



National Center for Homeless Education
Supporting the Education of Children and
Youth Experiencing Homelessness
www.serve.org/nche



CONNECTING SCHOOLS AND DISPLACED STUDENTS BRIEF SERIES

What Relief Agencies Should Know About the Educational Rights of Children and Youth Displaced by Disaster

INTRODUCTION

After disasters, displaced families long to return to a sense of normalcy. As such, reconnecting children and youth to school is especially important during this time. By providing the structure of the educational setting, schools can help children and youth overcome the trauma of a disaster and regain their academic and social stability. Once children and youth are in school safely, parents have the peace of mind and freedom to focus on other post-disaster details to help their families recover.

This brief is directed towards relief agencies. Relief agencies play a critical role in connecting families, children, and youth who have been displaced by disasters to needed services, including enabling children and youth to continue their education. By understanding the educational services and supports that are available to homeless children and youth under federal law, relief agencies will be able to coordinate more effectively with schools and school districts (known as local educational agencies or LEAs) after a disaster occurs in their community.

McKinney-Vento Definition of *Homeless* 42 U.S.C. § 11434a(2)

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 adequate 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).

THE MCKINNEY-VENTO ACT

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. §§ 11431-11435), reauthorized in 2001 by Title X, Part C of the No Child Left Behind Act (subsequently referred to in this brief as the *McKinney-Vento Act*), ensures educational protections for children and youth in homeless situations, including those who have become homeless due to disaster. The Act provides stability and support for children and youth by requiring public schools to enroll eligible children and youth immediately, assess their needs, and provide or refer them to additional services, as needed.

For an overview of the McKinney-Vento Act, download the following briefs developed by the National Center for Homeless Education (NCHE):

- *The Educational Rights of Students Experiencing Homelessness: What Administrators Should Know* (<http://center.serve.org/nche/downloads/briefs/administrators.pdf>)
- *The Educational Rights of Students Experiencing Homelessness: What Service Providers Should Know* (http://center.serve.org/nche/downloads/briefs/service_providers.pdf)

MCKINNEY-VENTO ELIGIBILITY

Children and youth who are experiencing homelessness as the result of a disaster often live in a variety of unstable, temporary arrangements. The McKinney-Vento Act's definition of *homeless* [42 U.S.C. § 11434a(2)] includes a range of living situations that are not fixed, regular, and adequate and, therefore, qualify as homeless (see the *McKinney-Vento Definition of Homeless sidebar* on page 1 for the complete definition). Accommodations set up by relief and community agencies may qualify, as well. Children and youth who are displaced by disasters generally will meet the

McKinney-Vento definition of *homeless*; yet each child's, youth's, and family's situation must be reviewed by the LEA on a case-by-case basis for an appropriate determination of eligibility for services.

THE LOCAL HOMELESS EDUCATION LIAISON: A KEY LEA CONTACT

The McKinney-Vento Act requires every school district to appoint a staff member as the local homeless education liaison (hereafter, *local liaison*).

According to the McKinney-Vento Act, local liaisons must ensure that

- eligible children and youth are identified through school personnel and in collaboration with community agencies [42 U.S.C. § 11432(d)(5)].
- eligible children and youth enroll in, and have full and equal opportunity to succeed in, all school activities in the district [42 U.S.C. § 11432(g)(6)(A)(ii)].
- eligible children and youth and their families receive educational services for which they are eligible, including Head Start and pre-school programs administered by the district, as well as referrals to health, mental health, dental, and other appropriate services [42 U.S.C. § 11432(g)(6)(A)(iii)].
- public notice of the educational rights of children and youth in homeless situations is disseminated where they receive services [42 U.S.C. § 11432(g)(6)(A)(v)].
- enrollment disputes are mediated promptly and in accordance with the McKinney-Vento Act [42 U.S.C. § 11432(g)(6)(A)(vi)].
- parents, guardians, and unaccompanied homeless youth are informed of and assisted in accessing all transportation services, including to and from the school of origin [42 U.S.C. § 11432(g)(6)(A)(vii)].

SCHOOL STABILITY

For children and youth who are homeless as the result of a disaster, the destabilizing impact of losing a home is exacerbated by changing schools. Each time children and youth change schools, the disruptive effects intensify, threatening their social, emotional, and academic wellbeing. The McKinney-Vento Act

- requires school districts to keep children and youth in their school of origin, to the extent feasible, unless this is against the parent’s or guardian’s wishes. (*School of origin* is defined as “the school the child or youth was attending when permanently housed” or “the school in which the child or youth was last enrolled” [42 U.S.C. § 11432(g)(3)(G)].) Local liaisons work with parents to make school placement decisions, considering factors such as time remaining in the school year; length of anticipated stay in a shelter or other temporary location; age of the child or youth; impact of the commute on the child’s education; and other relevant factors (U.S. Department of Education, 2004, question G-4).
- permits children and youth to remain in

SUPPORTS FOR STUDENTS EXPERIENCING HOMELESSNESS AS THE RESULT OF A DISASTER

Did you know that students experiencing homelessness, including those who become homeless as the result of a disaster, can

- remain in their school of origin, if feasible, even if the family has relocated temporarily to an area outside of the school district?
- enroll in school, even if they do not have records normally required for enrollment?
- receive a wide range of services at their school, including the provision of school supplies, academic support, free meals, counseling, and referrals to community supports?

the school of origin for the duration of their homelessness and until the end of any academic year in which they move into permanent housing [42 U.S.C. § 11432(g)(3)(A)(i)].

