



LEGAL CENTER FOR  
**FOSTER CARE & EDUCATION**

**STATES AT A GLANCE: AWAITING FOSTER CARE PLACEMENT UNDER  
 THE MCKINNEY-VENTO ACT**

DRAFT

Location	Definition of Awaiting Foster Care Placement	How Defined
Connecticut	<p>-“Emergency or transitional shelter placements”, including Short Term Assessment and Respite Homes (STAR Homes)</p> <p>-Placements on an “emergency basis in a transitional foster home with the plan of being moved within 30 days to a more permanent foster or adoptive home may be considered covered by McKinney-Vento on a case-by-case basis.”</p> <p>-“SDE and DCF will also consider applying McKinney-Vento on a case-by-case basis to children who have experienced more than three placements in a 12 month period.”</p>	Department of Children and Families and Board of Education Joint Memoranda
Delaware	All children in out of home care.	State law: House Bill 279 (14 Del. Code§202(c))
Massachusetts	<p>-“Temporary, transitional, or emergency living placements,” including shelters, “hotline homes,” “bridge” homes, diagnostic placements, foster homes used as short term placements</p> <p>-“Stabilization, Assessment and Rapid Reintegration/Reunification (STARR) Programs”</p>	Department of Education Advisory 2004-9 and 2007-9A
Anchorage, AK	<p>-Specifically-named emergency foster care homes</p> <p>-Emergency beds in specifically-named shelters</p> <p>-Any home where the provider receives the emergency foster home reimbursement rate</p> <p>-Any home that has received less than 24 hours notice prior to placement</p> <p>-Any home where the intended stay is less than 10 days</p> <p>-A hospital or other institution if release is being delayed due to a lack of placement.</p>	Interagency agreement between Anchorage School District and office of Children’s Services

Ann Arbor, MI (Washtenaw Intermediate School District)	<p>-Any temporary placement, which includes the child's initial placement upon entering care as well as other situations on a case-by-case basis.</p> <p>-To serve other children in out of home care, the district adopted a policy to provide McKinney-Vento like protections to all youth ages 14-21 in out of home care.</p>	Informal Guidance from the State Department of Education; Washtenaw Superintendents' Association Policy Guidelines
Fairfax County Public Schools, VA	Any placement that is not likely to be long-term or permanent	Homeless liaison's determination per McKinney-Vento Act; overlap with VA state law SB 1006
Minneapolis Public Schools	Emergency foster care placements intended to be temporary or short-term while long-term placements are determined and arranged	Homeless liaison's determination per McKinney-Vento Act
Pima County, Arizona	Any placement not directly related to the child's permanency goals	Informal Guidance from the McKinney-Vento State Coordinator
Pennsylvania	<p>Children and youth "awaiting foster care placement," including those who live in shelters or are placed in emergency, interim or respite foster care; kinship care; evaluation or diagnostic centers or placements for the sole purpose of evaluation. Local school officials should consult with their county children and youth agencies whenever necessary to determine if a child meets the definition of awaiting foster care placement, including, on a case-by-case basis, whether a child who does not clearly fall into one of these categories is nevertheless a child "awaiting foster care placement."</p>	<p>Pennsylvania's Department of Education Board of Education Circular PDE BEC Issued: 2/29/08</p> <p><a href="http://www.pde.state.pa.us/k12/cwp/view.asp?A=11&amp;QUESTION_ID=54421">http://www.pde.state.pa.us/k12/cwp/view.asp?A=11&amp;QUESTION_ID=54421</a></p> <p><a href="http://www.pde.state.pa.us/k12/cwp/view.asp?A=11&amp;QUESTION_ID=54421">http://www.pde.state.pa.us/k12/cwp/view.asp?A=11&amp;QUESTION_ID=54421</a></p>
West Virginia	The definition of "awaiting foster care placement" includes any child or youth who: 1) is in the custody of the West Virginia Department of Health and Human Resources, 2) has been placed in out-of-home care, and 3) is not in a permanent placement. This includes, but is not limited to, children in family foster care, kinship care, emergency shelter care or in a facility used to provide treatment services.	Proposed Rule (comment period ended March 17 <sup>th</sup> 2008; waiting for final rule)