

McKinney Vento Homeless Education Plan 2019-2020

The Phenix City School System will employ practices that increase the awareness of the Homeless Education program. The district shall notify parents/guardians of homeless children and youth of available resources and assist them in accessing the resources.

The Phenix City School System shall conduct an annual evaluation of its Homeless Education Program to determine the effectiveness of the program. The system will adjust practices and procedures as needed to improve the effectiveness of implementation and student achievement.

DEFINITION:

For the purpose of identifying homeless children and youth, the Phenix City School System shall use the McKinney-Vento Act's definition of homeless children and youth. The Act defines homeless children and youth (twenty-one years of age and younger) as:

- Children and youth who lack a fixed, regular, and adequate nighttime residence, and includes children and youth who are:
 - Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason (sometimes referred to as doubled-up);
 - living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
 - living in emergency or transitional shelters;
 - abandoned in hospitals; or
 - awaiting foster care placement.
- 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 similar settings.
- Migratory children who qualify as homeless because they are living in circumstances described above.

The term ***unaccompanied youth*** includes a youth not in the physical custody of a parent or guardian. This includes youth living in runaway shelters, abandoned buildings, cars on the streets, or in other inadequate housing, and children and youth denied housing by their families (sometimes referred to as "throwaway" children and youth), and school-age unwed mothers, living in homes for unwed mothers, who have no other housing available.

The ***school of origin*** is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

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HOMELESS EDUCATION PLAN

Purpose of the Program

Homeless children and youth will be provided the opportunity to receive a free and appropriate public education regardless of their residency status. The program will ensure that these students are afforded equal access to academic and other services that will allow them to meet the same challenging state achievement standards as non-homeless students.

The program provides procedural guidelines to ensure that homeless students are not denied enrollment due to the lack of registration documentation at the time of enrollment. Homeless children and youth, including preschool age children, will be enrolled immediately pending obtainment of the necessary documents. The school counselor will assist parents, guardians, or unaccompanied youth in obtaining the proper documentation.

The homeless education program makes every effort to provide homeless children and youth with a stable school environment by enrolling students in the *school of origin* and providing them with transportation to and from the *school of origin*. Provisions are made for parents, guardians, or unaccompanied youth to decline enrollment in the *school of origin*.

The program provides for the homeless liaison who will ensure program implementations and coordinate efforts to ensure that homeless children and youth, including preschool age children, are provided the opportunity for academic success.

Identification & Registration Procedures

Homeless children and youth are often undetected. The district will conduct training sessions with the appropriate school personnel to inform them of methods of identifying homeless children without using stigmatizing terminology. The district will use a *Residency Questionnaire* (Appendix A) to facilitate identity of homeless children and youth and preschoolers. The parent, guardian, or unaccompanied youth will complete the *Residency Questionnaire* at the time of registration. The school counselor may provide appropriate assistance to the parent, guardian, or unaccompanied youth in answering the questionnaire if necessary.

A copy of the Residency Questionnaire must be submitted to the Phenix City Schools Homeless Liaison on the day of registration. The school will maintain the original form in a file separate from the student's permanent record for audit purposes during the year. This file should be housed in the school counselor's office.

The parent or guardian may enroll a homeless child or youth with or without proof of residency, birth certificate, social security number, immunization record, or school records. The school counselor or principal's designee will provide the parent, guardian, or unaccompanied youth appropriate assistance in obtaining the necessary records and documents for enrollment. Enrollment without the required immunization record will be pending receipt of acquisition of immunization documentation. The existing method of assigning a student number will be employed when a student enrolls without a social security number.

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An unaccompanied youth may enroll himself or herself. In this case, the school principal or designee will immediately contact the Phenix City Schools Homeless Liaison to report the enrollment of an unaccompanied youth. The school will provide the youth with proper assistance in language that the student understands. The Phenix City Homeless Liaison (Appendix B) will assist the homeless unaccompanied youth in obtaining eligible educational services.

