Fact Sheet

SCHOOL SELECTION

Who is homeless? (Sec. 725)

The term "homeless children and youth"–

(A) means individuals who lack a fixed, regular, and adequate nighttime residence ...; and

(B) includes–

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who 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 ...

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

This document was collaboratively developed by:

National Association for the Education of Homeless Children and Youth (NAEHCY)–512-475-8765–*www.naehcy.org*

National Center for Homeless Education (NCHE)–800-308-2145–*www.serve.org/nche*

National Coalition for the Homeless (NCH)–202-737-6444 ext. 18–*www.nationalhomeless.org*

National Law Center for Homelessness and Poverty (NLCHP)–202-638-2535 –*www.nlchp.org*

National Network for Youth (NN4Y)–202-783-7949–*www.NN4Youth.org*

The McKinney-Vento Homeless Assistance Act (Subtitle B–Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. This brief explains the legislation and offers strategies for implementing it in a school district. Additional briefs on various topics in the law may be found on the websites of the organizations listed below.

Key Provisions

- ❒ Local Educational Agencies (LEAs), otherwise known as school districts, must keep students in homeless situations in their school of origin, to the extent feasible, unless it is against the parent or guardian's wishes. "School of origin" is defined as the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.
- ❒ Students can stay in their school of origin the entire time they are homeless and until the end of any academic year in which they move into permanent housing.
- ❒ At a parent or guardian's request, homeless students must be provided with transportation to and from their school of origin.
- ❒ For unaccompanied youth, transportation to and from the school of origin must be provided at the liaison's request.
- ❒ Students may also enroll in any public school that students living in the same attendance area are eligible to attend.
- ❒ If a student is sent to a school other than that requested by a parent or guardian, the district must provide a written explanation to the parent or guardian of its decision and the right to appeal.
- ❒ LEA homeless liaisons must help unaccompanied youth choose and enroll in a school, after considering the youth's wishes, and provide youth with notice of their right to appeal the LEA's decision.

(*See* Endnotes *for the text of the law.*)

Changing schools greatly impedes students' academic and social growth. A "rule of thumb" is that it takes a child four to six months to recover academically after changing schools. Highly mobile students have also been found to have lower test scores and overall academic performance than peers who do not change schools. Therefore, the law requires LEAs to keep students in their schools of origin, to the extent feasible, unless it is against the parent or guardian's wishes. Students are also now permitted to remain in their schools of origin for the duration of their homelessness. The resulting educational stability will enhance students' academic and social growth, while permitting schools to benefit from the increased test scores and achievement shown to result from student continuity.

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Strategies for Implementation

- ❒ Inform families and youth of their right to attend either their school of origin or local school.
- ❒ Inform families and youth of their right to transportation and immediate enrollment.
- ❒ Develop clear, understandable forms for written explanations of decisions and the right to appeal.
- ❒ Inform school personnel of students' rights.
- ❒ Inform school personnel of the benefits of school stability to students and the school.
- ❒ Develop strategies to provide transportation. (See "Transportation" issue brief for ideas.)
- ❒ If students enroll in the local school, help provide educational continuity by:
  - ❒ Getting to know new students with a get-to-know-you questionnaire or journal assignment
  - ❒ Taking time to talk to and welcome students individually
  - ❒ Giving a "welcome gift" (school supplies, school clothes, etc.)
  - ❒ Introducing new students to the class
  - ❒ Identifying faculty and peer mentors/buddies
  - ❒ Keeping a short, simple written list of classroom rules and procedures
  - ❒ Starting a "New Students" club
  - ❒ Making sure the students have a chance to have a class job/role and to participate in extracurricular activities
  - ❒ Maintaining a relationship when the student leaves by providing stamped, self-addressed envelopes, and stationery
  - ❒ Assessing present academic levels quickly with a short assessment test
  - ❒ Contacting the previous school for records and assistance with placement decisions
  - ❒ Expeditiously following up on any special education referrals or services
  - ❒ Providing necessary remediation/tutoring
  - ❒ Having school personnel meet with parents and students when registering
  - ❒ Creating an orientation video for parents, service providers, and students
  - ❒ Conducting schoolwide acquaintanceship activities

Endnotes

"Local Educational Agency Requirements–

(A) In General–The local educational agency serving each child or youth to be assisted under this subtitle shall, according to the child's or youth's best interest–

(i) continue the child's or youth's education in the school of origin for the duration of homelessness–(I) in any case in which a family becomes homeless between academic years or during an academic year; or (II) for the remainder of the academic year, if the child becomes permanently housed during an academic year; or

(ii) enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

(B) Best Interest–In determining the best interest of the child or youth ... the local educational agency shall

(i) to the extent feasible, keep a homeless child or youth in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian;

(ii) provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), to the homeless child's or youth's parent or guardian, if the local educational agency sends such child or youth to a school other than the school of origin or a school requested by the parent or guardian; and

(iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E).

(*Endnotes* continued next page)

- ❒ Starting files and a portfolio of class work for students to take when leaving the school
- ❒ Establishing school and classroom-level routines for incoming and departing transfers
- ❒ Making it possible for high school students to obtain credit even if they transfer to another school in mid-semester

Sources for mobility data:

Dr. Joy Rogers of the Loyola University Department of Education, Education Report of Rule 706 Expert Panel, presented in B.H. v. Johnson, 715 F. Supp. 1387 (N.D. Ill. 1989), 1991.

Policy Analysis for California Education (PACE), "The Educational Consequences of Mobility for California Students and Schools," 1 PACE Policy Brief 1, 3 (May 1999): "There is overwhelming evidence that mobility during high school diminishes the prospects for graduation: students who changed high schools even once were less than half as likely as stable students to graduate from high school, even controlling for other factors that influence high school completion."

"Pervasive Student Mobility: A Moving Target for School Improvement," Finding #9, Study of the Chicago Panel on School Policy and the Center for School Improvement at the University of Chicago (1996).

National School Board Association, School Board News, June 13, 2000: "Research has shown that students who switch schools frequently fare poorly on standardized test scores.... A study of California achievement tests in reading showed that students who moved three or more times scored nearly 20 points lower than students who did not move."

PACE Policy Brief 1, "Mobility not only hurts mobile students, but also non-mobile students. Our statistical analysis of school test scores found that average student test scores for non-mobile students are significantly lower in high schools with high student mobility rates...."

Victoria, Texas' "One Child, One School, One Year" policy, which led to increased attendance in district schools and a significant increase in state education funds, as well as improved test scores.

Educational continuity ideas were taken from:

Virginia Education for Homeless Children and Youth Program, Project HOPE Information Brief No. 2, "What Educators Can Do: Homeless Children and Youth," available at www.wm.edu/education/HOPE/homeless.html.

Policy Analysis for California Education (PACE), "Educational Consequences of Mobility for California Students and Schools," available at www-gse.Berkeley.edu/research/PACE/pace.html.

(*Endnotes*, continued from previous page)

...(G) School of Origin Defined–In this paragraph, 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."

McKinney-Vento Act Sec. 722(g)(3); 42 U.S.C. 11432(g)(3).

Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. For information on the education of children and youth experiencing homelessness in Texas and to obtain contact information for the liaison in your district, please contact:

TEXAS HOMELESS EDUCATION OFFICE
The University of Texas at Austin
Charles A. Dana Center
2901 N IH 35, Room 2.200 Austin, TX 78722
www.utdanacenter.org/theo 1-800-446-3142

Local contact information: