

# Overview of the McKinney Vento Homeless Assistance Act

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# Epidemic of Child Homelessness

- 1.35 million children
- 10% of all children living in poverty
- Over 40% of all children who are homeless are under the age of 5
- Many communities have reported an increase in family homelessness in recent years



# Causes of Child Homelessness

## Primary Cause is Lack of Affordable Housing

- Forty-four percent of the homeless population is employed
- Federal Minimum Wage is \$5.15/hr
- Income Requirements in select cities for a two bedroom apartment
  - San Francisco, CA--\$29.60
  - Boston, MA--\$24.35
  - Colorado--\$16.64
  - Texas--\$13.84
  - Nebraska--\$11.08
  - West Virginia--\$9.31
- No jurisdiction in the US has a fair market rent (2 bedrooms) that is affordable to a full-time minimum wage worker

# Causes of Child Homelessness

- Sudden Loss of Income
  - Job Loss
  - Loss of a spouse/partner
  - High healthcare costs
- Health Problems
  - Parental Mental Health Issues
  - Parental Drug or Alcohol Abuse
- Fleeing Domestic Violence
  - Primary cause of homelessness in 9 of the 25 cities surveyed by the U.S. Conference of Mayors
  - In some parts of the country, nearly 1/3 of women are homeless at least in part due to domestic violence

# Homeless Unaccompanied Youth

- An estimated 1.7 to 2.8 million youth are homeless each year
- Nearly half are throwaway youth
- Youth live in shelters, on the streets, with friends or family, in abandoned buildings, in cars, etc.
- 5,000 unaccompanied youth die each year from assault, illness, or suicide

# Reason Youth Leave Home

- Over 33% report sexual abuse in the home
- Approx. 50% report physical abuse
- Over 67% had at least one parent abusing drugs or alcohol
- Many are unwelcome at home due to such issues as economics, pregnancy, sexual orientation or identity, or other types of family contact

# Barriers to Education for Children and Youth in Homeless Situations

- Enrollment requirements (residency, school records, immunizations, legal guardianship)
- High mobility resulting in lack of school stability and education continuity
- Lack of access to programs
- Lack of transportation
- Lack of school supplies, clothing, etc.
- Poor health, fatigue, hunger
- Prejudice and misunderstanding

# McKinney-Vento Homeless Assistance Act

Reauthorized 2002 as part of NCLB

- Educational achievement and accountability
- School stability
- Awareness of educational rights
- Child-centered, best interest decision making
- Services for preschool-aged children and unaccompanied youth
- Central role of the **local homeless liaison**

# Homeless Program Personnel

- State Coordinator of Homeless Education—each state has a coordinator of state-level activities including collecting data, providing trainings and technical assistance, communicating with U.S. Dept. of Ed.
- Local Homeless Liaison—each school district must appoint a liaison to assist homeless families with enrollment, services, and disputes.

# Definition of Homeless

Children who **lack a fixed, regular, and adequate nighttime residence—**

- Sharing the housing of others
- Living in motels, hotels, trailer parks, camping grounds
- Living in emergency or transitional shelters
- Abandoned in hospitals

# Definition of Homeless

- Awaiting foster care placement
- Living a in public or private place not designed for sleeping
- Living in cars, parks, abandoned buildings, bus or train stations, etc.
- Migratory living in circumstances described above



## *Eligible or not?*

*Kathy M. moved in with her parents and wants to enroll her sons in a local elementary school. She recently lost her job and can no longer afford her apartment. Since Katrina's parents are already providing a temporary home to two other family members, Katrina and her sons are all sleeping on a pull out sofa in the garage. Katrina daily searches for a job and is hoping to move her family into a better situation sometime soon.*

# What the research tells us about school mobility:

- Students who switch schools frequently score lower on standardized tests (study found mobile students scored 20 points lower than non-mobile students).
- Mobility also hurts non-mobile students (study found average test scores for non-mobile students were significantly lower in high schools with high student mobility rates).
- It takes children 4-6 months to recover academically after changing schools.

# What the research tells us about school mobility:

- Students suffer psychologically, socially, and academically from mobility; mobile students are less likely to participate in extracurricular activities and more likely to act out or get into trouble.
- Mobility during high school greatly diminishes likelihood of graduation (study found students who changed high schools even once were less than half as likely as stable students to graduate, even controlling for other factors).

# School Selection—Key Provisions

- School of origin—school attended when permanently housed or in which last enrolled.
- Homeless students can stay in their schools of origin or enroll in any public school that students living in the same attendance area are eligible to attend, according to their best interest.
- Students can remain in school of origin the entire time they are homeless, and until the end of any academic year in which they move into permanent housing.
- Best interest—keep students who are homeless in their school of origin, to the extent feasible, unless against the parents' or guardians' wishes.