The application process for free and reduced priced meals can be expedited for homeless children and youth. The determination for free meals may be made without completing the full application process (source: U.S. Department of Agriculture: http://www.nlchp.org/FA_Education/new_usda_memo.pdf).

Identification of Homeless Preschoolers

The Phenix City Homeless Liaison will collaborate with local community service agencies (e.g. Head Start, Department of Human Resources, Health Department, faith-based organizations and the court system, etc.) and school personnel to identify homeless preschoolers. The district will also include homeless preschoolers and homeless children in the “Child Find” process as required by the Individual with Disabilities Education Act.

School Placement

The school system will make school placement decisions in the “best interest” of the homeless child or youth. Students will continue in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year, or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year. Students may enroll in any public school that non-homeless students who live in the attendance area in which the student is actually living are eligible to attend.

If school enrollment decision is contrary to the wishes of the child or youth’s parent/guardian, the school will provide the parent, guardian, or unaccompanied youth with a written explanation of the decision, a statement of the right to appeal, and procedure for appealing the placement decision. The complainant must file a School Enrollment Dispute (Appendix C) with the school in which the student is presently enrolled. The principal of this school will notify the Phenix City Schools Homeless Liaison of the dispute and take steps to resolve the dispute.

When a dispute arises regarding school placement, the system will immediately enroll the homeless student in the school in which enrollment is sought by the parent, guardian, or unaccompanied youth, ending resolution of the dispute. The Phenix City Schools Homeless Liaison will expeditiously take steps to resolve the dispute (See Appendix D). If the dispute cannot be settled by the homeless liaison, the liaison will assist the complainant in seeking technical assistance from an appropriate service agency.

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McKinney-Vento Student Needs Assessment

Date: _____
Student: _____ Grade/School: _____
Student: _____ Grade/School: _____
Parent/Guardian: _____ Phone: _____

Please indicate any areas of need/assistance:
(Check all that apply)

- Assistance with birth certificates, shot records, physicals, sport physicals, etc.
- Free School Meals
- Transportation to School of Origin
- Transportation assistance to Open House, teacher conference, other school events, etc.
- Child's IEP
- Hygiene items
- Clothing for School Attendance
- Parenting education
- School Supplies/Fees: backpack, PE uniforms, art/music fees, etc.
- Assessment for special programs – Please identify (Gifted, ELL, Speech Vocation/Tech)
- Tutoring
- Mentoring
- Referral – Medical, Dental, Counseling
- Referral – Housing, Food pantries
- Assistance enrolling Pre-K/Head Start

Assistance Provided:



STUDENT RESIDENCY QUESTIONNAIRE

This questionnaire is intended to address residency issues and requirements under the McKinney-Vento Act. The answers help determine enrollment eligibility and services the student may be eligible to receive under MVP.

Part A— Please print:

School: _____ Date: _____

Students Name: _____ Birth Date: _____
Last First Middle Mo/Day/Year

Age: _____ Grade: _____ Male Female S.S. # _____
(or student identification #)

Current Street Address: _____

Phone/Cell # _____ Message/Other # _____

Part B—Check yes or no:

- 1. The student is accompanied by a custodial parent or other adult with court-approved custody.
 YES NO
- 2. The custodial parent/guardian owns or rents his/her own home within the attendance zone.
 YES NO

***CONTINUE: If you checked YES on 1 and 2, continue to Part D—Proof of Residency.
If you checked NO on either question, complete Part C.***

Part C—Check those that apply:

- 1. The student:
 lives with an adult that is not a parent/legal guardian. Explain: _____

- 2. The current housing situation:
 Sharing housing with another family/friends/other persons due to: (choose one and explain)
_____ Loss of housing, eviction, economic hardship, house fire, or similar reason
Explain: _____
_____ Long-term cooperative arrangement for convenience or similar reason
Explain: _____
_____ Other. Please specify: _____

Living in a motel, hotel, RV park, or similar due to: (choose one)

_____ Lack of other adequate accommodations. Explain: _____

_____ Convenient living arrangement while waiting for apartment or house to be ready.

_____ Other. Please specify: _____

In car, streets, park, campsite, abandoned building, or other place not intended for residence.

