



McKinney-Vento Act: Quick Reference

The [McKinney-Vento Homeless Assistance Act \(42 U.S.C. § 11431 et seq.\)](#) is a federal law that provides important educational rights and services to PreK-12 children and youth experiencing homelessness. The U.S. Department of Education has published [guidance](#) to help state and local educational agencies implement the law. This document summarizes the McKinney-Vento Act's key provisions and provides corresponding legal citations.

Eligibility

- "Homeless children and youth" means children and youth who lack a fixed, regular, and adequate nighttime residence, including those who are sharing the housing of others due to loss of housing, economic hardship, or a similar reason; staying in motels, trailer parks, or camp grounds due to the lack of an adequate alternative; staying in shelters or transitional housing; or sleeping in cars, parks, abandoned buildings, substandard housing, or similar settings. 42 U.S.C. §11434a(2).
- "Unaccompanied youth" includes homeless children and youth who are not in the physical custody of a parent or guardian. 42 U.S.C. 11434a(6).

Office of the State Coordinator for the Education of Homeless Children and Youth

Every state educational agency (SEA) must designate an Office of State Coordinator that can sufficiently carry out duties in the Act. 42 U.S.C. §11434a(2). Some key duties include:

- Responding to inquiries from homeless parents and unaccompanied youth. 42 U.S.C. §11432(f)(7).
- Providing professional development programs for liaisons and others. 42 U.S.C. §11432(f)(6).
- Conducting monitoring of local educational agencies to enforce compliance. 42 U.S.C. §11432(f)(5).

Local Educational Agency Homeless Liaisons

Every local education agency (LEA) must designate a liaison for students experiencing homelessness who is able to carry out the duties described in the law. 42 U.S.C.

§11432(g)(1)(J)(ii). Some key duties include:

- Ensuring that homeless children and youth are identified and enrolled in school, and have a full and equal opportunity to succeed in school. 42 U.S.C. §§11432(g)(6)(A)(i)-(ii).
- Participating in professional development and other technical assistance offered by the state. 42 U.S.C. §11432(g)(1)(J)(iv).

- Ensuring school personnel receive professional development and other support. 42 U.S.C. §11432(g)(6)(A)(ix).
- Ensuring that unaccompanied homeless youth are informed, and receive verification, of their status as independent students for college financial aid. 42 U.S.C. §11432(g)(6)(A)(x)(III).
- Ensuring that homeless children, youth, and families receive referrals to health, dental, mental health, housing, substance abuse, and other appropriate services. 42 U.S.C. §11432(g)(6)(A)(iv).
- Disseminating public notice of McKinney-Vento rights in locations frequented by parents and youth, in a manner and form understandable to them. 42 U.S.C. §11432(g)(6)(A)(iii).

School Stability

- Children and youth experiencing homelessness can remain in their school of origin for the duration of homelessness and until the end of an academic year in which they obtain permanent housing, if it is in their best interest. 42 U.S.C. §11432(g)(3)(A).
- LEAs must make best interest determinations that presume that staying in the school of origin is in the best interest of the child or youth; consider specific student-centered factors; prioritize the wishes of the parent, guardian, or unaccompanied youth; and include a written explanation and right to appeal if the LEA determines that school stability is not in the best interest of the child or youth. 42 U.S.C. §11432(g)(3)(B).
- The definition of school of origin includes both the designated receiving school at the next grade level (if there is a feeder school pattern), and preschools. 42 U.S.C. §11432(g)(3)(I).
- Transportation to the school of origin is required, including until the end of the academic year when a student obtains permanent housing. 42 U.S.C. §11432(g)(1)(J)(iii).

School Enrollment and Participation

- Homeless children and youth must be enrolled in school immediately, even if they lack documents or have missed application or enrollment deadlines during any period of homelessness. 42 U.S.C. §11432(g)(3)(C).
- “Enrollment” is defined as attending classes and participating fully in school activities. 42 U.S.C. §11434A(1).
- SEAs and LEAs must develop, review, and revise policies to remove barriers to the identification, enrollment, and retention of homeless students in school, including barriers due to fees, fines, and absences. 42 U.S.C. §11432(g)(1)(I).
- States must have procedures to ensure that homeless children and youth do not face barriers to accessing academic and extracurricular activities. 42 U.S.C. §11432(g)(1)(F)(iii).

Disputes

- If a dispute arises over eligibility, school selection or enrollment, the child or youth must be immediately enrolled in the school in which the parent, guardian or unaccompanied youth seeks enrollment, pending resolution of the dispute, including all available appeals. 42 U.S.C. §11432(g)(3)(E)(i).

Preschool Children

- The definition of school of origin includes preschools. 42 U.S.C. §11432(g)(3)(I).
- Liaisons must ensure homeless families and children can access Head Start, Early Head Start, LEA-administered pre-school programs and early intervention services under IDEA Part C, if eligible. 42 U.S.C. §11432(g)(3)(C).

Financial Aid, Credit Accrual, and College Readiness

- Liaisons must ensure that unaccompanied homeless youth are informed, and receive verification, of their status as independent students for college financial aid. 42 U.S.C. §11432(g)(6)(A)(x)(III).
- States must have procedures to identify and remove barriers that prevent students from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school. 42 U.S.C. §11432(g)(1)(F)(ii). Liaisons must implement those policies. 42 U.S.C. §11432(g)(6)(A)(x)(II).
- State plans must describe how homeless youth will receive assistance from school counselors to advise, prepare, and improve their readiness for college. 42 U.S.C. §11432(g)(1)(K).

Reserving Funds from Title I, Part A to Serve Students Experiencing Homelessness

- All LEAs that receive Title I Part A funds must reserve funds to support homeless students. 20 U.S.C. §6313(c)(3)(A).
- Reserved funds may be used for services not ordinarily provided by Title I, including local liaisons and transportation to the school of origin. 20 U.S.C. §6313(c)(3)(C)(ii).
- State report cards must include disaggregated information on the graduation rates and academic achievement of homeless children and youth. 20 U.S.C. §§6311(h)(1)(C)(ii) and (iii).