

# North Dakota Department of Public Instruction

## TITLE I FAST FACT SERIES

### Issue: Serving Homeless Children and Youth – The McKinney-Vento Act

All schools and districts receiving federal funds must ensure that services are provided to children and youth who are experiencing homelessness.

Under the federal McKinney-Vento Homeless Assistance Act, which was reauthorized under the *No Child Left Behind Act*, the term “homeless children and youth” refers to students who lack a fixed, regular, and adequate night-time residence.

Homeless students include students who:

- Are awaiting foster care placement.
- Are abandoned in hospitals.
- Share the housing of other people due to the loss of housing, economic hardship, etc.
- Migratory children as defined in Section 1309 of the Elementary and Secondary School Act of 1965.
- Live in motels, hotels, or campgrounds.
- Live in emergency or transitional shelters.
- 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.

If your district has students who meet the definition of homelessness according to McKinney-Vento Act, below are your responsibilities and activities to ensure compliance with the law:

Responsibility	Required Activities and Responsibilities to Ensure Compliance
Local Liaison	<ul style="list-style-type: none"> <li>● Every LEA must designate an appropriate staff member as a local educational agency liaison for students in homeless situations.</li> <li>● The homeless education program is an LEA responsibility with subgrants designed to extend or intensify services. A portion of the funds may be used to support this position.</li> </ul>
School Selection	<ul style="list-style-type: none"> <li>● To the extent feasible, keep students in homeless situations in their school of origin, unless it is against the parents’ or guardian’s wishes.</li> <li>● Students who are homeless may stay in their school of origin for the entire duration of their homelessness and until the end of the academic year, even if they move into permanent housing.</li> <li>● Students may enroll in any public school that students living in the same attendance area are eligible to attend.</li> </ul>
Enrollment	<ul style="list-style-type: none"> <li>● LEAs must immediately enroll students in homeless situations, even if they do not have the required documents. The term “enroll” is defined as attending classes and participating fully in activities.</li> <li>● Enrolling schools must obtain records from the previous school, and students must be enrolled in school while the records are being obtained.</li> <li>● If a student does not have immunization records, the liaison must immediately assist them in obtaining the records, and the student must be enrolled in the school.</li> <li>● Schools must maintain records for students who are homeless so the records are available quickly.</li> </ul>
Transportation	<ul style="list-style-type: none"> <li>● At a parent or guardian’s request, homeless students must be provided with transportation to and from their school of origin.</li> <li>● If the student’s temporary residence and the school of origin are in the same LEA, that LEA must provide transportation. If the student is living outside the school of origin’s LEA, the LEA where the student is living and the school of origin’s LEA must determine how to divide the cost of providing transportation, or districts must share the responsibility and cost equally.</li> <li>● In addition to providing transportation to the school of origin, the LEA must also provide students in homeless situations with transportation services comparable to those provided to other students.</li> </ul>
Services	<ul style="list-style-type: none"> <li>● Students experiencing homelessness must be offered services for which that child is eligible (i.e., Head Start, Even Start, preschool, Title I, ESL programs, gifted and talented programs, special education, etc.) that are offered to non-homeless students.</li> <li>● Students who are experiencing homelessness are automatically eligible for the free and reduced breakfast/lunch programs.</li> </ul>

If you have questions regarding this issue, please contact:

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