McKinney-Vento Homeless Assistance Act Overview

The McKinney-Vento Homeless Assistance Act (MV) (42 U.S.C. § 11431-11435) is federal legislation that ensures the educational rights and protections of children and youths experiencing homelessness. It requires all local educational agencies (LEAs), public school districts, direct-funded and locally funded charter schools, and county offices of education to ensure that homeless students (between 0-22 years of age, pre-school to 12th grade) have access to the same free, appropriate public education, including public preschools.

Definition of Homeless

Individuals who lack a fixed, regular, and adequate nighttime residence, and includes living in:

- shared housing with others due to loss of housing, economic hardship or similar reason
- motels, hotels, shelters, transitional housing programs
- cars, trailer parks, camping areas, parks, beaches, abandoned buildings, public or private places not designed for, or ordinarily used as regular sleeping accommodation for human beings
- abandoned, runaway or pushed out youth or migratory child living in any of the circumstances described above

Student Rights

- **Immediate Enrollment:** regardless of lack of proof of residency, immunization/medical and other school records.
- **School Stability:** Right to remain in **school of origin** (last school attended) or attend the **school of residence** (in area where the family is temporarily residing)
- Have the right to attend the next matriculating school pattern (elementary to middle school and/or middle to high school)
- If the family gains permanent housing, the student can remain at the current school for the duration of that academic year
    - If high school student gains permanent housing, they are able to remain at that current school site through graduation if they so choose
- **Transportation:** to/from school if transportation creates a barrier to attendance
- **Meals:** automatically qualify for free and reduced meals
- **Dispute Resolution:** if a dispute arises the student is **immediately** admitted and able to attend the requested school while the dispute is being resolved

Local Education Agencies must:

- *eliminate barriers to enrollment and attendance*
- *provide educational rights*
- *identify students experiencing homelessness*
- *appoint a local liaison to assist students and families experiencing homelessness*
- provide referrals *to community resources including emergency and long-term housing, food, resources and counseling*

https://ocde.us/mv

MORE INFO