Emergency/transitional shelter such as domestic violence/homeless shelter or halfway house.

Other housing. Please specify: _____

Additional comments: _____

Part D—Proof of Residency

_____ Current utility bill (electric bill preferred)

AND

_____ Lease agreement, mortgage statement, or additional utility bill

_____ Other. Please specify: _____ (Requires administrative review)

OR

_____ Unable to provide proof of residency. Explain: _____

Parent/Guardian/Caregiver/Unaccompanied Youth Certification: I certify that all information I have provided is true and accurate. I will cooperate with all reasonable efforts to verify residency and/or eligibility including home visits and/or release of utility account information.

Printed Name of parent/guardian/caregiver who is present to enroll student (if applicable)

Date: _____

Signature of Parent/Guardian/Caregiver/Unaccompanied Youth

OFFICIAL USE ONLY: If homeless situation is indicated, fax or email form to Homeless Liaison for determination.

Lisa B. Coleman—1212 9th Street—P.O. Box 460—Phenix City, Alabama, 36868-0460

Email: lcoleman@pcboe.net Fax: 334-298-6690 Phone: 334-298-0534

Eligibility for services under MVP: Eligible Not Eligible Comment: _____

Date: _____

Signature of Homeless Liaison/Designee

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The homeless liaison shall work to ensure that homeless children and youth, including preschoolers are identified, enrolled in school, and receive all eligible services to facilitate student academic success. The responsibilities listed below are not all-inclusive but shall be primary duties of the liaison. The homeless liaison shall ensure that:

- Homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies;
- Homeless students enroll in, and have full and equal opportunity to succeed in, the schools of the district;
- Homeless children and youth receive educational services for which they are eligible, including Head Start, and preschool programs administered by the school system, and referrals to health, mental health, dental and other appropriate services;
- Parents or guardians of homeless children and youth are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children;
- Parents and guardians and unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing transportation services;
- Transportation cost disputes between the school system and school system of enrollment are resolved;
- Sensitivity and confidentiality training is provided to transportation and school personnel regarding the needs of homeless children and youth;
- Enrolment disputes are mediated in accordance with the requirements of the McKinney-Vento Act;
- Public notice of the educational rights of homeless students is disseminated to locations where children and youth receive services under the Act;
- Required reports concerning the homeless education program are submitted to appropriate agencies and the State Department of Education; and
- Evaluation of the homeless education program is conducted annually and necessary program and implementation adjustments are made in a timely manner.

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**DISPUTE RESOLUTION REGARDING THE ENROLLMENT
OF HOMELESS CHILDREN AND YOUTH**

The Phenix City School's Board of Education will make school placement decisions in the best interest of the homeless child or youth. Students will continue in the *school of origin* for the duration of homelessness. Student may enroll in any public school that non-homeless students who live in the attendance area in which the students reside, are actually eligible to attend.

If the school enrollment decision is contrary to the wishes of the child or youth's parent/guardian, the school will provide the parent, guardian, or unaccompanied youth with a written explanation of the decision, a statement of the right to appeal, and procedure for appealing placement decision (Due Process-ACS Pupil Progression Plan). The principal of this school will notify the Phenix City Schools' Board of Education's Homeless Liaison of the dispute and take steps to resolve the dispute.

