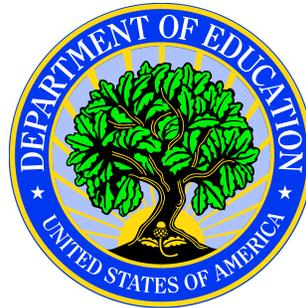


STATE PLAN

Peer Review Criteria and Notes Form for the McKinney-Vento EHCY Program

State Name: New York



U.S. Department of Education
September 2017

Background

Peer reviewers will apply their professional judgment and experiences when responding to the questions in response to the criteria below. Consistent with section 1111(a)(4)(C) of the Elementary and Secondary Education Act, peer reviewers will conduct an objective review of State plans in their totality and out of respect for State and local judgments, with the goal of supporting State- and local-led innovation and providing objective feedback on the technical, educational, and overall quality of a State plan, including the validity and reliability of each element of the plan. Reviewer responses to the questions inform the written determination of the Secretary regarding the State plan.

Role of the Peer Reviewers

- Each peer reviewer will independently review a consolidated State plan in accordance to the criteria for Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act's Education for Homeless Children and Youth Program (EHCY). Each reviewer will record their responses to the questions, will note where changes may be necessary for an SEA to fully address statutory and regulatory requirements, and may also present suggestions for improving the plan or to highlight best practices. Each peer will create individual recommendations to guide the remote review. These are submitted to the Department but will not be shared with the State.
- A panel of peer reviewers will meet remotely to discuss each SEA's plan. The panel of peer reviewers will generate one set of peer review notes that reflects their collective review and evaluation of the SEA's State plan, but the panel is not required to reach consensus. The notes should reflect all reviewer perspectives on each item.

After the peer review is completed, each SEA will receive the final peer review notes that include the peer reviewers' responses to the questions and any recommendations to improve the SEA's State plan in the sections that the peers reviewed. The peer review notes serve two purposes: 1) they constitute the official record of the peer review panel's responses to questions regarding how an SEA's State plan addresses the statutory and regulatory requirements; and 2) they provide technical assistance to the SEA on how to improve its plan. The peer review notes also serve as recommendations to the Secretary to determine what, if any, additional information to request from the SEA. Taking into consideration the peer reviewers' recommendations, the Department will provide feedback to each SEA that outlines the areas the SEA must address, if any, prior to the Secretary's approving its State plan. If a plan cannot be approved, the Department will offer the State an opportunity to revise and resubmit its plan and have a hearing, consistent with ESEA section 8451.

Consistent with ESEA section 1111(a)(5), the Department will make publicly available all peer review guidance, training, and final peer panel notes. The names of peer reviewers will be made publicly available at the completion of the review of all State Plans, though the peer reviewers for any individual State will not be made available.

How to Use This Document

The reviewer criteria is intended to 1) support States as they develop their consolidated State plans, and 2) inform peer review teams as they evaluate each State plan. This document outlines required elements in order for an SEA to fully address the applicable statutory and regulatory requirements. If an SEA has provided insufficient information for peer reviewers to determine whether any question is fully addressed, peer reviewers should indicate that the SEA has not fully addressed that requirement and identify what additional information or clarification may be needed.

Instructions

Each peer reviewer should include individual review notes in the space provided below each State plan requirement. For each State plan requirement, a peer reviewer will provide:

- Peer Analysis: Describe the peer reviewer's justification for why an SEA did or did not meet the requirements;
- Strengths: Summarize strengths of the SEA's response to the State plan requirement;
- Limitations: Summarize the limitations of an SEA's response to the State plan requirement, including issues, lack of clarity, and possible technical assistance suggestions;
- Assessment: Determine if the SEA met the State plan requirement (indicated by Yes/No); and
 - If the peer reviewer indicates 'no' above, the peer must describe the specific information or clarification that a State must provide in order to meet the requirement.

The peer reviewer notes should address all of the required elements of each State plan requirement in this document, but do not need to address each element individually (*i.e.*, the peer notes should holistically look at I.5 the Strategies to Address Other Problems, incorporating each of the five identified items in this element but do not need to individually respond to each item).

