

THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

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The McKinney-Vento Homeless Assistance Act, which has been recently reauthorized under the Every Student Succeeds Act of 2015 and subsequently referred to as the McKinney-Vento Act, defines “homeless children and youths” as “individuals who lack a fixed, regular, and adequate nighttime residence.” However, because the circumstances of homelessness vary with each family’s or unaccompanied youth’s situation, determining the extent to which the family or youth fits the definition must occur on a case-by-case basis. The education provisions of the McKinney-Vento Act ensure educational rights and protections for children and youth experiencing homelessness. The law directly applies to homeless unaccompanied youth who also receive some special attention within the Act.

The Act's Key Provisions

The McKinney-Vento Act specifies and protects the rights of children and youth in homeless situations. Highlights include:

- *Immediate Enrollment* – The right to be enrolled immediately in school, without immunization or academic records, and birth certificate, regardless of district policy.
- *Choice of Schools* – A student experiencing homelessness has two choices in deciding which school to attend:
 - The school of origin (the school the student attended when he/she became homeless).
 - The school in the zone where the student is currently residing.
- *Nutrition* – The Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265) expands federal child nutrition programs in several ways to assist homeless and unaccompanied children and youth by providing:
 - Automatic eligibility for free school meals to homeless and unaccompanied youth and children
 - Streamlined procedures to document such eligibility
 - Full school year eligibility for free school meals
- *Transportation* – Students in highly mobile or homeless situations are entitled to transportation to and from the school of origin, if it is feasible, in the student's best interest, and requested by the parent, guardian, or unaccompanied youth.

- *Services* – Students experiencing homelessness are entitled to the same programs and services that are available to other children in the District, such as gifted and talented education, special education, vocational education, English Language Learner services, and tutoring. Students are automatically eligible for Title I services and Districts must set aside funds as necessary to provide services.