rescue Plan Act § 2001(b)

Is the proposed use of program funds aligned with the purposes of the EHCY/ARP-HCY statutes?
USE-OF-FUNDS QUESTIONS

ARP-HCY IMPLEMENTATION QUESTIONS

2. Statutory parameters
   b. Statutorily delineated uses of funds

(d) Authorized activities

A local educational agency may use funds awarded under this section for activities that carry out the purpose of this part, including the following:

1. The provision of tutoring, supplemental instruction, and enriched educational services that are linked to the achievement of the same challenging State academic standards as the State establishes for other children and youths.

2. The provision of expedited evaluations of the strengths and needs of homeless children and youths, including needs and eligibility for programs and services (such as educational programs for gifted and talented students, children with disabilities, and English learners, services provided under title I of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6301 et seq.] or similar State or local programs, programs in career and technical education, and school nutrition programs).

3. Professional development and other activities for educators and specialized instructional support personnel that are designed to heighten the understanding and sensitivity of such personnel to the needs of homeless children and youths, the rights of such children and youths under this part, and the specific educational needs of runaway and homeless youths.

4. The provision of referral services to homeless children and youths for medical, dental, mental, and other health services.

5. The provision of assistance to defray the excess cost of transportation for students under section 11432(g)(4)(A) of this title, not otherwise provided through Federal, State, or local funding, where necessary to enable students to attend the school selected under section 11432(g)(3) of this title.

6. The provision of developmentally appropriate early childhood education programs, not otherwise provided through Federal, State, or local funding, for preschool-aged homeless children.

7. The provision of services and assistance to attract, engage, and retain homeless children and youths, particularly homeless children.

McKinney-Vento Act § 723(d)(1-16)

Does the EHCY or ARP-HCY statute expressly allow (or prohibit!) the proposed use of program funds?
2. Statutory parameters
c. Comparability

(4) Comparable services

Each homeless child or youth to be assisted under this part shall be provided services comparable to services offered to other students in the school selected under paragraph (3), including the following:

(A) Transportation services.
(B) Educational services for which the child or youth meets the eligibility criteria, such as services provided under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) or similar State or local programs, educational programs for children with disabilities, and educational programs for English learners.
(C) Programs in career and technical education.
(D) Programs for gifted and talented students.
(E) School nutrition programs.

McKinney-Vento Act § 722(g)(4)

Does the school/LEA already provide the proposed service or resource to be funded with program funds to all students?
3. Allocability requirements

§ 200.405 Allocable costs.

(a) A cost is allocable to a particular Federal award or other cost objective if the goods or services involved are chargeable or assignable to that Federal award or cost objective in accordance with relative benefits received. This standard is met if the cost:

(1) Is incurred specifically for the Federal award;

(2) Benefits both the Federal award and other work of the non-Federal entity and can be distributed in proportions that may be approximated using reasonable methods; and

(3) Is necessary to the overall operation of the non-Federal entity and is assignable in part to the Federal award in accordance with the principles in this subpart.

(b) All activities which benefit from the non-Federal entity’s indirect (F&A) cost, including unallowable activities and donated services by the non-Federal entity or third parties, will receive an appropriate allocation of indirect costs.

(c) Any cost allocable to a particular Federal award under the principles provided for in this part may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting

2 CFR § 200.405

Is the proposed use of program funds intended to serve students who are eligible for services under the EHCY/ARP-HCY programs (i.e., rather than the entire family)?
USE-OF-FUNDS QUESTIONS

ARP-HCY IMPLEMENTATION QUESTIONS

4. “Necessary & reasonable” requirements

§ 200.404 Reasonable costs.
A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. The question of reasonableness is particularly important when the non-Federal entity is predominantly federally-funded. In determining reasonableness of a given cost, consideration must be given to:

(a) Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the non-Federal entity or the proper and efficient performance of the Federal award.

(b) The restraints or requirements imposed by such factors as: sound business practices; arm’s-length bargaining; Federal, state, local, tribal, and other laws and regulations; and terms and conditions of the Federal award.

(c) Market prices for comparable goods or services for the geographic area.

(d) Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the non-Federal entity, its employees, where applicable its students or membership, the public at large, and the Federal Government.

(e) Whether the non-Federal entity significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the Federal award’s cost.

Is the proposed use of program funds necessary to achieve the goals of the EHCY/ARP-HCY program? Does the proposed use of program funds represent a reasonable expense?
USE-OF-FUNDS QUESTIONS

Let’s put the framework to the test!

Can program funds be used for

▪ Purchasing vehicles for student transportation?
▪ Providing driver’s education?
▪ Paying for car repairs?
▪ Purchasing bedding (e.g., pillows, blankets)?
▪ Purchasing cell phones or prepaid phone cards?

It depends! The allowability of each of these proposed activities is context-specific.
USE-OF-FUNDS QUESTIONS

ARP-HCY IMPLEMENTATION QUESTIONS

Let’s put the framework to the test!

1. Availability of community resources

2. Statutory parameters
   a. Purpose of EHCY/ARP-HCY
      (McKinney-Vento Act § 721)
   b. Statutorily delineated uses of funds
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3. Allocability requirements
   (2 CFR § 200.405)

4. “Necessary & reasonable” requirements
   (2 CFR § 200.404)
Updates from NCHE
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NCHE Highlights

• Data collection and quality
  • State Coordinators should receive comments around March 1
  • NCHE is available to assist with any data related questions
• Virtual State Coordinators meeting May 3-6, 2022
  • New State Coordinators meeting, Tuesday, May 3, 2022
  • General meeting, Wednesday-Friday, May 4-6, 2022
  • Agenda to be forwarded soon
NCHE Highlights

• Ad hoc groups
  • Just completed wraparound/CBO and consortia
  • Underserved populations and capacity building groups start in March

• Upcoming Topical Briefs
  • ARP-HCY State Plan Summary
  • Wraparound Services
  • Underserved Populations
Questions?
RESOURCES

ARP-HCY IMPLEMENTATION QUESTIONS

▪ ED Resources
  – Website: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
  – Website: ARP-HCY Resources
  – Website: ED Grants Management Training Courses

▪ NCHE Resources
  – Section J of the State Coordinator’s Handbook: Management and Fiscal Oversight of Education for Homeless Children and Youth Program Grants

▪ Contact us!
  – HomelessEd@ed.gov
  – Homeless@serve.org