- requires school districts to provide transportation to and from the school of origin at the request of the parent or guardian, or, in the case of an unaccompanied homeless youth, at the request of the local liaison [42 U.S.C. § 11432(g)(1)(J)(iii)].
- requires a school to provide a written explanation of its decision and the right to appeal if there is a disagreement between the parent, guardian, or unaccompanied homeless youth and the school related to enrollment or school selection [42 U.S.C. § 11432(g)(3)(E)(ii)]. In the event of a dispute, the school must enroll the child or youth immediately in the selected school (either the school of origin or the local school) while the dispute is being resolved.
- requires State educational agencies and school districts to develop, review, and revise policies to remove barriers to the enrollment and retention of children and youth in homeless situations [42 U.S.C. § 11432(g)(1)(I)].

IMMEDIATE SCHOOL ENROLLMENT

Children and youth experiencing homelessness may enroll in any public school that nonhomeless students who live in the attendance area in which they are living are eligible to attend [42 U.S.C. § 11432(g)(3)(A)(ii)]; however, families, children, and youth who have lost their housing due to a disaster often cannot provide the documents ordinarily required for school enrollment. Immediately enrolling these children and youth in school provides stability and keeps them from missing school while documents are being gathered.

The McKinney-Vento Act requires

- schools to enroll eligible children and youth immediately, even if they do not have required documents, such as school records, medical records, proof of residency, or legal guardianship [42 U.S.C. § 11432(g)(3)(C)(i)]. The term *enroll* is defined as “attending classes and participating fully in school activities” [42 U.S.C. § 11434a(1)].
- enrolling schools to immediately contact the school last attended by the child or youth to obtain relevant academic and other records [42 U.S.C. § 11432(g)(3)(C)(ii)]. Children or youth must be enrolled in school while records are being obtained. Often after disasters, the transfer of records may be delayed or even impossible because records have been damaged or destroyed. In this case, schools should create new student files and seek to make appropriate placements based on information gathered from parents, children, and youth. For more information on this topic, download NCHE’s *Prompt and Proper Placement: Enrolling Students without Records* brief at <http://center.serve.org/nche/downloads/briefs/assessment.pdf>.
- the local liaison to assist immediately in obtaining immunizations or immunization or medical records for children and youth who do not have them [42 U.S.C. § 11432(g)(3)(C)(iii)]. Children and youth must be enrolled in school in the interim. Some state public health departments have established databases to assist in the retrieval of immunization information.

INCREASING COORDINATION WITH LEAS: STRATEGIES FOR RELIEF AGENCIES

Before a Disaster

- Identify the local liaison in the school district(s) in the community your agency serves.
- Set up a meeting with the local liaison(s) to discuss what services each district provides to families, children, and youth displaced

by disasters, and what processes are needed to ensure efficient coordination in a time of disaster.

- Learn about the provisions of the McKinney-Vento Act that ensure immediate enrollment in school for homeless children and youth, including those who have become homeless as the result of a disaster, and their right to remain in their school of origin. Request to participate in LEA McKinney-Vento trainings.
- Become familiar with LEA enrollment processes and determine ways that your agency’s intake process can facilitate school enrollment, including using a consent form to share necessary information with LEA or school staff.
- Initiate or participate in a disaster task force that includes representation from all community agencies to develop a coordinated approach to addressing needs of families in the event of a disaster.
 - » Develop a written plan that the group reviews periodically.
 - » Create a manual and/or a website for resources.
 - » Plan a system of communication if there is no electricity or Internet access.

RELIEF AGENCY TO-DO LIST

- Contact the local liaison in LEAs served by my agency.
- Ensure that agency staff members are familiar with the rights and services guaranteed to homeless children and youth by the McKinney-Vento Act.
- Include consent to share information with schools/LEAs in agency intake forms.
- Develop a plan for coordination with schools/LEAs when a disaster occurs.

During a Disaster

- Post notice of the educational rights of homeless children and youth to ensure that families and youth experiencing homelessness are aware of rights and services provided by schools through the McKinney-Vento Act. Posters are available through NCHE at http://center.serve.org/nche/online_order.php.
- Encourage families to keep their children in school, either by continuing to attend their school of origin or enrolling in the local school. Provide contact information for the local liaison, who will provide more information about the McKinney-Vento Act and the supports it may provide.
- Invite local liaisons to meet homeless families at your agency and conduct the school enrollment process on site, especially if large numbers of displaced families are receiving services at your agency.
- Assist schools in providing transportation, food, and supplies for families, children, and youth who have become homeless due to disaster.
- Assist with crisis counseling and trauma support for displaced families and school staff.
- Implement an efficient referral process for local liaisons to connect displaced families with housing, food, medical, and other resources.

