

Homeless Education Frequently Asked Questions

What is the McKinney-Vento Homeless Assistance Act?

The McKinney-Vento Homeless Assistance Act is Title X, Part C, of the No Child Left Behind Act. This legislation ensures that children and youth experiencing homelessness have full and equal access to an appropriate public education and that they experience success in school. Key components include:

Enrollment

- Schools must immediately enroll children and youth in homeless situations, even when records normally required for enrollment are not available.
- Students may stay in their school of origin, if feasible (in their best interest).
- Public notice of the educational rights of homeless children and youth must be posted in every public school and in appropriate places throughout the community.
- Unaccompanied youth must be provided educational access through the support of the local homeless education liaison. (See definition under "Who is considered homeless.")

Attendance and Success

Students with appropriate support are more likely to attend school on a regular basis. Attendance is critical if school success is to be realized. School districts must provide appropriate case management to ensure students have access to all educational services to which they are eligible.

- Students experiencing homelessness must receive services comparable to those of

housed students.

- Transportation to the school of origin must be provided, when appropriate.
- Social service agencies and school districts must work together to serve students.
- Families and unaccompanied youth experiencing homelessness must be fully informed of available enrollment options and educational opportunities.
- Schools must provide written explanations of placement decisions and the enrollment dispute process.
- Separate schools or programs for children and youth experiencing homelessness are prohibited, with the exception of several programs specifically named in the McKinney-Vento Act.

Who is Considered Homeless?

The McKinney-Vento Act (Section 725) defines a "homeless children and youth" (school age and younger) as:

- Children and youth who lack a fixed, regular, and adequate nighttime residence, including children and youth who are:
 - Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
 - Living in motels, hotels, trailer parks, cars, public spaces, abandoned buildings, substandard housing, bus or train stations, camping grounds or similar settings due to the lack of alternative adequate accommodations.
 - Living emergency or transitional shelters.



Homeless Education Frequently Asked Questions (cont.)

- Abandoned in hospitals.
- Awaiting foster care placement.
- Migratory children who qualify as homeless because they are living in circumstances described above.

How can schools verify that students are homeless?

There is no universal system of verification. Shelter providers may verify homeless status. Children and youth must be enrolled immediately when the school is informed that the family or youth is experiencing homelessness. If questions regarding homeless status based upon the definition of the McKinney-Vento Act exist, schools should contact their local homeless education liaison.

Are all families that share housing considered homeless?

No. Families that share housing, living in doubled-up settings, must still meet the McKinney-Vento definition's requirement that the living situation is due to a loss of housing, economic hardship, or a similar reason. Families that live together due to cultural preference, to save money, or to pool resources to provide a larger/nicer home than would be possible if living individually should not be considered homeless. Questions that may assist in making the determination of homelessness in a doubled-up situation can be found in the NCHE brief, *Determining Eligibility for Rights and Services Under the McKinney-Vento Act*, at <http://www.serve.org/nche/briefs.php>.

Are children and youth who qualify for migrant services considered homeless?

The children of migrant workers should only be considered homeless if they meet the definition of homelessness cited earlier. A migratory lifestyle alone is not sufficient to be considered homeless.

Are children or youth incarcerated or in correction facilities considered homeless?

No. The U.S. Department of Education, 1995 Guidance specifically excludes any child or youth who is imprisoned or otherwise detained by Act of Congress or state law from the definition of homelessness. Even children or youth who were homeless prior to incarceration, are not considered homeless while incarcerated.

Are children and youth in foster care considered homeless?

By definition, children and youth in foster care placements are wards of the state, so they are not considered homeless. Temporary or short term foster care placements may be considered homeless. "LEA liaisons should confer and coordinate with local public social service agency providers in determining how best to assist homeless children and youth who are awaiting foster care placement." (*U.S. Department of Education Draft Non-regulatory Guidance*, July 2004).

What additional guidance is available regarding the definition of homelessness and the education of homeless students?

For more information about determining homelessness according to the McKinney-Vento definition, download the NCHE brief *Determining Eligibility for Rights and Services*



Homeless Education Frequently Asked Questions (cont.)

Under the McKinney-Vento Act at <http://www.serve.org/nche/briefs.php>.

How Quickly Must Children and Youth Experiencing Homelessness be Enrolled in School?

Schools must enroll a child or youth experiencing homelessness immediately, even if the child or youth is unable to produce records normally required for enrollment. Immediately means without delay.

Must a school enroll children or youth without proof of immunizations or physicals?

Yes. The school must enroll students who do not have health records if they meet the definition of homeless. The school should refer the family or youth to the local homeless education liaison to obtain the necessary documentation. The sending school may provide a copy of the health record to the parent when the student leaves and fax a copy to the new school to facilitate this process.

Must schools enroll students in homeless situations who do not have previous school records?

Yes. Students experiencing homelessness must be enrolled in school while waiting for the previous school records to be received. Parents can request copies of critical documents such as Individualized Educational Programs (IEPs), gifted testing records, and report cards from the sending school. Parent Pack Pocket Folders, developed by NCHE, may assist in maintaining important school documents. Visit <http://www.serve.org/nche/products.php> to learn more.

If a student in a homeless situation moves without returning books or paying fees, can a school district withhold student records?

