Educational Rights of Homeless

McKinney-Vento Law: Serving Students Experiencing Homelessness

Who is Homeless? Individuals who lack a fixed, regular, and adequate nighttime residence. The McKinney-Vento Homeless Education Assistance Act outlines educational rights and protections for children and youth experiencing homelessness. This legislation requires a local homeless education liaison in every school district to help families and unaccompanied minor students access opportunities to enroll in school, remain enrolled, and access a free and appropriate public education.

This includes:

- Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- Children and youths 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 youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
- Migratory children who qualify as homeless for the purposes of this subtitle;
- Youth on their own.

The definition pertains to youth up to 18 years or when they graduate and up to 21 years old if the youth is a special education student.

General characteristics of homeless children and youth:

- Lack of continuity of education.
    - *A child may lose 4-6 months of academic progress with each move to a new school. School stability and continuity of instruction are linked to school success including achievement, promotion, and graduation.*
- Poor health and nutrition.
    - *Homeless students are entitled to free meals at school. When the family is "doubling up" with another family, the host family's size and income are not taken into consideration when a student's homeless or free meal status is determined.*
- Transportation and attendance problems.

- Poor hygiene.
- Lack of personal space after school.
- Incomplete or missing homework (no place to work or keep supplies).
- Social or behavioral concerns.

Schools must have:

- A welcoming environment and an easy student enrollment process.
- Teachers who are aware of the subtle signs of students' various needs and an efficient system to refer students to student support services or another problem solving group for assessment and support. This includes an appreciation of the effects of students on the move and accommodations.
- A school climate that contributes to all students feeling connected.
- Cultural awareness and inclusion.
- Appropriate response to children experiencing trauma. This includes a constant, predictable environment, validation, and support as students develop coping skills and problem solving to manage change and establish their "new normal."
- Commitment of the school and community to support high school graduation for all students.
- Be aware that some families and youth are fleeing abusive relationships. Be discreet about family contact information. Precautions should be considered regarding the bus stop, before/after school drop-off and pick-up procedures, etc. This must be done in a way that also protects divulging information that the child/youth is homeless.
- An action plan with students (*suggested*).
- A posted notice at each school as well as information to provide to families regarding homelessness in places where homeless families congregate in schools, typically the office. The information must include that students are welcome at school and may enroll in their school of origin. The student must be admitted even if parents cannot provide an address of residence.
- Designate a homeless liaison (Ismail Haji, Assistant Director of Student Services) and a point person in each school (Social workers in the schools).

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Resources

- National Center for Homeless Education
- National Association for the Education of Homeless Children and Youth
- Minnesota Department of Education