SECTION I: EDUCATION FOR HOMELESS CHILDREN AND YOUTH PROGRAM, MCKINNEY-VENTO HOMELESS ASSISTANCE ACT, TITLE VII, SUBTITLE B

I.1: Student Identification (722(g)(1)(B) of the McKinney-Vento Act)

- **Does the SEA describe the procedures it will use to identify homeless children and youth in the State and to assess their needs?**

	<i>Peer Response</i>
<i>Peer Analysis</i>	The peer reviewers observed that the SEA described multiple strategies it uses to identify homeless children and youth in the State. These strategies included training, outreach, technical assistance and guidance, monitoring, data collection and analysis, use of a housing questionnaire, awarding of McKinney-Vento subgrant, and implementation of NYS Educational Law 3209 and the Commissioner’s Regulations.
<i>Strengths</i>	The peer reviewers saw strengths in the plan such as that the SEA contracted with a third party to house the New York State Technical and Education Assistance Center for Homeless Students (NYS-TEACHS). This center provides much of the SEA’s McKinney-Vento technical assistance and assesses their needs by providing LEA training, assistance and guidance with particular cases and issues, outreach, and monitoring. In addition, it was noted that the SEA posts data on homeless youth, and provides an analysis for LEAs on under-identification.
<i>Limitations</i>	Peer reviewers noted that the SEA did not elaborate on how it assesses and addresses the needs of homeless children and youth in the State. A more detailed description is needed with specific examples of how the needs are assessed.
<i>Did the SEA meet all requirements?</i>	<input checked="" type="checkbox"/> Yes (2) Reviewers <input checked="" type="checkbox"/> No (1) Reviewer
<i>If no, describe the specific information or clarification that an SEA must provide to fully meet this requirement</i>	It was indicated that the plan would be strengthened if the SEA described a specific State-level comprehensive needs assessment process to determine statewide needs of homeless children and youth.

I.2: Dispute Resolution (722(g)(1)(C) of the McKinney-Vento Act)

- **Does the SEA describe procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth?**

	<i>Peer Response</i>
<i>Peer Analysis</i>	Peer reviewers observed that New York State Regulations detailed the dispute resolution process related to McKinney-Vento claims. The SEA revised its dispute resolution process (for eligibility, enrollment, school selection, and transportation) to reflect the new ESSA requirements and provided links to the process and required forms (in six languages).
<i>Strengths</i>	The peer reviewers saw strengths in the plan, such as that the SEA reviewed and revised its dispute resolution process to reflect new requirements under ESSA and evaluated LEA dispute practices as a part of the SEA’s targeted and consolidated monitoring protocol. Additionally, the SEA tracked barriers related to the prompt resolution of disputes, as well as other McKinney-Vento-related barriers, and followed up with LEAs, as needed, to ensure that barriers were corrected, and conducted half-day workshops and regional trainings that included information about the dispute resolution process and provide a hotline.
<i>Limitations</i>	Peer reviewers noted that it would be helpful if the plan included additional languages for the brochures to make them useful for all families.
<i>Did the SEA meet all requirements?</i>	<input checked="" type="checkbox"/> Yes (3) Reviewers
<i>If no, describe the specific information or clarification that an SEA must provide to fully meet this requirement</i>	

I.3: Support for School Personnel (722(g)(1)(D) of the McKinney-Vento Act)

- **Does the SEA describe programs for school personnel (including the LEA liaisons for homeless children and youth, principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel) to heighten the awareness of such school personnel of the specific needs of homeless children and youth, including such children and youth who are runaway and homeless youths?**

	<i>Peer Response</i>
<i>Peer Analysis</i>	The peer reviewers observed that the SEA provided a description of an array of programs in place to heighten the awareness of school personnel of the specific needs of homeless children and youth in Section 1.1 of the plan. These activities included workshops, the NYS-TEACHS hotline, onsite and online trainings, online resources, and districts updates via email, outreach, technical assistance and guidance, monitoring, and data collection and analysis. Peer reviewers also observed that while the plan states that the SEA provides an array of programs, it did not provide details such as the expectations of the LEA liaison to train school personnel.
<i>Strengths</i>	The peer reviewers found the NYS-TEACHS was a strength of the plan, such as that it provided much of the SEA’s McKinney-Vento technical assistance and LEA training; various trainings were offered. The SEA also stated they target other school staff not listed, such as school counselors and psychologists.
<i>Limitations</i>	The peer reviewers noted that the plan did not specifically address awareness of runaways and their specific needs, specific programs for school staff that are offered by the SEA, or how the information will be available to LEA staff.
<i>Did the SEA meet all requirements?</i>	<input checked="" type="checkbox"/> Yes (2) Reviewers <input checked="" type="checkbox"/> No (1) Reviewer
<i>If no, describe the specific information or clarification that an SEA must provide to fully meet this requirement</i>	It was indicated that the SEA should provide more information on the specific ways that the SEA provides training and other awareness activities for various school staff.