When a dispute arises regarding school placement, the system will immediately enroll the homeless student in the school in which enrollment is sought by the parent, guardian, or unaccompanied youth, pending resolution of the dispute. The Phenix City Schools' Board of Education's Homeless Liaison will expeditiously take steps to resolve the dispute. If the dispute cannot be settled by the homeless liaison, the liaison will assist the complainant in seeking technical assistance from:

State Homeless Coordinator
Alabama State Department of Education
5348 Gordon Persons Building
50 North Ripley Street
Montgomery, AL 36104-2101

Signature of Superintendent

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WRITTEN NOTIFICATION FORM

This form should be completed by a school administrator or homeless liaison when the parent's/guardian's request to return to the school or origin is denied. Fax completed form to the homeless liaison at 334-887-2107 and give original to the parent/guardian along with Form JFABD-4 (Dispute Resolution Form; page 2).

Date: _____ School: _____

Name and Title of Person Completing Form: _____

In compliance with Section 722 (g)(3)(E) of the McKinney-Vento Homeless Assistance Act of 2001, the following written notification is provided to:

Parent/Guardian: _____

Student(s): _____

After reviewing your request to enroll the student(s) listed above, the enrollment request is denied. This determination was based upon:

Please have parent/guardian sign and date below to indicate that they have received a copy of this form.

Parent/Guardian Signature

Date

- You have the right to appeal this decision by completing the attached Dispute Resolution Form or provide your explanation verbally to the district's Homeless Liaison, Joy T. Stanley (334-877-1926).
 - Resolution by the homeless liaison will be made within 7 business days of receipt of Dispute Resolution Form.
 - If the matter is not resolved at that level, the Superintendent shall issue the District's decision within 10 business days of the second dispute by parent/guardian.
 - If the matter is not resolved at that level, the parent/guardian may appeal this decision by contacting the Alabama Department of Education Homeless Education Coordinator (see contact information below).

- The student listed above has the right to enroll immediately in the requested school, including full participation in all school activities pending resolution of the dispute.
- You may contact the state coordinator if further help is needed:

State Coordinator for Homeless Education, Jan H. Murray
Alabama Department of Education
Office – 334-242-8199
FAX-334-242-0496

- You may seek the assistance of advocates or attorneys.

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SCHOOL ENROLLMENT DISPUTE FORM

School Name _____ School Telephone _____

School Address _____ School Fax _____

Student's Name _____ SSN/SN _____ Grade _____

Current Address _____

E-911 Address (Street Address)

_____, _____, _____
 City State Zip Code

Complainant Information

Name _____ Relationship to Student _____

Please Print

Current Address _____

_____, _____, _____, _____
 City State Zip Code Telephone Number

Note: Student information regarding address, telephone number, information protected by Everyday School Records Act can be released only to parent, guardian, the student, or a person specifically designated as a representative of the parent or guardian.

Name of school that complainant chooses student to be immediately enrolled in and/or transported to/from until dispute is resolved: _____

Is this the *school of origin*? _____
 If no, from which school was the student transferred? _____

Reason for complaint _____

_____, _____
 Complainant Signature Date

School Use Only Principal's Action on the Complaint Taken within _____ school day(s) after receiving notice of the complaint. Date central office contact person was notified of the dispute: _____ Action taken by the principal to resolve the dispute: Was the dispute resolved? _____

Fax this form to the central office contact person on the day of the complaint.

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DISTRICT ENROLLMENT DISPUTE FORM

Student's Name _____ SSN/SN _____

School Name _____ Grade _____

District Action on Complaint

Taken within _____ school day(s) after receiving notice of the complaint. Was the complaint resolved at the district level? _____yes _____no

If the dispute was resolved at the district level, describe the action taken by the system homeless liaison to resolve the dispute to the satisfaction of the complainant:

If the dispute was not resolved to the satisfaction of the complainant, did the system homeless liaison convene a meeting of the interested parties to attempt resolution of the dispute? _____yes _____no

If yes, when and where did the meeting take place? Describe the outcome of the meeting.

If no, will a meeting be held for resolution purposes? When? Where?

If a resolution cannot be derived at the district level, the system homeless liaison should assist the complainant in contacting service organizations to provide technical assistance to the complainant. Did the system homeless liaison assist the complainant in this manner? _____yes _____no

Name of service organization contacted for assistance: _____

Was the dispute resolved? _____ Date _____

Describe the resolution.

