

# McKinney-Vento Homeless Assistance Act: An Overview

# Federal Law

The McKinney-Vento Act is a federal law designed to increase the school enrollment, attendance, and success of children and youth who lack a fixed, regular and adequate nighttime residence.



# Definition of Homelessness

Individuals who lack a fixed, regular, and adequate nighttime residence.

- ✓ **Fixed residence:** is one that is stationary, permanent and not subject to change.
- ✓ **Regular residence:** is one that is used on a regular basis (i.e. nightly)
- ✓ **Adequate residence:** is one that is sufficient for meeting both the physical and psychological needs typically met in home environments.

*If a living situation does not meet all 3 (fixed, regular and adequate) then the situation is considered homeless.*

*Decisions should be made on a case-by-case determination.*

## *Definition continued...*

- Sharing a home due to loss of housing (doubled up)
- Sharing a home due to economic hardship
- Living in motels / hotels
- Living in a shelter
- Abandoned in hospitals
- Living in cars
- Living in camp grounds
- Living in parks
- Living in abandoned buildings
- Living under bridges
- Living at bus/train stations
- Migratory children
- Unaccompanied homeless youth
- Other situations which meet the McKinney-Vento definition

## Unaccompanied Youth

An unaccompanied youth is any student not living in the physical custody of a parent or legal guardian.

An unaccompanied homeless youth meets eligibility for McKinney-Vento based on whether the living situation is fixed, regular and adequate.

### **Unaccompanied + Homeless = Unaccompanied Homeless Youth**

- Eligibility for McKinney-Vento is based on whether the living situation is fixed, regular, and adequate.
- No lower age limit, upper age limit is school age defined by the state. For NC the upper age is 21.
- No citizenship requirement (Plyler v. Doe)

School districts cannot:

- ✓ require a caregiver to obtain legal guardianship
- ✓ Discontinue enrollment due to lack of responsible adult or inability to produce guardianship or other paperwork

## Enrollment Rights

- Immediate enrollment, even when lacking records.
  - Homeless liaison will assist in obtaining missing records after enrollment has taken place.
- Equal access to programs and services.
- Categorical eligibility for free meals at time of enrollment / identification.
- Attend either the school of origin, if feasible, or the local school.
  - The School of Origin is the school attended when permanently housed or the school in which the student was last enrolled.
  - Public preschools are included in “school of origin.”
  - Homeless liaison will work with parent/guardian/unaccompanied homeless youth on best interest of each student identified.
- Students can continue attending their school of origin the entire time they are homeless, and until the end of any academic year in which they move into permanent housing.

# Enrollment Rights

- Receive transportation to and from the school of origin.
  - This must be at the request of a parent/legal guardian or the homeless liaison for unaccompanied youth during the time of their homelessness.
- In years of transition, “...’school of origin’ shall include the designated receiving school at the next grade level for all feeder schools.” **Pub. L. No. 114-95, § 9102(5), 129 Stat.2131**
- Have access to an appeal/dispute process when there is a disagreement over identification and school selection decisions.

## Special Note:

Identified students should receive McKinney-Vento services for the entire school year in which they are identified.

In order to receive services in any other subsequent school year, the student would have to go through a reassessment process to determine eligibility.

# Think you have encountered a student who qualifies as McKinney-Vento?

**SHARE your concern with your school social worker and/or school counselor.**

Every school district is required to have a designated McKinney-Vento homeless liaison, who is ultimately responsible for all identifications in their school district. The Randolph County School System (RCSS) also has building level contacts who address potential qualifying cases on an immediate basis. Please refer to the RCSS website and/or your school principal for more information.

Both the district homeless liaison and the building contacts are responsible for ensuring immediate enrollment and providing services once the student is identified as McKinney-Vento.

There may be possible additional services provided to identified students based on need, which may include:

- ▶ Items of clothing to meet a dress or uniform code
- ▶ Clothing and shoes necessary to participate in physical education classes
- ▶ Student fees that are necessary to participate in the general education program (and if they cannot be waived)



# Causes of Homelessness

- ▶ Lack of affordable housing
- ▶ Poverty
  - ▶ Increase in low vs. middle wage employment
- ▶ Health problems
  - ▶ Lack of health insurance
  - ▶ Addiction disorders, mental health
- ▶ Domestic Violence
- ▶ Natural and other disasters
- ▶ Abuse/neglect/family dysfunction (unaccompanied youth)



# Barriers to Education for Homeless Children and Youth

Poor health, fatigue,  
hunger

Emotional trauma,  
depression, anxiety

Stereotypes and lack of  
awareness

Under-identifications

High mobility resulting  
in lack of school  
stability and educational  
continuity

Enrollment  
requirements (school  
records, health records,  
proof of residence,  
guardianship)

Lack of transportation

Lack of school supplies,  
clothing, etc.

# Impacts of Homelessness on Children and Youth



- ▶ There is higher incidence of acute and chronic illnesses, depression and anxiety.
- ▶ Homelessness in early childhood is associated with poor classroom engagement and poor social skills in early elementary school.
- ▶ The achievement gaps between homeless and low-income elementary students tend to persist, and may even worsen, over time.
- ▶ A youth who experiences homelessness is 87% more likely to drop out of school.

# Common Signs of Homelessness

Some common signs of homelessness include:

- *A marked change in behavior*
- *Chronic hunger or food hoarding*
- *Numerous absences*
- *Inability to contact parents*
- *Attendance at many different schools*
- *Avoidance of questions related to current address*

Additional information on other signs of homelessness can be found in Appendix 12.B.1 in the NCHE Homeless Liaison Toolkit located at

[www.nche.ed.gov](http://www.nche.ed.gov).

## Randolph County School System Data

	17-18	18-19	19-20
<b># Unaccompanied Youth</b>	62	80	36
<b>Nighttime Arrangements:</b>			
<b>    Doubled Up</b>	230 (87%)	235 (83%)	166 (75%)
<b>    Hotels/Motels</b>	12	43	50
<b>    Shelters</b>	21	7	4
<b>    Unsheltered</b>	2	0	2
<b># Identified</b>	265	285	222

**As a reminder:** If you feel a student may be eligible to be identified under McKinney Vento, please inform your school counselor and/or school social worker.

## Resources

### **North Carolina Homeless Education Program (NCHEP)**

<https://hepnc.uncg.edu/>

*North Carolina's Technical Assistance Center  
for the Education of Homeless Children and Youth*

### **National Center for Homeless Education (NCHE) [www.nche.ed.gov](http://www.nche.ed.gov)**

*U.S. Department of Education's Technical Assistance Center  
for the Education of Homeless Children and Youth*