



Is My Early Childhood Program a McKinney-Vento “Preschool?”

For many young children experiencing homelessness, remaining in the school of origin provides their *only* access to preschool; when children move into a new community due to homelessness, enrolling in a local preschool usually is impossible, either because there are no preschool programs available, or those that are available already are full.

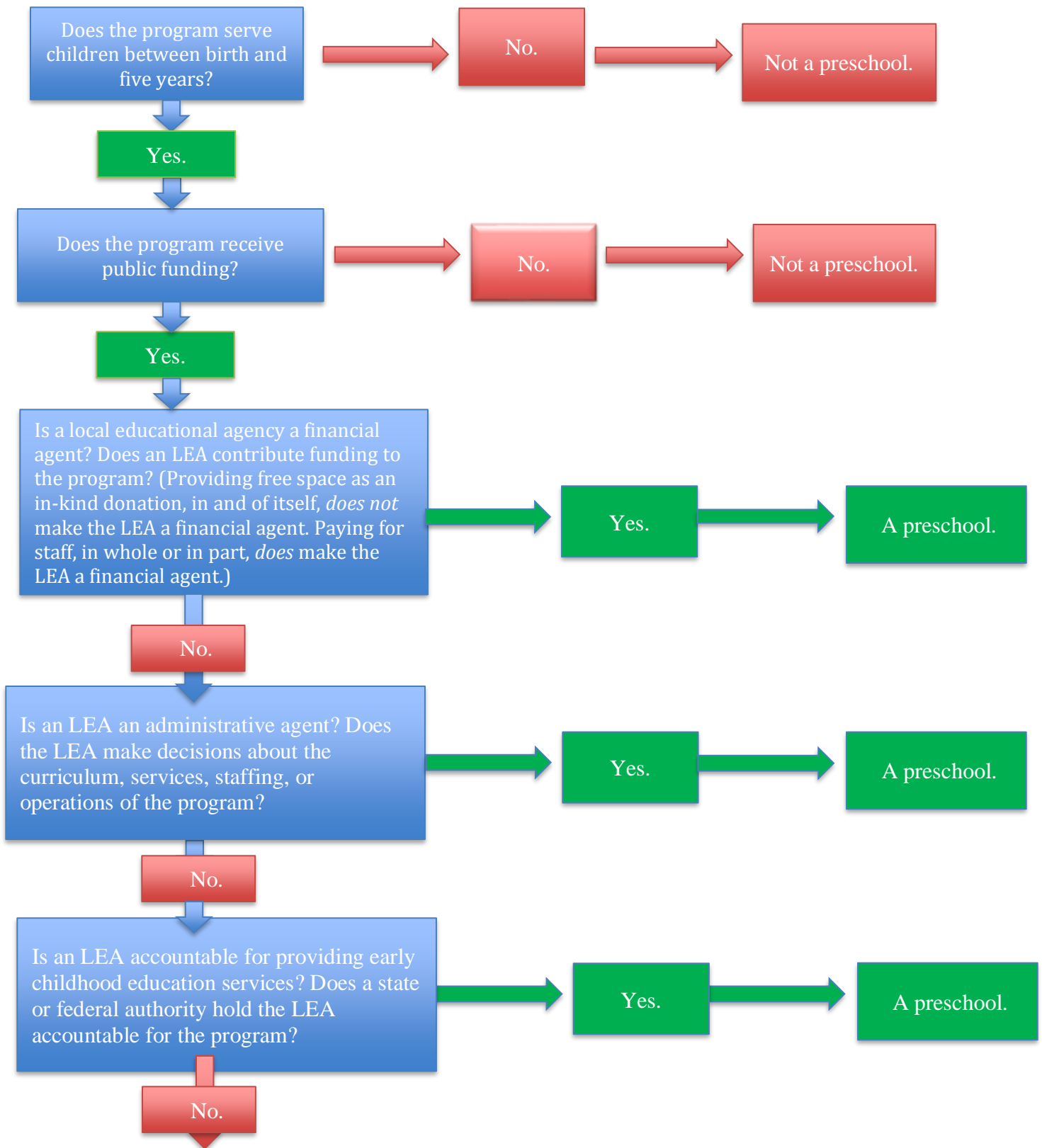
The Every Student Succeeds Act (ESSA) amended the McKinney-Vento Act to include preschools specifically within the definition of “school of origin.”ⁱ As a result, children experiencing homelessness can remain in the preschool they attended when permanently housed, or the preschool in which they were last enrolled, if that is in their best interest.ⁱⁱ This right to remain in the same preschool includes the right to receive transportation to preschool (even if preschool transportation is not typically provided)ⁱⁱⁱ, and continues for as long as the child is homeless, and until the end of the academic year in which the child moves into permanent housing.^{iv}

