

McKinney-Vento 101



McKinney- Vento Definition of Homeless

Those who lack a fixed, regular and adequate nighttime residence, including students:

- Sharing housing due to loss of housing, economic hardship, or a similar reason
- Living in motels, hotels, trailer parks, camping grounds due to a lack of alternative, adequate accommodation
- Living in emergency & transitional shelters
- Abandoned in hospitals
- Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings
- Living in cars, parks, public spaces, abandoned buildings, bus or train stations or similar situations
- Migratory children living in the above situations

42 U.S.C. § 11434a(2)



Unaccompanied Homeless Youth

- The term *unaccompanied youth* includes a homeless child or youth not in the physical custody of a parent or guardian.

42 U.S.C. § 11434a(6)

- Liaisons must assist UHY with enrollment, school selection, & dispute resolution
- Have the same right to immediate enrollment & educational services as other students



Unaccompanied Homeless Youth

- There are no age limits in the McKinney-Vento Act
- Eligibility is based on the student's housing
- Pathways to homelessness for unaccompanied youth:
 - 35% of youth experienced the death of at least one parent or caregiver
 - 44% of youth had been in foster care
 - 24% were homeless with their families before becoming unaccompanied
 - https://www.chapinhall.org/wp-content/uploads/ChapinHall_VoYC_Youth-Pathways-FINAL.pdf

Local Liaison Duties

- Ensure HCY are identified in coordination with others
- Ensure immediate enrollment & access to services
- Provide information about rights & opportunities
 - Includes meaningful opportunities for parents to participate in their children's education
 - Includes transportation, school meals, & other programs
- Ensure disputes are mediated
- May affirm for Housing and Urban Development programs that HCY meet MV eligibility criteria

Local Liaison Duties

- Support UHY in school selection & dispute resolution
- Ensure UHY are provided verification of their status for FAFSA purposes
- Provide training & other support for school personnel
- Provide referrals to services in the community
- Collaborate & coordinate services with State Coordinators, community and school personnel
 - Includes collecting & reporting data

Requirement to Remove Barriers

States and school districts must **develop, review, and revise policies**

- To remove barriers to the school identification, enrollment and retention of McKinney-Vento students
- Includes barriers due to outstanding fees or fines, or absences

42 U.S.C. § 11432(g)(1)(I)



Immediate Enrollment

Enroll and enrollment includes “attending classes & participating fully in school activities”

42 U.S.C. § 11434a(1)

Enrollment must be immediate

- Even if students lack school, medical, or other records normally required
- Even if enrollment or application deadlines were missed while homeless
- Even if the student has history of absences or outstanding fines/fees

42 U.S.C. § 11432(g)(3)(C)(i)



School Selection

Option 1: School of origin

- Defined as the school the students attended when permanently housed or the school the students last attended
- Includes public preschools
- Includes receiving schools

Option 2: Local attendance area school

- Includes any public school that nonhomeless students living in the same location have the right to attend

School Selection

Can remain in the school of origin

- For the duration of the homelessness
- Until the end of the school year in which the student obtains housing
- If the student becomes homeless over the summer & is still homeless at start of school year

42 U.S.C. § 11432(g)(3)(A)(i)(II)

Decisions are based on the individual student's best interest

42 U.S.C. § 11432(g)(3)(B)



Best Interest

- School of origin is presumed to be in student's best interest
 - Unless this is contrary to parent or UHY's wishes
- Consider student-centered factors
 - Impact of mobility on achievement, education, health, & safety

42 U.S.C. §11432(g)(3)(B)

- US ED encourages consideration of sibling school placement

Dispute Resolution

- Disputes may be over: eligibility, school selection, or enrollment
- If enrollment is denied, a written statement must be given explaining the reason and appeal process
 - Provided in a format and language the parent, guardian, or unaccompanied homeless youth can understand
- The parent/student must be immediately referred to the liaison
- Students must be enrolled and receive services while a dispute is mediated

Transportation

HCY are eligible for transportation to the school of origin

42 U.S.C. §11432(g)(1)(J)(iii)

Right to transportation extends

- For the duration of the homelessness or
- Until the end of the school year in which they obtain housing

42 U.S.C. §11432(g)(3)(A)(2)

Transportation should be comparable to what others receive

42 U.S.C. §11432(g)(4)(A)



Title I, Part A and MV Basics

- Unhoused students are categorically eligible for services under Title I, Part A
 - Eligibility standards normally required are waived for HCY
 - Eligibility for Title I, Part A services lasts for duration of homelessness or until end of year in which student obtains housing

20 U.S.C. § 6315(c)(2)(E)

- Title I, Part A staff and homeless liaisons are required to collaborate to provide services for homeless students

42 U.S.C. §11432(g)(6)(C) and 20 U.S.C. § 6312(a)(1)(B)



Postsecondary Education

All HCY should receive information and individualized counseling regarding

- college readiness
- college selection
- applying for school
- financial aid
- on-campus supports



Resources

Determining Eligibility Flow Chart

- <https://nche.ed.gov/wp-content/uploads/2020/05/NCHE-Eligibility-Flowchart.pdf>

NCHE Resource Page for Unaccompanied Homeless Youth

- <https://nche.ed.gov/unaccompanied-youth/>

Homeless Liaison Toolkit – Appendix 9.A UHY Flow Chart

- <https://nche.ed.gov/homeless-liaison-toolkit/>