## Feasibility—Sample Criteria

- Continuity of instruction
- Age of the child or youth
- Safety of the child or youth
- Length of stay at the shelter
- Likely area where family will find permanent housing
- Student's need for special instructional programs
- Impact of commute on education
- School placement of siblings
- Time remaining in the school year

## *Best Interest?*

*In late March, Maria S. said the family was moving to a shelter, which is located across school district lines (about 15 miles away). Maribel is about to complete her junior year at West High School, where she has attended for the last three years. She is training to be a hair dresser in the school vocational education program, is receiving special education services, and greatly enjoys being a cheerleader (she just made the squad after two years of trying). The shelter is in a district that doesn't offer a similar vocational education program.*

# Transportation—Key Provisions

- LEAs must provide students experiencing homelessness with transportation to and from their schools of origin, at a parent's or guardian's request (or at the liaisons request for unaccompanied youth).
- If the student's temporary residence and the school of origin are in the same LEA, that LEA must provide or arrange transportation. If the student is living outside of the school of origin's LEA, the LEA where the student is living and the school of origin's LEA must determine how to divide the responsibility and share the cost, or they must share the cost equally.

# Transportation—Key Provisions

- In addition to providing transportation to the school of origin, LEAs must provide students in homeless situations with transportation services comparable to those provided to other students.



# Transportation Strategies

- Establish strong networks of community support
- Foster communication amongst schools, homeless liaisons, and directors of transportation
- Establish inter-district collaboration
- Establish formal procedures and policies
- Establish a database and system that allow for quick and easy rearrangements for transportation
- Seek economical and creative solutions
- Keep in mind the safety of the students

# Enrollment—Key Provisions

- Children and youth in homeless situations can stay in their school of origin (to the extent feasible) or enroll in any public school that students living in the same attendance area are eligible to attend.
- The terms “enroll” and “enrollment” include attending classes and participating fully in school activities.



## Enrollment—Key Provisions

- Children and youth have the right to enroll in school immediately, even if they do not have required documents, such as school records, medical records, proof of residency, or other documents.
- If a student does not have immunizations, or immunization or medical records, the liaison must immediately assist in obtaining them, and the student must be enrolled in the interim.

# Enrollment—Key Provisions

- Enrolling schools must obtain school records from the previous school, and students must be enrolled in school while records are obtained.
- Schools must maintain records for students who are homeless so they are available quickly.
- Federal law supercedes state and local laws where there is a conflict. [U.S. Constitution, Article VI]
- SEAs and LEAs must develop, review, and revise policies to remove barriers to enrollment and retention of children and youth in homeless situations.

# Identification—The Role of a Liaison

- Liaisons are required to ensure that homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies

# Identification—Strategies

- Provide awareness activities for school staff.
- Coordinate with community agencies.
- Provide outreach materials and posters.
- Work with truancy and attendance officers
- Ask school-age children about pre-school siblings
- Use enrollment and withdrawal forms to inquire about housing status
- Have students write or draw about where they live
- Avoid using the word “homeless”

# Resolution of Disputes—Key Provisions

- Every state must establish dispute resolution procedures.
- When a dispute over enrollment arises, the student must be immediately admitted to the school of choice while the dispute is being resolved.
- Liaisons must ensure unaccompanied youth are immediately enrolled while the dispute is being resolved.

# Resolution of Disputes—Key Provisions

- Whenever a dispute arises, the parent or guardian must be provided with a written explanation of the school's decision, including the right to appeal.
- The school must refer the child, youth, parent or guardian to the liaison to carry out the dispute resolution process as expeditiously as possible.

# Unaccompanied Youth—Key Provisions

- Liaisons must help unaccompanied youth choose and enroll in a school, after considering the youth's wishes, and inform the youth of his or her appeal rights.
- School personnel must be made aware of the specific needs of runaway and homeless youth.

# Preschool-Aged Children

- Liaisons must ensure that families and children receive Head Start, Even Start, and other public preschool programs.
- State plans must describe procedures that ensure that children have access to preschool programs.
- U.S. HHS issued a memo describing how Head Start grantees should collaborate and adjust their programs to serve homeless children.

