

## MCKINNEY-VENTO REQUIREMENTS FOR LEAS

An understanding of the requirements that LEAs must carry out to serve homeless children and youth will enable you to know both what you must do to follow the law and what you should do to help homeless children and youth succeed in school.

Following is a summary of the McKinney-Vento Act's requirements for LEAs in serving homeless children and youth:

The law requires State Plans to ensure that LEAs

- give homeless children and youth opportunities to meet the state's challenging academic standards;
- identify homeless children and youth;
- resolve disputes promptly;
- increase the awareness of all school personnel of the needs of homeless children and youth;
- enable homeless children and youth to participate in federal, state, and local nutrition programs for which they are eligible;
- ensure that preschool-aged homeless children have access to public preschool programs;
- identify unaccompanied homeless youth and youth separated from public schools and link them to appropriate secondary education and support services;
- remove barriers to receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school;
- remove barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs, if available;
- address problems resulting from enrollment delays caused by requirements for immunizations or other required health records; residency requirements; lack of birth certificates, school records, or other documents; guardianship issues; or uniform or dress code requirements;
- revise policies to remove barriers to identification and school retention of homeless children and youth, including barriers to enrollment and retention due to outstanding fees or fines, or absences;
- ensure that homeless children and youth are not stigmatized or segregated on the basis of their homelessness;
- provide transportation, at the request of the parent, guardian, or unaccompanied youth, to and from the school of origin; and
- ensure that school counselors advise homeless youths to prepare for college. [42 U.S.C. § 722(g)(1)]

The law also mandates that LEAs

- continue a child's or youth's education in the school of origin for the duration of homelessness, according to his or her best interest, or enroll the child or youth in any public school that non-homeless students who live in the attendance area where he or she is living are eligible to attend;
  - The term "school of origin" means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool.
  - "School of origin" includes the designated receiving school at the next grade level for all feeder schools when a child or youth completes the final grade level served by the school of origin.
- immediately enroll a child or youth even if he or she is unable to provide records normally required for enrollment or has missed application or enrollment deadlines during any period of homelessness;
- contact the last school attended to obtain relevant records if enrolling a homeless child or youth;
- assist with obtaining immunization records, other health records, or immunizations, if needed.
- make any record ordinarily kept by the school available when a child or youth enters a new school or school district;
- conduct disputes over eligibility, school enrollment, or school selection according to the LEA's and SEA's dispute resolution policy, providing written notice to the parent, guardian, or unaccompanied youth with the school district's decision and instructions for how to initiate a dispute; and
- treat information regarding a student's living situation as a student educational record and not directory information. [42 U.S.C. § 722(g)(3)]

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