Neither ESSA nor U.S. Department of Education (ED) Guidance includes a specific definition of “preschool.” To determine whether a particular early childhood education program is a “preschool” under ESSA, a helpful reference is the definition ED uses for McKinney-Vento data collection.^v

Per the U.S. Department of Education’s data collection, specific examples of preschool programs that meet this definition include:

- Preschool programs operated or administered by an LEA;
- Head Start programs receiving funding from an LEA or for which an LEA receives the grant;
- Preschool special education services operated or funded by the LEA or mandated under the Individuals with Disabilities Education Act;
- Preschool programs and services administered or funded by the LEA through the use of Title I or similar government grants; and
- Home-based early childhood educational services funded and administered by an LEA.

The flow chart on the following page provides a guide to understanding that definition.



Not a preschool.

In addition to adding preschools to the definition of school of origin, ESSA also extended school of origin rights to designated receiving schools at the next grade level for all feeder schools.^{vi} This raises the question of when preschools should be considered to be feeder schools. Based on the statute and U.S. Department of Education Guidance, the key question is whether the preschool is a feeder school with a designated receiving school.

Do all children completing the preschool program automatically feed into a designated elementary school for kindergarten?

Yes.

This IS a feeder school, and children have the right to attend kindergarten in the designated elementary school as their school of origin.

Do children completing the preschool attend many different elementary schools for kindergarten, based on factors such as residence or a lottery, rather than based on where they attended preschool?

Yes.

This is NOT a feeder school, and children do not have the right to attend a particular elementary school for kindergarten as their school of origin. However, even in this case, the LEA may select the child's kindergarten class based on the child's best interest, and considering factors such as the child's mobility, placement of siblings, trauma, and special needs.

ⁱ 42 U.S.C. §11432(g)(3)(I).

ⁱⁱ 42 U.S.C. §11432(g)(3)(A).

ⁱⁱⁱ 42 U.S.C. §11432(g)(1)(J)(iii).

^{iv} 42 U.S.C. §11432(g)(3)(B).

^v [E]arly childhood education programs for children aged 0-5, funded through tax dollars or other public funds, and for which the LEA is a financial or administrative agent or for which the LEA is accountable for providing early childhood education services." Examples of preschool programs included in federal data collection include preschool programs operated or administered by an LEA; Head Start programs receiving funding from the LEA or for which the LEA is the grant recipient; preschool special education services, operated or funded by the LEA or mandated under the Individuals with Disabilities Education Act; preschool programs and services administered or funded by the LEA through the use of Title I or similar government grants; or home-based early childhood educational services funded and administered by an LEA." National Center for Homeless Education (2016). *Guide to Reporting Federal Data*. nche.ed.gov/downloads/data-guide-15-16.pdf.

^{vi} 42 U.S.C. §11432(g)(3)(I). The U.S. Department of Education offered the following example of a feeder school: "For example, a student was last enrolled in School A in grade 5, which is the final grade level served by School A. Students at School A are designated to attend School B beginning in the next grade level, grade 6.

The school of origin for this student would therefore include School A and the designated receiving school at the next grade level, School B.” U.S. Department of Education (2016). *Education of Homeless Children and Youths Program Non-Regulatory Guidance*, I-1.