

UNPACKING MCKINNEY-VENTO:

UNDERSTANDING YOUR SCHOOL DISTRICT'S OBLIGATION TO STUDENTS EXPERIENCING HOMELESSNESS



November 2024

What is the McKinney-Vento Act?

The [McKinney-Vento Homeless Assistance Act](#) is the federal law that directs all State Education Agencies (SEAs) and Local Education Agencies (LEAs), which includes school districts, to ensure that students experiencing homelessness are not separated from their peers in an educational environment and have the same access to public education and related extracurricular activities. This Act was first authorized in 1987 and was reauthorized in 2015 under the Every Student Succeeds Act (ESSA).

This law applies to all children from preschool through 12th grade and to all students who are 21 years old or younger who are eligible and entitled to public education services. The preschools must be partly administered or funded by an LEA, which includes Head Start programs.

The McKinney-Vento Federal Assistance Act is funded by the federal government, which allocates dollars to states based on poverty rates. States then subgrant the funds to the various LEAs statewide.

Who qualifies?

Any student **who does not have an adequate and stable home** is considered homeless [per Title IX of the Every Student Succeeds Act](#).

This includes:

- Children living in cars, motels/hotels, shelters and abandoned buildings
- Children living outside in any capacity, including in campgrounds, parks or other public spaces
- Children living in substandard housing or spaces not intending for residential use
- Children living with their guardian who have moved into the home of a non-guardian family member, friend, or acquaintance due to financial difficulty or loss of housing
- Children who are considered migratory students and have moved within the previous 36 months to either work, or join parents who work, as a migratory agricultural worker or migratory fisher

Any student **who is considered an unaccompanied youth, or a student living away from their parent or guardian**, is also considered homeless [per Title IX of the Every Student Succeeds Act](#).

This includes:

- Children who left home because it was unsafe for them to continue to live with their guardian
- Children who are not living with their guardian because the guardian put them out of the house
- Children living without their guardian who have moved into the home of a non-guardian family member, friend or acquaintance due to financial difficulty or loss of housing
- Children with an incarcerated parent who do not have fixed housing

What are school districts required to do under the law?

School districts are required to take the following actions:

- Keeping children at their original school unless otherwise requested by the family or not determined to be in the best interest of the child
- If it's in the student's best interest to attend a different school, homeless students must be immediately enrolled even if they lack without proper documentation or if enrollment deadlines have passed
- Providing transportation to and from their school of origin even when doing so requires the employment of non-traditional transportation, such as taxis or other hired vehicles
- Ensuring homeless students have access to all eligible programs, including special education services, early childhood education, nutrition programs, language assistance, career and technical education, magnet schools, summer and online learning programs, before-and-after school care

If there is a disagreement about keeping a child enrolled in their school, the child must be enrolled while the dispute is arbitrated. Immigration status does not impact an undocumented student's eligibility for McKinney-Vento services.

Homeless students who are also unaccompanied youth — not living with a parent or guardian — must be allowed to enroll in school without proof of guardianship.

School district supports: how school board members can take action

How should school districts identify students who qualify for McKinney-Vento services?

Identification is the first step to ensuring a student who is experiencing homelessness, or is an unaccompanied youth, is getting the proper support and services. All levels of school district personnel should have an understanding of the McKinney-Vento definition of what constitutes a homeless student. While all staff should be familiar with the definition, all LEAs must identify a dedicated staff person as the official homeless student liaison.

Identifying students as experiencing homelessness can be a challenge. [According to the National Center for Homeless Education, there were 1.2 million homeless public school students](#) during the 2021-2022 school year. This number was a 10 percent increase from the prior year and it still likely does not represent the total number of students experiencing homelessness. It's important to note that nearly 75 percent of

the students identified as homeless during the 2022 school year were doubled-up with other families due to financial hardship.

How school board members can take action

1) School board members should confirm their district has a designated homeless student liaison.

While not all districts may have a staff member solely dedicated to this position, it must be part of a staff person's official job duties.

2) School board members should make sure their district is conducting an annual assessment to ensure that the district is adequately identifying, and meeting the needs of, its homeless student population. [The National Center for Homeless Education provides tools](#) to help with this annual needs assessment.

3) As school district leaders who oversee budgetary decisions, it's also important to make sure that school leadership is using McKinney-Vento dollars appropriately. The act's language deems that the dollars must be used to facilitate "the identification, enrollment, attendance and success in school of homeless children and youths." The funds can be used for a range of supports and services, including:

- Tutoring and other supplemental instruction
- Expedited evaluations
- Fees and other costs associated with tracking, obtaining, and transferring enrollment records
- Referrals for health-related services
- Costs for additional, or specialized, transportation
- Developmentally appropriate early childhood programs
- Services to attract, engage, and retain students experiencing homelessness
- Before- and after-school mentoring and summer programs
- Professional development for educators and support personnel on serving McKinney-Vento qualified students
- Trainings for the guardians of homeless students
- Coordination between the school district and external agencies that provide support services
- Specialized instructional support services, including violence prevention counseling
- Addressing needs that may arise from domestic violence, guardian mental health issues, or family-related substance abuse problems
- Adaptation of space and purchase of supplies for any non-school facilities
- School supplies
- Other assistance to enable a student experiencing homelessness to fully participate in school activities

Get started today: ask your district who your homeless student liaison is and what your district is doing to identify children who qualify for McKinney-Vento services. As school board members, it's your job to ensure your district is fully compliant with this law and is a welcoming space for all students.

For more information, contact info@localprogress.org.

About

The **Local Progress Impact Lab** brings together local leaders, partners, and issue experts to build the knowledge, skills, and leadership needed to advance racial and economic justice at the local level.

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