



Serving students in transition

McKinney-Vento

The McKinney-Vento Homeless Assistance Act was originally authorized in 1987 and recently reauthorized in 2015 by the Every Student Succeeds Act (ESSA) and is subsequently referred to as the McKinney-Vento Act. This federal law includes the Education of Homeless Children and Youth Program that entitles children who are homeless to a free, appropriate public education and requires schools to remove barriers to their enrollment, attendance, and success in school.

The McKinney-Vento Act protects all students who do not have a fixed, regular and adequate residence, such as students living in the following situations:

- Children and youth who are sharing the housing of other persons due to the loss of housing and/or are living in motels, hotels, trailer parks or camp grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters, or are abandoned in hospitals;
- Children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or a similar setting; and
- Migratory children who qualify as homeless for the purposes of meeting the above criteria.

<https://nche.ed.gov/mckinney-vento-definition/> rename to (McKinney Vento Definition of Homelessness)

If your children are eligible, they have the right to:

- Receive the free, appropriate public education, to which they are entitled.
- Be enrolled in school immediately, even lacking documents normally required for enrollment.
- Be enrolled in school and attend classes while the school gathers needed documentation.
- Enroll in the local school near where they are living or continue attend their school of origin (the school they attended when permanently housed or the last school enrolled) if that is your preference and is feasible.
- Receive transportation to and from the school of origin, if you request this and is feasible.
- Receive educational services comparable to those provided to all other students, according to your child's needs.

Enrollment

Student will be enrolled in school immediately, even if missing records and documents normally required for enrollment, such as a proof of residency, academic records, birth certificate, proof of residence, or immunization/medical records. The receiving school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records. If a student does not have immunizations, or medical records, the school McKinney-Vento liaison must assist in obtaining them immediately.

Students in transition must be enrolled in school immediately, even if they have missed application or enrollment deadlines during any period of homelessness (ESSA, 2016).

Immediate enrollment is defined in the law as actively attending classes and participating fully in all school activities while the school gathers records.

Children and youth experiencing homelessness often do not have the documents ordinarily required for school enrollment. However, school may be the only opportunity for these children and youth to benefit from a stable environment, uninterrupted adult attention, peer relations, academic stimulation, and reliable meals. Enrolling homeless students in school immediately provides them with needed stability and avoids disconnecting them from school for days or weeks while documents are gathered.

Enrolling Without a Legal Guardian

Children or youth experiencing homelessness and enrolling in a school may not be living with their parents or legal guardians. Frequently, children in families experiencing homelessness are sent to live temporarily with friends or relatives. In other situations, youth have been forced to leave home due to abusive environments or are on their own for other reasons.

If a student may be or is eligible for McKinney-Vento services, no proof of guardianship is required. Lack of a legal guardian or guardianship documents cannot delay or prevent the enrollment of an unaccompanied youth. 42 U.S.C. §§11432(g)(3)(C), (g)(1)(H)(iv), (g)(1)(F)(ii).

Therefore, schools may not condition school enrollment upon the receipt of proof of legal guardianship by caregivers of homeless, unaccompanied youth; nor may they require caregivers to become legal guardians within a certain period of time, after the child enrolls in school. The decision to seek legal guardianship is a serious decision that affects significantly the legal rights of the parent and caregiver well beyond the education arena. In addition, it is important to note that the absence of an available caregiver must not impede enrollment. Unaccompanied, homeless youth who are on their own completely must be enrolled in school immediately.

Unaccompanied Youth

The term "unaccompanied youth" includes youth in homeless situations who are not in the physical custody of a parent or guardian. A youth may also be unaccompanied but not homeless. Please involve the school McKinney-Vento liaison to assist any youth with enrollment.

Youth without a parent should go to the local school and be immediately enrolled and referred to the school McKinney-Vento Liaison for an assessment.

Unaccompanied youth in transition include young people:

- who have run away from home
- been thrown out of the home, and/or
- been abandoned by parents or guardians.
- left home for their own reasons

These young students are separated from their parents for a variety of reasons. For most of these individuals, leaving home is a survival issue. School may be the only safe and stable environment available to unaccompanied youth. Yet unaccompanied youth often face unique barriers to enrolling and succeeding in school. Without a parent or guardian to advocate for them and exercise parental rights, they are sometimes denied enrollment and remain out of school for extended periods of time. Unaccompanied youth also may not understand their educational rights or know how to acquire this information. (NCHE).

Access to Programs & Services

- Students will have access to the same programs and services that are available to all other students, including transportation and supplemental educational services.
- Child Nutrition
- All eligible McKinney-Vento students will receive free meal benefits. There is no Free & Reduced Application required. The USDA policies allow for automatic enrollment of students identified for McKinney-Vento services, to ensure students receive meals quickly.

Parent Resource: <https://nche.ed.gov/parent-resources/>

Homeless Children with Disabilities:

<https://www.pitt.k12.nc.us/cms/lib/NC01001178/Centricity/Domain/200/Support%20for%20homeless%20children%20with%20disabilities.pdf>

School Selection

Students eligible for the McKinney-Vento Program can attend either the school assigned to the current temporary address (referred to as home school) or the school of origin. The school of origin is defined as the school the student was attending when the student was permanently housed or the school in which the child was last enrolled. School of origin also includes the designated receiving school at the next grade level for all feeder schools when a student completes the final grade level served by the school of origin (ESSA, 2016).

If a student is assigned to a school other than the one requested by the parent/guardian/caregiver/youth, the school system personnel must provide a written explanation to the parent, guardian or youth including the right to appeal the decision to the District McKinney-Vento Liaison. The explanation must be in a manner and form understandable to the parent/guardian/caregiver/youth and a copy of the written explanation must be sent to the District McKinney-Vento Program Specialist.

