

# Going to School Homeless

*a tutorial from*

The Office for the Education of  
Homeless Children and Youth



# In Massachusetts ...

... schools annually identify 12,000 to 13,000 children and youth who go to school homeless...

... many are never identified –  
the total is estimated as high as 50,000.

ESE Annual Homeless Education Data Collection  
MA Youth Risk Behavior Survey 2005, 07, 09

# Going to School Homeless

This tutorial will cover

- McKinney-Vento Homeless Education Assistance Act
- Who is homeless – the definition of homelessness
- How many students are homeless?
- The impact of homelessness on learning
- The educational rights of homeless children and youth
- The role of the Homeless Education Liaison
- Technical assistance/support regarding homeless children and youth.

ESE has provided guidance to school districts in a series of Advisories referenced throughout this tutorial and available on our webpage at [doe.mass.edu/mv/](http://doe.mass.edu/mv/).

# McKinney-Vento Homeless Education Assistance Act of 2002

Also known as Title X Part C, No Child Left Behind reauthorized and strengthened the homeless education legislation under the Stewart B. McKinney Homeless Assistance Act of 1989.

Referred to as McKinney-Vento, this law:

- Defines homelessness for schools
- Outlines the educational rights of homeless students
- Mandates transportation to and from school
- Mandates the designation and responsibilities of a homeless education liaison
- Funds grant program for districts with significant numbers of homeless students.

# McKinney-Vento Homeless Education Assistance Act of 2002

McKinney-Vento applies to all publicly funded schools including regional schools, vocation/technical schools, charter schools and special education schools.

... and covers students in preschool thru grade 12.

As such every district/local education agency is required to have a written and approved homeless education policy to ensure the educational rights of homeless children and youth.

It may also helpful to remember that as a federal law it applies to all public school districts in the country. Combined with the transiency of homeless families this has meant that we have worked with our counterparts in numerous other states.

# So Who is Homeless?

According to McKinney-Vento: anyone who lacks *fixed, regular, and adequate nighttime residence* is homeless.

This includes students who are

- Living in shelters,
- Living in campgrounds, parks, cars, public buildings,
- Doubled up with friends or relatives,
- Abandoned in a hospital
- Unaccompanied youth, or
- Awaiting Foster care.

It is important to note that there is *no time limit* on homelessness in the law. It is possible for a child to remain homeless across school years.

ESE Advisory 2002-1: Definitions

# Students Living in Shelters

The state of Massachusetts has over 2,000 shelter beds for homeless families.

Most beds are in traditional family shelters also know as congregate shelters.

Shelter providers also offer “scatter site” shelter which looks like an apartment unit but the family does not hold the lease and is placed as the guest of the sheltering agency. Families in scatter site shelters are homeless.

In difficult times the state has used hotels and motels to shelter families that exceed the number of available shelter beds.

# Double-up with Friends or Relatives

Families that are living with friends or relatives “due to economic hardship, loss of housing or similar reason” are homeless and said to be doubled-up.

- Economic hardship can include loss or reduction of employment; being laid off.
- Loss of housing can include eviction, fire or other natural disaster.
- Similar reason can include domestic or community violence or war.

Families and unaccompanied youth who are double-up have not signed leases and do not have social service agencies that can vouch for their homelessness.

Districts may ask for a letter from the host to verify where the family is sheltered but may NOT keep a child out of school for lack of verification.

Contacting the landlord may jeopardize the housing of both the family you are working with and the host family.





# Unaccompanied Youth

The law defines unaccompanied youth as a youth out of the physical custody of a parent or legal guardian.

These students may be of any age.

Unaccompanied youth may be runaways or throwaways. They are also children who are left behind in immigration raids or when a parent is incarcerated. Some of these students are simply abandoned. Many are couch-surfing from one friend or relative's house to another.

Unaccompanied youth have the right to enroll themselves in school and all the other rights of homeless students.

ESE Advisory 2004-8: Unaccompanied Youth

# Awaiting Foster Care

Massachusetts has defined “awaiting foster care” as children who are in state care/custody and whose placements are temporary transitional or emergency.

These include children/youth that the Department of Children and Families (DCF) has placed in

- STARR Beds,
- Transitional Care Units (TCU), or
- Temporary foster placements

In these cases the DCF caseworker has determined the intended length of stay in the *placement* (not the program) will be short term (weeks not months) while DCF determines the next steps for the child/youth.

The caseworker should be able to document this on DCF letterhead for the homeless education liaison.

# How Many Students are Homeless?

For the 08/09 school year schools identified a total of 12,402 homeless students PreK to 12.

The Living arrangements for these students were:

- Shelter 4,056
- Doubled up 4,138
- Unaccompanied Youth 627
- Unsheltered 132
- Awaiting Foster Care 2,850

Massachusetts also includes a housing status question on its Youth Risk Behavior Survey that reflects the definition of homelessness. In 2009 4.3% of high school students taking the survey were in homeless living arrangements. This suggests that over 50,000 homeless students are enrolled in Massachusetts public schools.

# Impact of Homelessness on Learning

Homelessness impacts learning in a multitude of ways. In search of shelter, and eventually housing, families and unaccompanied youth are frequently on the move and living day to day. This precarious existence can be a source of trauma for children, youth, and parents that affects the ability to focus in class, to feel safe in the classroom, and to come to school prepared for the day.

Going to school homeless can result in

- Many school transfers,
- Significant educational gaps,
- Frequent absences and tardy arrivals,
- Lack of supplies and space to do homework and projects,
- Poor medical, dental and mental health care,
- Distractions and an inability to attend to lessons, and
- Hoarding.

# Going to School Homeless

To address these common affects of homelessness on children and their education McKinney-Vento

- extends specific educational rights and
- mandates the designation of a homeless education liaison in every school district.