# Access to Services

- Students who experience homelessness must have access to educational services for which they are eligible, including special education, programs for English learners, gifted and talented programs, voc./tech. programs, and school nutrition programs.
- Undocumented children and youth have the same right to attend public school as U.S. citizens and are covered by the McKinney-Vento Act to the same extent as other children and youth. [Plyler v. Doe]



## Segregation

- States are prohibited from segregating homeless students in separate schools, separate programs within schools, or separate settings within schools.
- The Act's anti-segregation are designed to reduce the stigma associated with homelessness and to prevent students from being placed in environments with sub-standard resources

# Title I and Homelessness—Key Provisions

- Homeless children are automatically eligible for Title I, Part A services.
- LEAs must reserve (or set aside) funds as are necessary for homeless students not attending Title I schools.
- Set-aside funds must be used to provide services that are comparable to those provided to students in Title I schools
- Services may include educationally related support services to children in shelters (or other locations where children may live) or other services that are typically not provided to other Title I students.

# Strategies for Determining the Title I Set-Aside Amount

- Review needs and costs involved in serving homeless students in the current year and project for the following year.
- Multiply the number of homeless students by the Title I, Part A per pupil allocation.
- For districts with subgrants, reserve an amount greater than or equal to the MV funding request.
- Reserve a percentage based on the district's poverty level or total Title I, Part A allocation.

# Child Nutrition Act of 2004

- Homeless, runaway, and migrant students are automatically eligible for free school lunches—they don't have to fill out the normally required paper form
- USDA has limited the documentation requirement to the student's name, effective date to receive meals, and the signature of a homeless liaison or service provider
- Once found eligible, students are able to receive free lunches for the remainder of the school year and up to 30 days into the next school year without filling out a new application

# IDEA 2004 Reauthorization

- IDEA now includes a definition of homeless that mirrors that of M-V, ensuring that the legislation's homeless-specific provisions apply to doubled-up, migrant, and those awaiting foster care
- IDEA's child find provisions require that children with disabilities experiencing homelessness be identified, located and evaluated

## IDEA 2004 - Evaluations

- IDEA now includes a limited timeframe of 60 days to conduct initial evaluations for special education, or the state-established timeline.
- This rule has limited exceptions, including an extension for schools receiving transfer students who were in the middle of the evaluations process prior to changing schools.
- To legally qualify for such an extension, the new school must make sufficient progress towards completing the evaluations and the parents must agree to the new timeframe.

## IDEA 2004 - Evaluations

- When assisting students who transfer between school districts in an academic year, new districts must coordinate their evaluation efforts with previous school districts in order to ensure prompt completion of the process.

## IDEA 2004 - Transfers and Services

- School districts must promptly provide special education services when children with IEPs change school districts during the course of a school year.
- Districts must provide services comparable to those included in the previous IEP, in consultation with parents, until the previous IEP is adopted or a new IEP is developed.
- School districts are required to immediately request records (including evaluations and IEPs) from previous schools and for previous schools to immediately send those records.

## IDEA 2004 - Unaccompanied Youth

- Unaccompanied youth with special needs must have surrogate parents appointed to them within 30 days.
- Staff members of emergency shelters, transitional shelters, independent living programs, and street outreach programs are eligible to serve as temporary surrogates for unaccompanied youth, if appropriate.

## IDEA 2004 – Early Intervening Services

- School districts have the option of reserving 15% of their IDEA funding to develop and implement early intervening services for K-12 students (with a particular emphasis on K-3) who need additional academic and behavioral support but haven't been found eligible for special education.

## IDEA 2004 - Infants and Toddlers

- IDEA requires early intervention services to be made available to ***all*** infants and toddlers—the new law specifically mentions homeless children.
- States are required to meaningfully involve homeless families and wards of the state in their special education programs for infants and toddlers.

## **IDEA 2004 - McKinney-Vento Act Compliance and Coordination**

- IDEA now requires states receiving IDEA ensure that the requirements of the McKinney-Vento Act are met for all children with disabilities in homeless situations in the state.
- IDEA requires the inclusion of homeless education personnel on state special education advisory panels and Interagency Coordinating Councils.



## *Last Words*

"...Through it all, school is probably the only thing that has kept me going. I know that every day that I walk in those doors, I can stop thinking about my problems for the next six hours and concentrate on what is most important to me. Without the support of my school system, I would not be as well off as I am today. School keeps me motivated to move on, and encourages me to find a better life for myself."

Carrie Arnold, LeTendre Scholar, 2002

# Resources

- National Law Center on Homelessness & Poverty (NLCHP)  
202-638-2535  
<http://www.nlchp.org>
- National Association for the Education of Homeless Children and Youth (NAEHCY)  
202-364-7392  
<http://www.naehcy.org>
- National Center for Homeless Education  
1-800-308-2145  
<http://www.serve.org/nche>
- National Network for Youth  
202-783-7949  
<http://www.nn4youth.org>

**Save the Date!**

**NAEHCY 19th Annual Conference**

**Portland, Oregon**

**November 10-13, 2007**

**[www.naehcy.org](http://www.naehcy.org)**

