

McKinney-Vento Homeless Assistance Act

In January of 2002, Congress authorized the McKinney-Vento Homeless Assistance Act to help people experiencing homelessness. The federal law includes the McKinney-Vento Education for Homeless Children and Youth Program. This program assists children in removing barriers for a successful education who lack a fixed, regular, and adequate nighttime.

The McKinney-Vento Act defines homeless children and youth as those who lack a “fixed, regular, and adequate nighttime residence,” and includes children and youth doubling up temporarily with family or friends: living in a shelter, motel, vehicle, camping grounds, or temporary trailer; living on the street; or living in another type of temporary or inadequate housing.

The McKinney-Vento Program also meets the needs of “a youth not in the physical custody of a parent or guardian”. Youth not in the physical custody of a parent or guardian and lacking a fixed, regular, and adequate residence are referred to as unaccompanied homeless youth. Youth who run away are also eligible for services even if the parent/guardian/caregiver wished the student to return home. Runaway youth and unaccompanied homeless youth are eligible to be enrolled immediately without a legal guardian.

Eligible rights:

Receive free, appropriate public education to which they are entitled,

Be enrolled in school immediately, even if lacking documents normally required for enrollment.

Be enrolled in school and attend classes while in the school gathers needed documentation

Enroll in the local school near where they're living; or continue attending their school of origin (the school they attended when permanently housed or the school in which they were last enrolled), if that is their preference and is feasible. If the school district believes that the school selected by the student is not in his/her best interest, then the district must provide the student with a written explanation of its position and offer him/her the opportunity to appeal the decision.

Receive transportation to and from the school of origin, if requested

Receive educational services comparable to those provided to all other students, according to the student's needs.

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