No. A school district cannot withhold records when books or charges have not been paid.

Can a school require proof of residency (rent receipt, lease agreement, utility receipt) that prevents or delays enrollment?

No. Homeless students, by definition, lack a fixed residence and cannot be required to provide traditional proof of residency if doing so is not possible or would delay enrollment. An affidavit explaining the lack of residency proof can be completed as an alternative.

When children or youth experiencing homelessness are not living with parents or legal guardians, is the school required to enroll the child?

Yes. Guardianship cannot be a barrier to enrollment. Some students, due to family situations, may not be able to live with their family; others are not permitted by their parents or guardians to live at home. The local liaison should be contacted to assist unaccompanied youth who wish to enroll in school.

If families in homeless situations move within a school district, can students stay at the same school, even if they move out of the school's attendance zone?

Yes, the McKinney-Vento Act states, that when feasible, students have a right to stay in the school of origin. The school of origin is the school that the child attended when



Homeless Education Frequently Asked Questions (cont.)

permanently housed or the last school in which the student was enrolled.

Can school districts educate children and youth experiencing homelessness in separate schools (e.g., classes located on shelter sites)?

Homelessness is not a reason to separate students from their housed peers. Students in homeless situations must not be isolated from the mainstream school environment except in a few limited circumstances defined in the McKinney-Vento legislation.

What services must school districts provide to children and youth in homeless situations?

The McKinney-Vento Act requires school districts to provide services to students experiencing homelessness that are comparable to services provided to other students in the school district. Homeless children and youth must have access to any educational services for which they qualify, including special education, gifted education, free and reduced-lunch programs, before- and after-school activities, and Title I, Part A, services. The students are not to be segregated or stigmatized.

Can Title I, Part A, funds be used to address the educational needs of children and youth experiencing homelessness?

Yes. According to the No Child Left Behind Act, children and youth experiencing homelessness automatically qualify for Title I, Part A, support, whether students attend schoolwide, targeted assistance, or non-Title I schools. Title I must coordinate services in order to promote the

academic achievement of homeless students.

May children and youth experiencing homelessness attending non-Title I schools be served under Title I, Part A?

Yes. Title I, Part A, funds must be reserved to provide comparable services to eligible homeless children who might attend schools not receiving Title I, Part A, funding. This may include providing educationally related support services to children in shelters.

Are children experiencing homelessness eligible to enroll in preschool?

Yes. Young children who are homeless should have the same access to public preschool programs as young children who are housed. Head Start and Even Start may reserve slots for students experiencing homelessness to avoid waiting list delays that occur when children arrive after the school year has begun.

How should special education programs serve students experiencing homelessness?

The Individuals with Disabilities Act (IDEA) was amended in 2004 to facilitate the timely assessment, appropriate service provision and placement, and continuity of services for children and youth with disabilities who experience homelessness and high mobility. Schools and school districts are required to complete initial evaluations within specific timeframes, ensure that assessments of children who transfer to a new school district are coordinated with prior schools, and provide children who have current IEPs and transfer to a new school district during the school year with services immediately. For unaccompanied



Homeless Education Frequently Asked Questions (cont.)

youth, IDEA specifically requires LEAs to appoint surrogate parents.

What academic concerns commonly impact students in homeless situations?

Due to changing schools and the stress of being homeless, students may fall behind academically, causing learning lags and gaps that can be more than four months. Students may not have quiet places to study or access to school supplies, books, or computers. Students need to know of study halls or after-school tutoring availability. If a child was receiving special education services or was participating in gifted and talented programs, the continuity of instruction needs to be maintained.

What are some common health-related issues affecting students experiencing homelessness?

Students who are homeless are often at an increased risk of becoming ill due to their living conditions. If the students become sick, they often have no quiet place to rest. These students are more likely than their peers to get the flu, have stomach ailments, have respiratory problems, and visit the emergency room. School nurses can help by offering referrals for screenings, maintaining a clothes closet, assisting parents in filling out forms, and ensuring that students are aware of the school's procedure for participating in the free and reduced lunch program.

What are some of the other issues that commonly affect students experiencing homelessness?

Students in homeless situations often are concerned about their safety because they may

not have a secure place to go after school. In these instances, students should be told about community programs, such as Boys and Girls Clubs. In addition, homeless students must also deal with the stigma associated with being homeless. They may have difficulty establishing friendships. Guidance counselors or school social workers may assist students in dealing with emotions associated with being homeless. Schools can create welcome packs for all new students containing basic information about the school and assign peer buddies to tour the school.



Homeless Education Frequently Asked Questions (cont.)



For More Information and Assistance

National Center for Homeless Education (NCHE)
P.O. Box 5367
Greensboro, NC 27453
336-315-7543
800-308-2145 (toll-free helpline)
336-315-7457 Fax
<http://www.serve.org/nche>

Other Helpful Contacts

National Association for the Education of Homeless Children and Youth (NAEHCY)
<http://www.naehcy.org>

National Law Center on Homelessness and Poverty (NLCHP)
<http://www.nlchp.org>

U.S. Department of Education, Education for Homeless Children and Youths (EHCY) Program
<http://www.ed.gov/programs/homeless/index.html>

Local Homeless Education Liaison

Name: _____

Phone: _____

E-mail: _____

