**Homeless Family Services / McKinney-Vento Act**

The McKinney-Vento Homeless Education Act was authorized by Congress in December, 2001, as part of the No Child Left Behind Legislation.  The purpose of the McKinney-Vento Act is to remove barriers to education for homeless/transitional students and provide educational stability.  Any child who lacks fixed, regular, and adequate nighttime residence is considered homeless.  This includes those who are temporarily sharing housing with others due to loss of housing or economic hardship.  It also includes children and youth transitional housing programs and children in foster or temporary placements.

**The McKinney-Vento Definition of *Homeless***

**Subtitle VII-B of the McKinney-Vento Homeless Assistance Act (per Title IX, Part A of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act) defines *homeless* as follows:**

The term "homeless children and youths"--

(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and

(B) includes--

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;\*

(ii) children and youths 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 (within the meaning of section 103(a)(2)(C));

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

(iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

*\*Per Title IX, Part A of the Every Student Succeeds Act, "awaiting foster care placement" was removed from the definition of homeless on December 10, 2016; the only exception to his removal is that "covered states" have until December 10, 2017, to remove "awaiting foster care placement" from their definition of homeless.*

***Note:***

To be eligible for services, the student must meet the Act’s definition of homeless. The McKinney-Vento Act defines “homeless children and youths” as “individuals who lack a fixed, regular, and adequate nighttime residence.” Lacking any one of these three conditions would make a child eligible. In other words, if the residence is not fixed, regular, and adequate, it is considered a homeless situation. The list of examples included in the Act in the definition is not exclusive.

***Eligible students have the right to:***

* Receive a free, appropriate public education.
* Enroll in school immediately, even if lacking documents normally required for enrollment.
* Enroll in school and attend classes while the school gathers needed documents.
* Enroll in the local school; 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. \* If the school district believes that the school selected is not in his/her best interest, then the district must provide the student with a written explanation of its position and inform the student of his/her right to appeal its decision.
* Receive transportation to and from the school of origin, if requested.
* Receive educational services comparable to those provided to other students, according to the students’ needs.

**Unaccompanied Youth Status**

Unaccompanied youth include young people who have run away from home, been thrown out of their homes, and/or been abandoned by parents or guardians. These young people are separated from their parents for a variety of reasons.

Under the McKinney-Vento Homeless Assistance Act, Unaccompanied Youth have the right to:

* Remain in their school of origin (to the extent feasible)
* Transportation to and from the school of origin
* Immediately enroll in a new school serving the area in which they are currently living even if they don’t have typically required documents (e.g., proof of guardianship)
* Equal access to programs and services such as gifted and talented education, special education, vocational education, and English as a Second Language.

 The Terrell County Charter School System provides a homeless liaison for the school district who will arrange for transportation and facilitate the entry of a homeless student to any school in the district.  Enrollment will be immediate and will not be contingent upon receipt of records from the student’s last school.   If a dispute arises over school enrollment, the homeless liaison will expeditiously carry out the dispute resolution process, guided by the Georgia Department of Education’s resolution process.  
  
For more information, please contact the Terrell County Charter School System Homeless Liaison:  
Dr. LaKia Moore Spencer

761 1st Avenue SE

Dawson, Georgia 39842  
[lspencer@terrell.k12.ga.us](mailto:lspencer@terrell.k12.ga.us)

**Resources**

[National Center for Homeless Education](https://nche.ed.gov/)

[Every Student Succeeds Act](https://www.ed.gov/esea)

[National Association for the Education of Homeless Children and Youth](https://naehcy.org/)

[National Coalition for the Homeless](http://www.nationalhomeless.org/)

<https://www.gadoe.org/School-Improvement/Federal-Programs/Pages/Education-for-Homless-Children-and-Youth.aspx>