I.4: Access to Services (722(g)(1)(F) of the McKinney-Vento Act)

- **Does the SEA describe procedures that ensure that homeless children have access to public preschool programs, administered by the SEA or LEA, as provided to other children?**

	<i>Peer Response</i>
<i>Peer Analysis</i>	The peer reviewers observed that there are SEA procedures to ensure homeless youth have access to available programs offered in the State. The SEA described its strategies to ensure that homeless children have access to LEA and SEA administered preschool. These strategies included webinars, dissemination of guidance, and collaboration with the NY Head Start Collaboration Director, Office of Early Learning, and NYS Early Childhood Advisory Council, and there appeared to be good outreach to early childhood providers and information for families.
<i>Strengths</i>	The peer reviewers saw strengths in the plan, including that the SEA provides guidance and information to a variety of early childhood stakeholders and has procedures to ensure homeless youth can enroll in school with the class size allowance. The SEA provided webinars specifically focused on connecting homeless children with preschool programs; regularly collaborated with the NY Head Start Collaboration Director (which resulted in the development of a template Housing Questionnaire and Tip Sheet for Head Start Providers related to serving homeless children) and the Department’s Office of Early Learning; participated on the NY State Early Childhood Advisory Council that provided counsel to the Governor on issues related to young children and their families; and provided updated resources on the NYS-TEACHS website related to connecting homeless children with preschool resources.
<i>Limitations</i>	Peer reviewers noted limitations in the plan, including that the narrative did not specifically address the SEA or LEA procedures for application, enrollment, prioritization, or transportation of homeless children in State or LEA administered preschool programs. The plan also did not detail how the information would be disseminated to providers, schools and families.
<i>Did the SEA meet all requirements?</i>	<input checked="" type="checkbox"/> Yes (3) Reviewers
<i>If no, describe the specific information or clarification that an SEA must provide to fully meet this requirement</i>	

- **Does the SEA describe procedures that ensure that homeless youth and youth separated from public schools are identified and accorded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youth described in this clause from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies?**

	<i>Peer Response</i>
<i>Peer Analysis</i>	The peer reviewers observed that the SEA provided a link in the plan to an NYS Field Memo pertaining to implementation of changes to the McKinney-Vento Homeless Act as a result of the passage of ESSA. However, peer reviewers observed that although the plan stated that procedures should be reviewed and revised, the SEA did not describe specific procedures that homeless youth and youth separated from public schools are identified and accorded equal access to educational and support services, including receipt of appropriate credit for full or partial coursework satisfactorily completed.
<i>Strengths</i>	The peer reviewers saw strengths in the plan, including that the SEA has provided guidance to LEAs on awarding credit, and plans to work with LEAs to review and develop local policies and procedures to ensure that homeless youth separated from public schools are identified and accorded equal access to appropriate secondary education and support services, including identification and removal of barriers that prevent youth from receiving appropriate credit for full or partial coursework satisfactorily completed. In addition, the plan included descriptions of changes due to ESSA.
<i>Limitations</i>	Peer reviewers noted that this section of the plan didn't describe exactly how credit award will be completed or include procedures.
<i>Did the SEA meet all requirements?</i>	<input checked="" type="checkbox"/> Yes (3) Reviewers
<i>If no, describe the specific information or clarification that an SEA must provide to fully meet this requirement</i>	

- **Does the SEA describe procedures that ensure that homeless children and youth who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs, if such programs are available at the State and local levels?**

	<i>Peer Response</i>
<i>Peer Analysis</i>	The peer reviewers observed that the SEA provided a link in the plan to NYS Field Memo pertaining to implementation of changes to the McKinney-Vento Homeless Act as a result of the passage of ESSA and that the guidance memo is clear and informative. However, although the plan stated that procedures should be reviewed and revised, the SEA did not describe specific procedures that ensure homeless students do not face barriers to accessing academic and extracurricular activities for which they are eligible.
<i>Strengths</i>	The peer reviewers saw strengths in the plan including that the SEA will continue to revise its policies and practices and work with LEAs to revise and develop their policies and procedures to ensure that homeless children and youth who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including magnet schools, charter schools, summer school, career and technical education, advanced placement, online learning, and charter school programs. The SEA has already issued several guidance documents to LEAs regarding this issue.
<i>Limitations</i>	Peer reviewers noted that this section did not provide specific SEA procedures on how the State ensures barriers are removed to accessing academic and extracurricular activities, and that the plan would be strengthened if the SEA described specific procedures that ensure homeless students do not face barriers to accessing academic and extracurricular activities for which they are eligible. Reviewers indicated that the plan needs more details about how the barriers will be reduced, how the SEA will identify the barriers, and which stakeholders will be involved in reducing those barriers, as well as how LEAs will follow the guidance memo.
<i>Did the SEA meet all requirements?</i>	<input checked="" type="checkbox"/> Yes (3) Reviewers
<i>If no, describe the specific information or clarification that an SEA must provide to fully meet this</i>	

<i>requirement</i>	
--------------------	--

I.5: Strategies to Address Other Problems (722(g)(1)(H) of the McKinney-Vento Act)

