



The McKinney Vento Act

Homeless Children and Youth Definitions

The McKinney Vento Act protects the educational rights of children and youth who are homeless. Section 725(2) of the McKinney-Vento Act defines “homeless children and youths” as individuals who lack a fixed, regular, and adequate nighttime residence. The term includes—

Children and youths 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”);
- are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
- are living in emergency or transitional shelters; or
- are abandoned in hospitals;
- 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;
- are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- are migratory children and qualify as homeless because they are living in circumstances described.

Housing and School Partnerships: Point-In-Time Count (PIT)

The U.S. Department of Housing and Urban Development (HUD) requires its [Continuum of Care \(CoC\) grantees](#), this includes local educational agencies (LEA’s) and schools, to conduct an annual count of sheltered and unsheltered homeless persons. The [Protection of Pupil Rights Amendment \(PPRA\)](#) and the [Family Educational Rights and Privacy Act \(FERPA\)](#) can make the administration of PIT count surveys in schools difficult; therefore, HUD encourages CoCs to involve a variety of community partners such as local homeless education liaisons and family and youth service providers to help plan and execute the PIT count.

The McKinney-Vento Act also requires that:

Every SEA must have an Office of the State Coordinator to oversee implementation of the Act, and every LEA must designate a local liaison able to carry out their duties to ensure that homeless students are identified and have a full and equal opportunity to succeed in school. The Act also provides that:

- homeless students who move have the right to remain in their schools of origin, (i.e., the school the student attended when permanently housed or in which the student was last enrolled, which includes preschools) if that is in the student's best interest;
- if it is in the student's best interest to change schools, homeless students must be immediately enrolled in a new school, even if they do have the records normally required for enrollment;
- transportation must be provided to or from a student's school of origin, at the request of a parent, guardian, or, in the case of an unaccompanied youth, the local liaison;
- homeless students must have access to all programs and services for which they are eligible, including special education services, preschool, school nutrition programs, language assistance for English learners, career and technical education, gifted and talented programs, magnet schools, charter schools, summer learning, online learning, and before- and after-school care;
- unaccompanied youths must be accorded specific protections, including immediate enrollment in school without proof of guardianship; and
- parents, guardians, and unaccompanied youths have the right to dispute an eligibility, school selection, or enrollment decision.

Resources:

McKinney Vento-for the State of Missouri

<https://dese.mo.gov/quality-schools/federal-programs/homeless-children-youth>

<https://dese.mo.gov/quality-schools/federal-programs/homeless/serving-homeless-children>

Homeless Liaisons by School District

<https://dese.mo.gov/sites/default/files/qs-hmls-liaisons-19-20.pdf>

National McKinney Vento Resources:

<https://www2.ed.gov/policy/elsec/leg/esea02/pg116.html>

<http://www.naehcy.org/educational-resources/m-v>

<https://nche.ed.gov/legis/mv.php>

Foster Care Placement:

<https://dese.mo.gov/communications/webinar/essa-mckinney-vento-and-foster-care>

https://www.nlchp.org/documents/McKinney-Vento_FAQs

Information under HUD:

<https://www.hudexchange.info/resources/documents/HomelessAssistanceActAmendedbyHEARTH.pdf>