

ESEA Quick Reference Brief: McKinney-Vento Act for Houseless Children and Youth

What the Law Says

The McKinney-Vento Act's Education of Houseless Children and Youths Program (EHCY), ensures that houseless children and youth are provided a free, appropriate public education, including a preschool education,¹ despite lack of a fixed place of residence or a supervising parent or guardian. The McKinney-Vento Act is designed to address the challenges that houseless children and youth have faced in enrolling, attending, and succeeding in school, and to ensure that these students have access to the educational and related services they need to enable them to meet the same challenging State academic standards to which all students are held.²

What it Means

States and districts are required to review and undertake steps to revise laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of houseless children and youth.³ The McKinney-Vento (MV) Act defines houseless children and youth⁴ "as individuals who lack a fixed, regular, and adequate nighttime residence." The term includes children and youth, ages 0-12, who are:

- Sharing housing due to economic struggles (doubled-up).
- Living in a shelter, hotel, motel or campground.
- Living in a public place not designed for sleeping (cars, parks).
- Migratory children who qualify as homeless because they are living in circumstances described above.
- Unaccompanied youth, not living with a parent or guardian, in a living situation described above.



Requirements

Every district in Oregon, regardless of whether it receives or accepts federal funds, must meet the requirements laid out in the McKinney-Vento Act. This includes:

- **Designating a liaison** who receives regular training for their role and **who trains district staff** in identification, enrollment and district procedures.
- **Establish and regularly review policies and procedures that remove barriers to enrollment and attendance**, and that ensure immediate enrollment and supports for students and youth experiencing houselessness.
- Implementing secure and non-stigmatizing procedures to **identify children and youth experiencing houselessness**.
- Making publicly available materials that describe the educational **rights of families, children, and youth experiencing houselessness**.
- **Providing transportation** for MV eligible students to and from their school of origin.

¹ McKinney-Vento Act Section 721(1)

² McKinney-Vento Act Section 721(4)

³ McKinney-Vento Act Section 721(2)

⁴ McKinney-Vento Act Section 725(2)(A); ESEA Section 725(2)(B)

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- Offering a process for students and families to **appeal eligibility and school placement determinations** made by the district.
- **Coordinating services with local service providers** that work with families, children, and youth experiencing houselessness.
- **Providing assistance with FAFSA** (Free Application for Federal Student Aid) and other college readiness supports to students and youth experiencing houselessness.

Leveraging Funds to Support Students

Title I, Part A

Children and youth experiencing houselessness are **automatically eligible for Title I-A services, whether or not they attend a Title I-A funded school**, or meet the academic standards required of other students for eligibility.⁵ This automatic eligibility acknowledges that the experience of houselessness puts children and youth at significant risk of academic failure, regardless of their previous academic standing. Additionally, automatic Title I-A eligibility allows houseless students to receive additional non-instructional education-related support services needed to succeed in school.⁶ This can include costs associated with participation in sports, test fees, and personal school supplies, among others, when other public or private funding sources are not available.



Districts that receive Title I-A funds are required to [reserve funds](#) to provide services to students experiencing houselessness **in all district schools**. ESSA does not specify an amount,⁷ but the amount should be based on a [needs assessment](#) and could include costs for a liaison, transportation for eligible students, and other activities eligible under the McKinney-Vento Homeless Education Act. The MV liaison **must be included** in this process.⁸

Student Investment Account (SIA)

As a result of the Student Success Act (SSA) all Oregon districts are eligible for [Student Investment Account \(SIA\)](#) funds which are an enhancement to the State School Fund. Funds can be used to meet students' mental or behavioral health needs, and increase academic achievement for students, including reducing academic disparities for specific groups of students, including those experiencing houselessness.



McKinney-Vento Subgrants

The Oregon Department of Education (ODE) awards McKinney-Vento funding on a competitive basis to a cohort of districts every three years. Grantees must use McKinney-Vento funds to assist children and youths experiencing housing instability in enrolling, attending, and succeeding in school.

⁵ 20 U.S.C. § 6315(c)(2)(E); *Education for Homeless Children and Youths Non-Regulatory Guidance*

⁶ *Education for Homeless Children and Youths Non-Regulatory Guidance*, pp.38-39

⁷ ESEA Section 1113(c)(3)(C)

⁸ 20 U.S.C. § 6312(a)(1)(A)

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Recommendations for Practice

While students experiencing houselessness often face unique educational barriers, there are practices that have the potential to significantly improve their academic outcomes.

- *Encourage collaboration.* McKinney-Vento and Title I-A personnel should communicate and collaborate on an ongoing basis to identify the needs of children and youth experiencing houselessness, review available resources, and plan ways to address student needs. This could include involving McKinney-Vento personnel in the creation of schoolwide, targeted assistance, and school improvement plans to ensure that the educational needs of students experiencing houselessness are addressed.
- *Use data from a variety of sources.* When identifying needs, include McKinney-Vento, Title I-A, and other education interventions to determine the funding and services to be provided to students experiencing houselessness in the required Title I-A set-aside.
- *Educate staff.* Consider having McKinney-Vento and Title I-A staff partner in providing joint program trainings and materials. Share handbooks for Title I-A and homeless education programs, along with other resources related to serving students experiencing high poverty and mobility, with program staff.

Questions for Reflection

1. How do we determine the strengths and needs of students experiencing houselessness? Who is involved in that process?
2. What training do we provide to staff to ensure district-wide awareness of the circumstances encountered by houseless students and what supports are offered by the district?
3. How is the McKinney-Vento liaison involved in planning for use of Title I-A funds?
4. What are the barriers that our students experiencing housing instability face that impact their ability to succeed in school? What initiatives are underway at their school or in the district that address removal of those barriers?

Resources

- [McKinney-Vento Act: Education for Homeless Children and Youth Program](#)
- [Education for Homeless Children and Youths Program Non-Regulatory Guidance](#)
- [Oregon Department of Education McKinney-Vento webpage](#)
- [ESSA Quick Reference Brief: Set Asides under Title I-A](#)
- [Schoolhouse Connection](#)
- [National Center for Homeless Education](#)
 - [Serving Students Experiencing Homelessness under Title I, Part A](#)
 - [Determining the Title I Set Aside](#)