Dispute Process

If the parent/guardian/youth disagree on the McKinney-Vento eligibility and/or school placement, a process is in place to appeal the decision. Every state must establish procedures to promptly resolve disputes regarding the educational placement of students in transition.

If a student is denied eligibility or sent to a school other than the school of origin or the school requested by the parent or guardian, the LEA must provide the parent/guardian/youth with a written explanation of its decision and the right to appeal.

Under the McKinney-Vento Act, a student in transition has the right to attend either the school of origin, if this is in the student's best interest, or the home school.

School of origin is defined as the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled. Home school is defined as any public school that non homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend. School of origin includes Title 1 preschool, Special Education preschool, feeder schools (ESSA, 2016).

Whenever a dispute arises, the student must be enrolled immediately to the requested school and be allowed to participate fully in all school activities while the dispute is being resolved. Upon resolution, the student will be immediately transferred to the original school placement if dispute was denied.

The school must refer the student, parent, or guardian to the district McKinney-Vento specialist to carry out the dispute resolution process as expeditiously as possible.

Transportation

A student eligible for services under the McKinney-Vento Act can receive transportation to and from the current residence to the school of origin or home school for the current academic school year.

If you or someone you know has any of the listed situations going on, please contact the local liaison for Lenoir County Schools, Esther Hines at ehines@lenoir.k12.nc.us or 252-527-1109. McKinney –Vento Parent and Student’s Rights: <https://hepnc.uncg.edu>

More information about the McKinney-Vento Act:

[McKinney-Vento Parent Rights](#)

[McKinney-Vento Student Rights](#)

[North Carolina Homeless Education Program \(NCHEP\)](#)

[National Center for Homeless Education \(NCHE\)](#)

[National Association for the Education of Homeless Children and Youth \(NAEHCY\)](#)

[National Center on Family Homelessness](#)

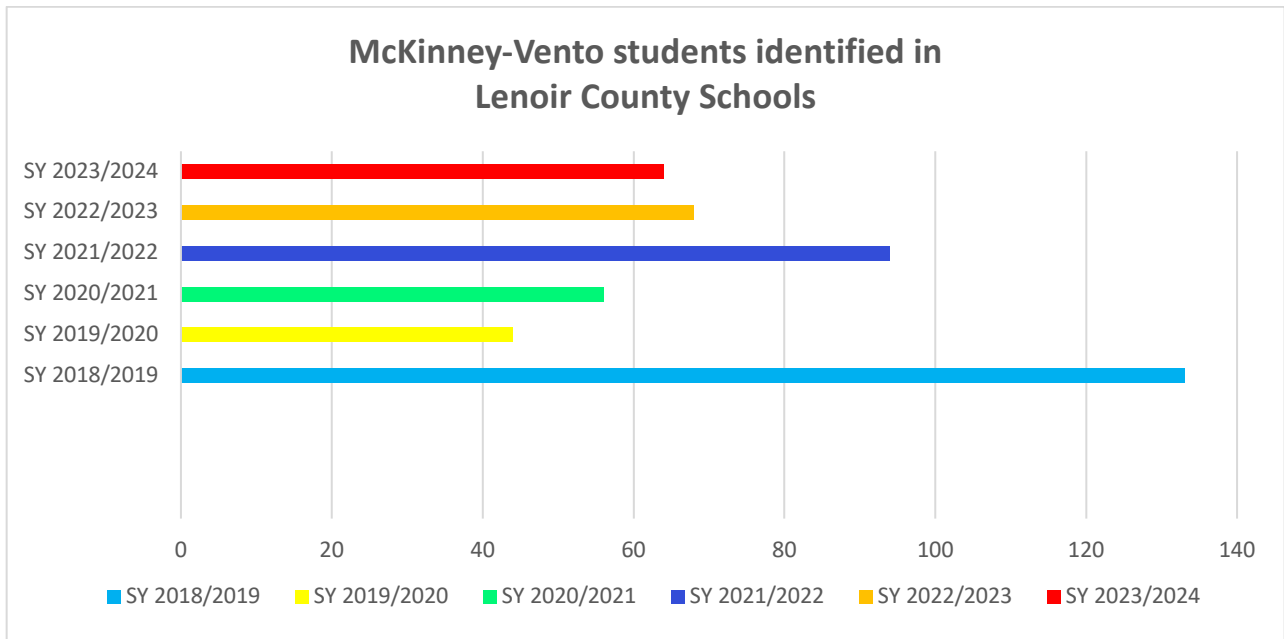
[Homelessness in NC](#)

[Supporting the Education of Unaccompanied Homeless Youth](#)

[When Legal Guardians Are Not Present](#)

Historical Data for Lenoir County Schools

2018/2019: 133 students were identified as McKinney-Vento
2019/2020: 44 students were identified as McKinney-Vento
2020/2021: 56 students were identified as McKinney-Vento
2021/2022: 94 students were identified as McKinney-Vento
2022/2023: 68 students were identified as McKinney-Vento
2023/2024: 64 students were identified as McKinney-Vento



Requesting Services

Services provided include immediate enrollment, school selection promoting stability, nutrition and academic support. McKinney-Vento services are provided for the duration of a school year and do not automatically renew. To obtain more information about eligibility, services provided and how to access services, please contact the student service support staff at your child's school or your local McKinney-Vento liaison, Esther Hines at 252-527-1109.

For more information about the McKinney Vento Act visit: www.serve.org/hepnc
The [National Center for Homeless Education](http://www.nche.org) at the SERVE Center (at UNC-Greensboro) provides state-wide assistance and guidance to schools through a contract with the Department of Public Instruction.

North Carolina Homeless Education Program (NCHEP)

Website: <https://hepnc.ung.edu>

Lisa Phillips – State Coordinator

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