# Educational Rights of Homeless Children and Youth

- School selection, the right to remain in the last school attended or enroll locally
- Transportation back to the last school attended
- Immediate enrollment with or without records
- Right to dispute the school's enrollment decisions
- Equal access to attend and participate in all school courses, activities, and events
- Free lunch (and breakfast if served)

And the opportunity to succeed

# School Selection

The intent of the McKinney-Vento Homeless Assistance Act is to minimize the amount of time that homeless children and youth are out of school and educational gaps. It strongly encourages children to remain in the last school attended (also known as the school of origin) to the extent feasible.

The law acknowledges that that may not always be possible and ensures immediate enrollment of homeless students in any school housed children in the same area are eligible to attend.

The parent/legal guardian is the educational decision maker and determines where the child will be enrolled. In the case of an unaccompanied youth, the youth decides.

Homeless students have the right to remain enrolled in their school until the end of the academic year in which they become permanently house.

# Transportation

- Is transportation mandated?

Yes, if the child needs transportation to get to and from school it must be provided regardless of whether the child is in district or across districts to the extent feasible and until the child is permanently housed.

NOTE: Transportation is not mandated once a child is permanently housed.

- How is it paid for?

Transportation arrangements and costs are shared by the district where the child is attending school and the district where the child is sheltered. Unless other agreements are made the costs are shared 50/50.

If transportation is a related service of a child's IEP it is a special education expense and born entirely by the district fiscally responsible for the IEP.

- How is the extent feasible defined?

In Massachusetts, extent feasible has been defined as up to one hour, one way (45 minutes for preschool/kindergarten children). Consideration for the child's age, safety, and ability to commute should also be taken into account.

ESE Advisory 2002-3: School Selection and Transportation Requirements for Homeless Students  
ESE Advisory 2007-10: Clarifying the Provision of Transportation Requirements for Homeless Students



# Immediate Enrollment

If it is decided that a homeless student will enroll locally that process must be *immediate*.

This means:

- The district may not require any documents proving residency, guardianship or that are normally required for enrollment.
- If the parent or unaccompanied youth does not have school records, the school must assist in transferring records and may not hold the child out of school waiting for their arrival.
- The student may not be held out of school for lack of medical or immunization records.
- If transportation is needed arrangements must be made promptly to minimize time out of school.
- The only information a school may require is an emergency contact.



\* Please note enrollment is defined in the law as enrolled *and* attending.

# Dispute Resolution Process

Under McKinney-Vento the parent/legal guardian or unaccompanied youth have the right to make enrollment decisions.

- If the district disagrees and proceeds to deny either enrollment or transportation the parent/legal guardian or unaccompanied youth has the right to appeal the decision to ESE and must be informed of that right.
- ESE has an established Dispute Resolution Process for homeless parents and unaccompanied youth. Please contact The Office for the Education of Homeless Children and Youth for assistance.

ESE Advisory 2003-7: McKinney-Vento Homeless Education Dispute Resolution Process  
ESE Advisory 2007A: School District Notification of Enrollment Decision  
ESE Advisory 2007B: Appeal of School district Notification of Enrollment Decision

# School Participation and Access to Services

Homeless students are entitled to participate in all school courses, events, and activities.

- This includes preschool, gifted and talented programs, all school clubs and sports teams, vocational/technical programs, special education, dances, field trips, class events, and all other opportunities that housed children access.
- This is referred to in the law as equal access to comparable services.
- Homeless students are categorically eligible for the Title I services offered in the district even if they are not enrolled in a Title I school.
- Homeless students are entitled to Free Lunch and Breakfast if its being served.

ESE Advisory 2002-4: Homeless Students' Access to Child Nutrition Programs

ESE Advisory 2003-5: Title I and Homeless Students

ESE Advisory 2003-6: Serving Homeless Preschool Children

# Role of the Homeless Education Liaison

McKinney-Vento mandates the designation of a homeless education liaison in every district to ensure the educational rights of homeless children and youth. This includes the following responsibilities.

- Review and revised the district's homeless education policy in accordance with McKinney-Vento
- Training and professional development of faculty and staff on the rights and needs of homeless students
- Identify and track homeless children and youth
- Facilitate immediate enrollment and dispute resolution if needed
- Provide transportation back to the school last attended if requested
- Outreach to homeless parents, children and youth
- Notify homeless parents and the public of the rights of homeless students
- Seek to involve homeless parents in their students' education



Collaborate with local and state service providers to support homeless students' education.

Massachusetts Department of  
ELEMENTARY & SECONDARY  
EDUCATION

# Supporting Homeless Education Liaisons

Massachusetts has urban, suburban and rural school districts. Some identify only one or two homeless children and others have thousands. Fulfilling the role and responsibilities of a homeless education liaison can also vary from a minor issue to demanding activity.

We hope this tutorial has been helpful in outlining the basics.

The sequel, *Supporting Homeless Students*, explores best practices that improve a district's and school's ability to meet the needs of homeless students and the obligations of the McKinney-Vento Homeless Education Assistance Act.

Additionally, questions and concerns are always welcome at the ESE Office for the Education of Homeless Children and Youth.

# Office for the Education of Homeless Children and Youth

The webpage includes:

- Updates on Homeless Education
- Tutorials on Homeless Education
- ESE Homeless Education Advisories
- Links to resources

ESE staff provide

- Training and technical assistance on implementation of the law,
- Guidance on specific cases,
- Facilitation of the Dispute Resolution Process, and
- Compliance monitoring.

We also work with other state agencies and community service providers to meet the needs of homeless children and youth.

Peter Cirioni, State Coordinator 781-338-6294  
Sarah Slutterback, Specialist 781-338-6330