Complainant Signature

Homeless Liaison

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Dispute Resolution Form

This form is to be completed by the parent/guardian or unaccompanied youth when a dispute arises over school enrollment. The information may be shared verbally with the homeless liaison instead of completing this form. The Homeless Liaison, Joy T. Stanley, can be contacted at 334-877-1926.

Date submitted: _____

Student(s): _____

Person completing form: _____

Relation to student(s): _____

I may be contacted at (phone or e-mail): _____

I wish to appeal the enrollment decision made by: _____

School: _____

I have been provided with a written explanation of the school's decision (check one):

_____ Yes _____ No

You may include a written explanation to support your appeal in this space, or you may provide your explanation verbally.

Signature of person submitting dispute: _____

Return completed Form to school or homeless liaison's office.

-----**For School Use**-----

Fax a copy this completed form to Homeless Liaison.
Give a copy to the parent/guardian or unaccompanied youth.
Maintain the original at school
Date received by homeless liaison: _____

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McKinney-Vento Survey

1. Does your school have financial means, beyond our program, to assist students with field trip fees?
 - Yes
 - No

2. Have you, or someone from your school, spoken about the definition and rights of homeless students at a school staff meeting?
 - Yes
 - No

3. Please rank the following barriers to homeless student IDENTIFICATION, using 1 as the greatest barrier:

	1	2	3	4
School staff/admin, resistance	•	•	•	•
Parent resistance	•	•	•	•
Lack of knowledge of definition at the school level	•	•	•	•
Lack of knowledge of definition by the parent	•	•	•	•

Other (please specify)

4. What percentage of parents/youth experiencing homelessness at your school have you personally communicated homeless rights to either verbally or in writing, such as providing a brochure (above and beyond posting notice i.e. poster)?
 - 0-25 percent
 - 25-50 percent
 - 50-75 percent
 - 75-100 percent
 - N/A we have identified students experiencing homelessness at this time

5. Does your school communicate and/or remind parents/youth experiencing homelessness of their rights to stay at the school of origin during the withdrawal process?
 - Yes
 - No
 - N/A – we have no identified students experiencing homelessness that have withdrawn from our school

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6. Does your school communicate rights to homeless parents/youth at the end of the school year? For example: "If your family is still in a transitional housing situation next school year, your child can remain at our school".

- Yes
- No
- N/A- our school has never had an identified student experiencing homelessness at the end of a school year

7. How would you prefer to receive training from our program? Please choose one.

- Traditional
- Webinars
- Bi-monthly conference calls
- On-site school visits/training

8. What is the most challenging area of implementing provisions under the McKinney-Vento Act at your school? Please rank using 1 as the most challenging:

1		2	3	4
	Identification	•	•	•
	Immediate enrollment	•	•	•
	Arranging transportation to the school of origin	•	•	•
	Receiving supportive funding for school participation and basic needs (field trips, school supplies, etc.)	•	•	•

9. Please provide at least one "best practice" from your school in regards to serving students experiencing homelessness and/or complying with provisions as defined by the McKinney-Vento Act. Any and all input is greatly appreciated!

10. Please share any ideas, suggestions and/or concerns with our program. We welcome all feedback!

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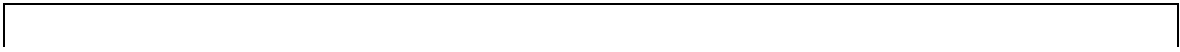
EVALUATION STANDARDS AND INDICATORS