- **Does the SEA provide strategies to address other problems with respect to the education of homeless children and youth, including problems resulting from enrollment delays that are caused by—(i) requirements of immunization and other required health records; (ii) residency requirements; (iii) lack of birth certificates, school records, or other documentation; (iv) guardianship issues; or (v) uniform or dress code requirements?**

	<i>Peer Response</i>
<i>Peer Analysis</i>	The peer reviewers observed that the SEA referred back to many of the strategies included in the plan that were used to remove barriers to the enrollment of homeless students. These included using the NYS TEACHS hotline, providing onsite and online trainings, reporting enrollment barriers, monitoring districts, posting resources online, and sending emails specifically addressing the elimination of enrollment delays caused by (i-iv) in the requirement.
<i>Strengths</i>	The peer reviewers saw strengths in the plan including that the NYS education law and Commissioner’s Regulations prohibit enrollment delays for children and youth experiencing homeless and require their immediate enrollment in school.
<i>Limitations</i>	Peer reviewers noted limitations in the plan, including that while the plan mentioned the removal of barriers resulting in enrollment delays, it did not provide detail on strategies in this section pertaining to immunization and other health required records, residency requirements, lack of birth certificates school certificates, guardianship issues, or uniform or dress code requirements.
<i>Did the SEA meet all requirements?</i>	<input checked="" type="checkbox"/> Yes (3) Reviewers
<i>If no, describe the specific information or clarification that an SEA must provide to fully meet this requirement</i>	

I.6: Policies to Remove Barriers (722(g)(1)(I) of the McKinney-Vento Act)

- **Does the SEA demonstrate that the SEA and LEAs in the State have developed, and shall review and revise, policies to remove barriers to the identification of homeless children and youth, and the enrollment and retention of homeless children and youth in schools in the State, including barriers to enrollment and retention due to outstanding fees or fines, or absences?**

	<i>Peer Response</i>
<i>Peer Analysis</i>	The peer reviewers observed that the SEA described its work with the Governor and the Legislature to amend New York State law to comply with the recent changes to the McKinney-Vento Act, and that in its McKinney-Vento ESSA guidance memorandum, the Department reminded LEAs that they must remove barriers to enrollment and retention due to outstanding fees or fines, or absences. The ESSA guidance memo is clear and concise.
<i>Strengths</i>	The peer reviewers saw strengths in the plan including that the SEA worked to amend State law to comply with McKinney-Vento amendments under ESSA and provide guidance. Additionally, the SEA will continue to review and revise its policies and issue additional guidance as needed.
<i>Limitations</i>	The peer reviewers noted that although the plan described many activities as they pertained to identification, enrollment, needs assessment, training and professional development, and access to services (including preschool), links to specific SEA or LEA policies were not provided. As a result, it was not clear to reviewers as to what SEA policies are in place to ensure barriers are eliminated or how to eliminate barriers due to fees, fines, or absences.
<i>Did the SEA meet all requirements?</i>	<input checked="" type="checkbox"/> No (3) Reviewers
<i>If no, describe the specific information or clarification that an SEA must provide to fully meet this requirement</i>	The peer reviewers indicated that the State plan would be strengthened if the SEA included copies of the SEA and sample LEA policies or links to them in the plan. If specific policies do not exist at the SEA or LEA levels, then the SEA should address how such policies will be developed. Specifically, the plan needs to include SEA policies around identification, enrollment, and retention of homeless children and youth, and barriers due to fee, fines, or absences.

I.7: Assistance from Counselors (722(g)(1)(K))

- **Does the SEA include how youths described in section 725(2) will receive assistance from counselors to advise such youths and prepare and improve the readiness of such youths for college?**

	<i>Peer Response</i>
<i>Peer Analysis</i>	The peer reviewers observed that the State plan included a statement of assurance that the SEA assists LEAs. The SEA did not describe how homeless youth will receive assistance from counselors to advise them and prepare and improve their readiness for college, but responded that it will develop guidance setting forth expectations of counselors in meeting this requirement.
<i>Strengths</i>	Peer reviewers saw strengths in the plan including that the SEA has a plan to develop guidance to meet this requirement and states some specific ways for how the SEA assists LEAs. Also, there is a website with resources and information.
<i>Limitations</i>	The peer reviewers noted that the plan did not provide a description of how youth will receive assistance from counselors to prepare and improve their readiness for college, and that guidance has yet to be developed.
<i>Did the SEA meet all requirements?</i>	<input checked="" type="checkbox"/> No (3) Reviewers
<i>If no, describe the specific information or clarification that an SEA must provide to fully meet this requirement</i>	The peer reviewers indicated that the plan will be strengthened once the SEA develops its guidance for school counselors to assist homeless students in their preparation and readiness for college. The guidance should include procedures on how homeless youth will receive assistance from counselors to prepare and improve college readiness. The plan would also be strengthened if more details were provided on training for counselors and details about what counselors need to do.