

Homeless – Definition

The McKinney-Vento Act defines "homeless children and youth" as individuals who lack a fixed, regular, and adequate nighttime residence. The term includes -

- Children and youth who are:
 - sharing the housing of other persons due to loss of housing, economic hardship, or a 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; and
- Migratory children who qualify as homeless because they are living in circumstances described above.

Non-regulatory guidance for the McKinney-Vento program

On what basis does an LEA make school placement determinations for homeless children and youth?

Homeless children and youth frequently move, and maintaining a stable school environment is critical to their success in school. To ensure this stability, LEAs must make school placement determinations on the basis of the "best interest" of the homeless child or youth. Using this standard, an LEA must -

- (a) Continue the child's or youth's education 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; or
- (b) Enroll the child or youth in 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.

... unless doing so is contrary to the wishes of the child or youth's parent or guardian. If an LEA wishes to send a homeless child or youth to a school other than the school of origin or a school requested by the parent or guardian, the LEA must provide a written explanation of its decision to the parent or guardian, together with a statement regarding the right to appeal the placement decision.

What responsibilities do SEAs and LEAs have regarding providing transportation services to homeless children and youth?

- If the homeless child or youth continues to live in the area served by the LEA in which the school of origin is located, that LEA must provide or arrange for the child's or youth's transportation to or from the school of origin.
- If the homeless child or youth continues his or her education in the school of origin but begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.

May funds under Part A of Title I or Part A of Title V of the ESEA be used to transport homeless students to and from the school of origin?

- In general, LEAs may not use funds under Title I, Part A or Title V, Part A to transport homeless students to or from their school of origin.

Are homeless children and youth eligible to receive Title I, Part A services?

- Yes. Homeless children and youth are automatically eligible for services under Title I, Part A of the ESEA, whether or not they live in a Title I school attendance area or meet the academic standards required of other children for eligibility. Homeless children and youth may receive Title I educational or support services from schoolwide and targeted-assistance school programs. A State must include in its State Title I plan a description of how the plan is coordinated with the McKinney-Vento Act. (*See* Section 1111(a)(1) of the ESEA.) Additionally, an LEA receiving Title I, Part A funds must include in its local plan a description of how the plan is coordinated with the McKinney-Vento Act. The local plan must describe services provided to homeless children.

If a homeless child becomes permanently housed during a school year, is that child eligible to receive Title I, Part A services for the remainder of that school year?

- Yes. In general, a homeless child or youth that becomes permanently housed during a school year continues to remain eligible for Title I, Part A services for the remainder of that school year. This helps ensure educational stability for formerly homeless children.

Are homeless children and youth who attend non-Title I schools eligible to receive Title I, Part A services?

- Yes. An LEA must provide comparable services to a homeless student who does not attend a Title I school.

Services provided should assist such children in meeting the State's challenging academic content and academic achievement standards.