STANDARD		EVIDENCE
1	Within one (1) full day of an attempt to enroll in school, homeless children and youth will be in attendance.	
2	Homeless pre-k-to 12 children and youth will have stability in school.	
2.1	Attendance rates will be at or above the relevant district average.	Attendance monitored through school system truancy officer
2.2	Students will remain in the school of origin for the period of homelessness or, if permanently housed, for the remainder of the school year, unless parents or unaccompanied youth requested transfer to another school.	
3	Homeless children and youth will receive specialized services when eligible.	
3.1	Eligible homeless preschool children can participate in public preschool (Head Start, state pre-k, preschool programs for children with disabilities under IDEA, meals, programs for children with limited English proficiency, and Title I pre-school programs.	Enrollment and Residency Questionnaire
3.2	Eligible homeless children and youth can receive special education and related services under IDEA, educational and related aids and services under Section 504 of the Rehabilitation Act of 1973, and educational programs for students with limited English proficiency.	
3.3	Homeless children and youth will receive appropriate services, based on assessment of individual needs, through a combination of resources, including, but not limited to Title 1, McKinney-Vento, and other federally funded programs.	PO's; CNP emails; Transportation Department communications and records
4	Parents or persons acting as parents of homeless children and youth will participate meaningfully in their children's education.	STI; PTA Sign-in lists; Progress Reports
4.1	Parents or persons acting as parents will have a face-to-face conference with the teacher, guidance counselor, or social worker within 30 days of enrollment.	Guidance log
4.2	Parents or persons acting as parents will be provided with individual student reports informing them of their child's specific	Benchmark tests, Benchmark data, End of Year Assessment results, Progress Reports, Report Cards

	academic needs and achievement on academic assessments aligned with state academic achievement standards.	
4.3	Parents or persons acting as parents will report monitoring or facilitating homework assignments.	
4.4	Parents or persons acting as parents will share reading time with their children (i.e., parent reads to child or listens to child read).	
4.5	Parents who would like parent skills training will attend available programs.	Guidance log, Parent Involvement records
4.6	Parents or guardians will demonstrate awareness of McKinney-Vento rights.	Flyers, posters
4.7	Unaccompanied youth will demonstrate awareness of McKinney-Vento rights.	Guidance logs
5	Homeless children and youth in grades 3-12 will meet their state's academic standards.	State assessment data and reports
5.1	Performance on standards-based assessments in reading and math will be within or above the proficient range or will show a one-for-one gain.	
5.2	Rates of promotion to the next grade level will be at or above the district average.	
5.3	Rates of high school graduation or equivalent will be at or above the district average.	

PROGRAM COMMENTS/RECOMMENDATIONS

When Residency Questionnaire is completed, the Homeless Liaison makes contact with the student and the central office. The central office designee makes contact with the student and parents. All district resources are channeled to support maintenance of the child in the school of origin. McKinney-Vento Act Orientation is provided annually for guidance counselors and school registrars to promote awareness and sensitivity.



Common Signs of Homelessness

<p>Lack of Continuity in Education</p> <ul style="list-style-type: none"> • Attendance at many different schools • Lack of records needed for enrollment • Gaps in skill development <p>Poor Health/Nutrition</p> <ul style="list-style-type: none"> • Lack of immunization and/or immunization records • Unmet medical and dental needs • Chronic hunger (may hoard food) • Fatigue (may fall asleep in class) <p>Transportation and Attendance Problems</p> <ul style="list-style-type: none"> • Erratic attendance or tardiness • Inability to contact parents • Numerous absences • Avoidance of class field trips <p>Poor Hygiene</p> <ul style="list-style-type: none"> • Wearing the same clothes for several days • Lack of shower facility or washers to stay clean <p>Not Ready for Class</p> <ul style="list-style-type: none"> • Lack of basic school supplies • Concern for the safety of belongings • Incomplete or missing homework 	<p>Social and Behavioral Cues</p> <ul style="list-style-type: none"> • Change in behavior • “Old” beyond years • Protective of parents • Poor/short attention span • Poor self-esteem • Difficulty or avoidance of making friends • Difficulty trusting people • Need for immediate gratification <p>Reactions/Statements by Parent, Guardian, or Child</p> <ul style="list-style-type: none"> • Anger or embarrassment when asked about current address • Mention of staying with grandparents, other relatives, friends, or in a motel • Comments such as: <ul style="list-style-type: none"> • “I don’t remember the name of my previous school.” • “We’ve been moving around a lot.” • “Our address is new; I can’t remember it.” (may hide lack of a permanent address) • “We’re going through a bad time right now.” <p>Note: These are general guidelines. There is significant variability among the school-age homeless population.</p> <p>Warning signs adapted from flyers developed by the Illinois and Pennsylvania Departments of Education.</p>
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EDUCATION OF CHILDREN & YOUTH IN HOMELESS SITUATIONS

