

# A PEATC

*Do You Know...*



## McKinney-Vento Homeless Assistance Act

Fact Sheet for Virginia's Parents

### **The McKinney-Vento Homeless Assistance Act**

Many children with disabilities who are experiencing homelessness face extra challenges in school. These may include not being identified for special education services, delays in testing and getting services, unstable supports when moving, problems transferring school records, or not having a parent or surrogate to help with the process. Two federal laws work together to protect these students:

- **McKinney-Vento Homeless Assistance Act** (Education of Homeless Children and Youth Program, Title IX, Part A of ESSA)
- **Individuals with Disabilities Education Act (IDEA)**

Together, these laws make sure children with disabilities who are experiencing homelessness have equal access to public education and the services they need. Some of their protections overlap, giving students and families multiple layers of support.

### **What Protections does McKinney-Vento Act Provide for Children Experiencing Homelessness?**

- Removes barriers that prevent children experiencing homelessness from enrolling in public school.
- Allows children to stay in their school of origin if it is in their best interest, even after moving.
- Provides transportation to and from the school of origin when needed.
- Ensures eligible children receive special education services.
- Provides Title I services (extra academic help) as needed.
- Allows enrollment without documents typically required, such as vaccination records.

### **Definition of Homelessness in Title IX, Part A of Every Student Succeeds Act**

Living in the following places due to a lack of a fixed, regular, adequate nighttime residence:

- Emergency or transitional shelter
- Motel, hotel, campground due to lack of alternative
- Car, park, public place, bus or train station or abandoned building
- Doubled up with relatives or friends due to housing loss of economic hardship
- Migratory child in the above conditions

This definition applies to children living in uncertain housing, a temporary address or no permanent physical address. **These children meet the McKinney-Vento definition of homelessness and may have special education rights based on disability.**

# McKinney-Vento Homeless Assistance Act

## Avoid Educational Delays when Experiencing Homelessness

- Let your school or homeless liaison know if you need to move so you can decide if your child should remain in the current school or have records sent quickly to the new school.
- Enroll your child immediately and ask the previous school to send records.
- If you have concerns, contact the principal, school counselor, or local homeless liaison. Find your liaison here: <https://education.wm.edu/centers/hope/liaison-listing/a-b/index.php>

## Rights under McKinney-Vento

Your child has the right to:

- Stay in the school of origin or enroll right away in the zoned school for your current residence. If you and the school disagree, the school has to send you written explanation and may appeal.
- Receive free breakfast and lunch.
- Participate in extracurricular activities and any federal, state, or local programs for which they qualify.
- Have the same rights even if not living with a parent/guardian and lacking fixed, regular, and adequate housing.

## Project Hope

The **William and Mary School of Education** coordinates Virginia's Homeless Education Program (**Project HOPE-Virginia**). Through public awareness activities and funding to school divisions, Project HOPE-VA helps ensure that eligible children are enrolled, attend, and are successful in school. Project Hope provides funding to address areas such as early childhood education, mentoring, tutoring, parent education, summer programs, and domestic violence prevention programs. <https://education.wm.edu/centers/hope>

## ADDITIONAL INFORMATION/RESOURCES

42 USC CHAPTER 119, SUBCHAPTER VI, Part B: Education for Homeless Children and Youths

Education for Homeless Children and Youth Programs - USDOE

Individuals with Disabilities Education Act

Navigating the Intersection of the McKinney-Vento Act and IDEA- National Center for Homeless Education

PEATC's mission focuses on building positive futures for Virginia's children by working collaboratively with families, schools, and communities to improve opportunities for excellence in education and success in school and community life.

**For more information about us, please contact:**

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