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Who is Homeless Under McKinney-Vento Homeless Assistance Act?

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 and

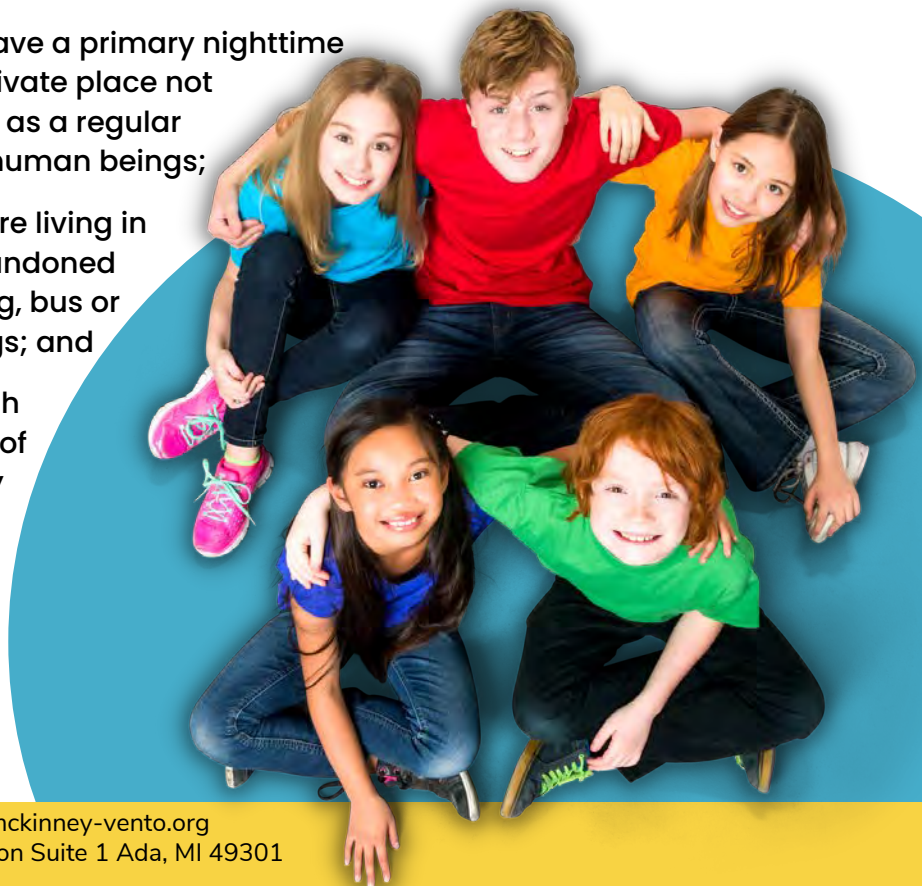
(B) includes: --

(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;

(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 above.





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KNOW YOUR RIGHTS!

Identified Students have the right to:

- ✓ Immediate Enrollment--even without all the typical paperwork
- ✓ Attend their School of Origin
- ✓ Transportation to and from their school of origin
- ✓ Comparable Services including free school meals, transportation gifted/talented programs, career and technical education and Title I.
- ✓ Access to Services for Which They are Eligible including special education, Head Start and early intervention programs.
- ✓ Barrier Removal to ensure full access and participation in school sponsored programs and activities
- ✓ Dispute Resolution if the family, guardian, or unaccompanied youth chooses to dispute a district decision about identification, enrollment, or school selection
- ✓ UHY Protections including enrollment without guardianship documentation
- ✓ Appointment of Homeless Liaison who has the time and capacity to identify, support, and advocate for students experiencing homelessness



LOCAL LIAISON - CONTACT INFORMATION



Contact Us

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Fixed, Regular, & Adequate

Determining eligibility for McKinney-Vento homeless identification is the first step in ensuring students receive the educational rights, services and support they are entitled to under federal law. The following tool may help gather information as part of identifying and determining the extent to which the current living situation is fixed, regular and adequate.

FIXED

"A fixed residence is one that is stationary, permanent, and not subject to change."

YES NO

Is this a permanent arrangement?

Are you sharing the housing expenses equally (food, utilities, rent)?

Is your name on the lease?

Is your housing paid for by a third party or through a time-limited voucher program? (if yes, check the **NO** box)

REGULAR

"A regular residence is one that is used on a regular/ nightly basis."

YES NO

Do you have a key to the place you are staying?

Is your sleeping location common? (Not a barn, travel trailer, car tent, garage, etc)

Are you able to use this location every day/night of the week?

Will you be living here for the entire school year?

ADEQUATE

"An adequate residence is one that is sufficient for meeting both the physical and psychological needs typically met in home environments."

YES NO

Are there enough beds/sleeping spaces so everyone has their own space?

Does the shelter/home have electricity, heat and running water, no pest infestation?

Can you come and go as you choose?

Is the supervision adequate? (this primarily applies to UH-V)

ANY "NO" RESPONSE INDICATES
THE STUDENT MAY BE ELIGIBLE
FOR MV SERVICES.

**Definitions taken from NICHÉ resource: Questions from a variety of resources and conversations with liaisons in the field*