The federal McKinney-Vento Act protects the rights of children and youth in homeless situations to attend and succeed in school, including pre-school. The McKinney-Vento Act applies to all children and youth who do not have a fixed, regular and adequate residence, including children and youth who are staying with friends or relatives because they lost their housing awaiting foster placement; or living in emergency or transitional shelters, motels, domestic violence shelters, campgrounds, inadequate trailer parks, cars, public spaces, abandoned buildings and bus/train stations.

Children and youth in homeless situations have the right to:

- Go to school, no matter where they live or how long they have lived there;
- Choose between the local school where they are living, the school they attended before they lost their housing, or the school where they were last enrolled;
- Enroll in school without proof of residency, immunizations, school records, or other documents;
- Get transportation to school;
- Get all the school services they need;
- Be free from harassment and isolation; and
- Have disagreements with the school settled quickly.

For help enrolling in school or with other education issues; families, children and youth should contact their **State Coordinator** for the Education of Homeless Children and Youth.
Or call the **National Law Center, at (202) 638-2535.**

QUESTIONS AND ANSWERS ABOUT THE LAW

Q: WHAT IS THE MCKINNEY-VENTO ACT?

A: The McKinney-Vento Act is a federal law, passed in 1987 to help people experiencing homelessness. Part of the law protects the rights of children and youth who are homeless to go to school. In December 2001, Congress changed the law to give more rights to children, youth and families who are homeless.

Q: WHO IS HOMELESS UNDER THE MCKINNEY-VENTO ACT?

A: The law says that a child or youth without a fixed, regular and adequate residence is homeless. It does not matter how long the child or youth has been without a home. It also does not matter if the child or youth is living with a parent or is separated from parents. Under the Act, students are homeless if they are:

- Living with a friend, relative or someone else because they lost their home or can't afford a home;
- Staying in a motel or hotel;
- Living in an emergency or transitional shelter or a domestic violence shelter;
- Staying in substandard housing;
- Living in a car, park, public place, abandoned building or bus or train station;
- Awaiting foster care placement;
- Living in a campground or an inadequate trailer home;
- Abandoned in a hospital; or
- Living in a runaway or homeless youth shelter.

Q: What do Homeless Liaisons do?

A: Homeless Liaisons

- Reach out to children and youth in all different kinds of homeless situations;
- Settle disagreements between schools and families or youth quickly;
- Make sure preschoolers who are homeless enroll in Head Start, Even Start or other preschool programs;
- Put up notices about the education rights of students in homeless situations;
- Make sure parents and guardians can take part in their children's education;
- Refer students to any medial, dental, mental health or other services they need;
- Coordinate with social services and housing agencies to ensure access to education; and
- Make sure students have a full and equal chance to do well in school.

The school guidance counselor, social worker, secretary, principal and nurse can also help families and youth in homeless situations. Social workers and case managers at shelters can also help.

Q: CAN STUDENTS STAY IN THE SAME SCHOOL AFTER THEY LOSE THEIR HOUSING?

