Educating Missouri's Homeless Children

The McKinney-Vento Act, part of the No Child Left Behind Act of 2001, guarantees homeless children and youths an education equal to what they would receive if not homeless.

Missouri
DEPARTMENT OF ELEMENTARY & SECONDARY
EDUCATION™

Who is Homeless?

(Adapted from the McKinney-Vento Homeless Assistance Act of 2001 – Title X, Part C of the No Child Left Behind Act of 2001, Sec. 725)

The term *homeless children and youths* –

- means individuals who lack a fixed, regular and adequate nighttime residence.
- includes:

  1) children and youths who are sharing the housing of others due to a loss of housing, an economic hardship or a similar reason; are living in motels, hotels, trailer parks or campgrounds due to a lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster-care placement.

  2) children and youths who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.

  3) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

  4) migratory children who qualify as homeless for the purposes of this definition because the children are living in circumstances described in clauses 1 through 3.

If the residence is not fixed, regular and adequate, it is considered a homeless situation.

Educational Rights

Under the McKinney-Vento Act, children in homeless situations have:

- the right to immediate enrollment in school even if they lack the paperwork normally required for enrollment.
- the right to attend school at their school of origin (if feasible and requested by the parent) or at the school in the attendance area where the family or youth is currently residing.
- the right to receive transportation to the school of origin if requested by the parent.
- the right to services comparable to those received by housed schoolmates including transportation and supplemental educational services.
- the right to attend school along with children not experiencing homelessness. Segregation based on a student's status as homeless is strictly prohibited.
- the right to have their rights posted in all schools and in other places in the community.

Homeless Coordinator

In accordance with the No Child Left Behind (NCLB) Act of 2001, every school district must designate a board-approved homeless coordinator. Homeless coordinators shall ensure that:

- homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies.
- homeless children and youths enroll in, and have a full and equal opportunity to succeed in, schools of that local educational agency.
- homeless families, children and youths receive educational services for which they are eligible, including Head Start and Even Start programs and preschool programs administered by the local educational agency, as well as referrals to health-care services, dental services, mental health services and other appropriate services.
- parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful ways to participate in the education of their children.

- public notices of the educational rights of homeless children and youths are disseminated where such children and youths receive services under this act (schools, family shelters, soup kitchens and other appropriate places).
- enrollment disputes are mediated in accordance with all guidelines set forth in the act.
- parents or guardians of homeless children or youths, and any unaccompanied youths, are fully informed of all transportation services (including transportation to the school of origin) as described in the act, and are assisted in accessing transportation to the school that is selected in accordance with the act.

School of Best Interest

The McKinney-Vento Act requires that a child or youth experiencing homelessness attend the school that is in his or her best interest. There are two choices of schools for students in homeless situations – the school of origin and the school of residency. The school of origin is the school the child attended when permanently housed or the school in which the child was last enrolled. The school of residency is the school that serves the area where the child or youth is currently physically dwelling. For example, this could include the school that serves the community where a homeless shelter is located or where a child or youth is doubling-up with friends or relatives.

When determining the school of best interest, a homeless child or youth should, to the extent feasible, remain in the school of origin unless doing so is contrary to the wishes of the parent or guardian (or the wishes of the unaccompanied youth). If a school district believes it is in a child's or youth's best interest to enroll in a school other than the school of origin or the school of choice, the district must provide a written explanation of its decision to the parent, guardian or unaccompanied youth along with a statement regarding the right to appeal the placement decision.

Enrollment

The McKinney-Vento Act requires the immediate enrollment of homeless children and youths even if a child or youth is unable to produce the records normally required for enrollment, such as previous academic records, immunization and medical records, proof of residency, birth certificate, or other documentation. Upon enrollment, it is the responsibility of the school district's homeless coordinator to ensure that documentation normally required for enrollment is gathered and submitted in a timely manner.

Transportation

School districts must provide transportation for homeless children and youths to the school of best interest. When two school districts are involved (the school of residency and school of origin), the cost of transporting a student who is homeless is shared equally between the districts.

School districts must provide transportation to students in homeless situations during the resolution of any pending disputes. While disputes over enrollment, school placement or transportation arrangements are being resolved, a student must be transported to the parents' or unaccompanied youth's school of choice.

Factors for Selection

Factors for school selection include:

- special needs for the homeless child.
- continuity of instruction.
- length of stay in the homeless family's new location.
- distance and time needed to transport the child to and from school.

Dispute Resolution

If a student is sent to a school other than the school of origin or the school requested by a parent or guardian, the school district must provide a written explanation of both its decision and the right to appeal (whether the parent or guardian does or does not dispute the placement).

If a conflict arises between the parent or guardian and the school district about the enrollment or placement of a homeless child or youth, a written explanation of the district's decision must be provided to the parent, guardian or unaccompanied youth. A written explanation of the district's decision must also be provided if a parent, guardian or unaccompanied youth disputes a school placement or enrollment decision.

Whenever a dispute occurs, the student must be admitted immediately to the school of choice while the dispute is being resolved. The school must refer the student, parent or guardian to the homeless coordinator to carry out the dispute-resolution process as expeditiously as possible. Homeless coordinators must ensure that the dispute-resolution process is followed for unaccompanied youths.

A copy of the Standard Complaint Resolution Process can be found online at **http://dese.mo.gov/divimprove/fedprog/discretionarygrants/homeless/Complaint%20Procedure.pdf**.

Services & Opportunities

Children and youths in homeless situations are entitled to services comparable to those offered to other students. These include, but are not limited to, services for children and youths with disabilities, programs for students with limited English proficiency, vocational and technical education programs, and programs for gifted and talented students. Children and youths who are homeless are also eligible for school nutrition programs sponsored by the U.S. Department of Agriculture and for services under Title I of the Elementary and Secondary Education Act that target students most at risk of failing in school.

Missouri Department of Elementary and Secondary Education
Grants and Resources
P.O. Box 480
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• http://dese.mo.gov/divimprove/fedprog/discretionarygrants/homeless

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Call Missouri's Homeless Coordinator at (573) 522-8763