A: YES. Children and youth in homeless situation have the right to stay in the school they went to before they lost their housing or to stay at whatever school they were enrolled in last. These schools are called “schools of origin.” It is important for students to stay in their “school of origin” whenever possible. Schools can provide transportation in different ways, including:

- Re-routing school buses and making sure buses go to shelters, motels and other places where students live;
 - Providing passes for public buses and subways, including passes for caretakers when needed;
 - Using transportation systems social services use;
 - Using approved van or taxi services;
 - Reimbursing parents, guardians or youth for gas;
 - Working with service and shelter providers and public assistance agencies to make transportation plans or provide transportation;
 - Getting corporate or other sponsorship for transportation costs;
 - Using Title I and other federal and local money for transportation;
- and
- Building close ties among Liaisons, school staff and the pupil transportation department.

Q: IF STUDENTS WANT TO GO TO THEIR LOCAL SCHOOL, CAN THEY?

A: YES. Children and youth in homeless situations have the right to go to the local school where they are living, if they do not want to stay at their school of origin. The local school must let students experiencing homelessness go to classes and participate fully in school activities as soon as they come to the school.

Q: DO SCHOOLS HAVE TO GIVE STUDENTS IN HOMELESS SITUATIONS ALL THE SERVICES THEY NEED?

A: YES. Schools must make sure children and youth in homeless situations get all the educational and supplemental services they need. For example, students must have access to

--Pre-school

Liaisons must make sure eligible children can attend Head Start, Even Start and other pre-school and pre-kindergarten programs.

--School meal programs

Students in homeless situations should eat free breakfast and lunch at schools that offer meals, if they want these meals. Schools can apply directly for free meals for students who are homeless. Families and youth do not have to provide social security numbers when they apply for free or reduced meals. If students or their families get welfare (TANF) or food stamps, they are automatically eligible for free breakfast and lunch at school.

--Programs for language minority students

Students who are learning to speak English have the right to any special language services they need. Schools cannot ask any families or youth if they are U.S. citizens or what their immigration status is. Schools cannot make families or youth show immigration documents or give a social security number. These rules apply to all families or youth, whether they are homeless or not.

Q: ARE THERE SPECIAL RULES FOR YOUTH LIVING ON THEIR OWN?

A: YES. Youth on their own have all the rights described for children and youth living with their families or guardians. They also have the right to get extra assistance from Homeless Liaisons. Liaisons must:

- Help you decide what school to attend, considering the youth's wishes, and help them enroll in that school;
- Make sure youth know about their rights to transportation and help set up transportation;
- Make sure youth know they can disagree with school decisions, and how to have those disagreements settled; and
- Make sure youth are immediately enrolled in school during any disagreement.

Youth on their own cannot be kept out of school because they do not have a parent or guardian to enroll them.

Q: CAN STUDENTS IN HOMELESS SITUATIONS BE SENT TO SEPARATE SCHOOLS?

A: NO. Separate schools that are just for students in homeless situations are against the law. Public schools also cannot put students experiencing homelessness in separate classes or programs just because they are homeless. Call or email the Law Center, the National Center for Homeless Education or the National Coalition for the Homeless for more information about this question.

For help, students and families in homeless situations can take the following steps:

---Call a lawyer for help.

School districts and states can be sued in court for not following the McKinney-Vento Act. Courts can make school districts and states follow the law. To find legal aid groups in the district's area, they can look on the web at www.ptla.org/links.htm#services, or www.lsc.gov/fundprog.htm, or

call the state bar association. A list of lawyers who help students with disabilities can be found at www.protectionandadvocacy.com/pal12.htm.

---Contact the U.S. Department of Education.

The Department can investigate states and school districts that do not follow the law. To reach the Department's Education of Homeless Children and Youth Program, call (202) 401-0113.

---Contact the National Law Center.

Go to www.nlchp.org or call (202) 638-2535.

---Contact the National Center for Homeless Education.

Go to www.serve.org/nche or call toll free (800) 308-2145.

---Contact the National Coalition for the Homeless.

Go to www.nationalhomeless.org or call (202) 737-6444.

---Contact the National Association for the Education of Homeless Children and Youth. Go to www.naehcy.org.

Remember: This provides only some basic information about the McKinney-Vento Act. It does not provide legal advice. Each individual case will vary, and parents and youth should get help.