After a Disaster

- Continue to serve families displaced by disaster who may move between temporary living arrangements as they recover from losing their housing; this process may take time.
- Ensure that recovery teams are familiar with rights and services for homeless families under the McKinney-Vento Act; connect the teams to LEA trainings and resources.
- Once the immediate crisis has abated, meet

with the local liaisons in the communities you serve and discuss what went well and what needs to be improved in coordinating services for families, children, and youth displaced by disaster.

NCHE RESOURCES

The National Center for Homeless Education (NCHE) operates the U.S. Department of Education's technical assistance center for the federal Education for Homeless Children and Youth (EHCY) Program. NCHE provides publications and trainings (on site and online via tutorials and webinars) on a variety of homeless education issues, as well as customized technical assistance through its homeless education helpline (800-308-2145 or homeless@serve.org).

For general information on topics related to homeless children and youth, visit the NCHE website at <http://center.serve.org/nche>.

NCHE has developed briefs on a wide range of topics that impact homeless children and youth, available at <http://center.serve.org/nche/pr/briefs.php>.

NCHE tutorials and a schedule of its free webinars are available at http://center.serve.org/nche/web/online_tr.php.

Four handbooks that comprise the *Connecting Schools and Displaced Students* series can be ordered at http://center.serve.org/nche/online_order.php. This series of handbooks was published following the challenges experienced in many states as families relocated throughout the nation following the Gulf Coast hurricanes of 2005. The handbooks explain how the McKinney-Vento Act applies to children and youth displaced by disaster and how the Act can assist these students and their families. The handbook series targets parents, relief agencies, or educators, and includes:

- *After the Storm: Information for Parents on How Schools Can Help After Disasters (A Handbook for Parents)*

- *Disaster Relief Agencies and Schools: Working Together to Ensure School Enrollment and Success (A Handbook for Local Liaisons and State Coordinators)*
- *From the School Office to the Classroom: Strategies for Enrolling and Supporting Students Experiencing Homelessness*
- *School as a Safety Net: Connecting Displaced Children With Educational and Support Services (A Handbook for Relief Agency Staff and Volunteers)*

FEDERAL RESOURCES

U.S. Department of Education

- Readiness and Emergency Management for Schools Technical Assistance Center (REMS) - <http://rems.ed.gov/>
REMS provides a variety of publications in collaboration with practitioners in the fields of school and higher education institution emergency management, including resources related to psychological first aid.
- Project School Emergency Response to Violence (SERV) - <http://www2.ed.gov/programs/dvppserv/index.html>
This program funds short-term and long-term education-related services for local educational agencies and institutions of higher education to help them recover from a violent or traumatic event in which the learning environment has been disrupted.

U.S. Department of Health and Human Services

- Office of Human Services Emergency Preparedness & Response (OHSEPR) - <http://www.acf.hhs.gov/programs/ohsepr>
OHSEPR promotes resilience for individuals, families, and communities impacted by disasters and public health emergencies by providing expertise in human services policy, planning, operations, and partnerships.

U.S. Department of Homeland Security

- Disaster Response and Recovery - <http://www.dhs.gov/topic/disaster-response-and-recovery>
The Federal Emergency Management Agency (FEMA) assists in community recovery through a number of channels, including obligating monetary aid for both individual and public assistance. Individual assistance may include housing, crisis counseling, legal services, disaster case management, and unemployment assistance, among other services. Public assistance may include reimbursement to clear debris and rebuild roads, schools, libraries, and other public facilities.

U.S. General Services Administration

- State and Local Disaster Purchasing - <http://www.gsa.gov/disasterpurchasing>
This program allows state and local governments to buy supplies and services directly from all GSA Schedules to facilitate recovery from major disasters or facilitate disaster preparation and response. GSA's strong partnerships can help cities and towns meet their needs quickly while saving taxpayer dollars.

OTHER RESOURCES

- American Red Cross - <http://www.redcross.org>
The American Red Cross provides relief services to communities affected by disasters, including food, water, short-term shelter, counseling support, and assistance with family reunification.
- The Salvation Army - <http://www.salvationarmyusa.org/>
The Salvation Army addresses many of the typical needs of a disaster survivor and provides disaster relief, as well. Its services are adapted to the specific needs of individuals and communities and scalable according to the magnitude of the disaster.

- Save the Children, Emergency Response - <http://www.savethechildren.org/>
Save the Children supports victims of disasters. Save the Children is committed to reducing the impact of disasters on children through effective Preparedness, Response, Recovery, and Advocacy.

REFERENCES

McKinney-Vento Homeless Assistance Act,
U.S.C. §§ 11431-11435 (2012).

U.S. Department of Education. (2004).
*Education for Homeless Children and
Youth program non-regulatory guidance.*
Retrieved from [http://www2.ed.gov/
programs/homeless/guidance.pdf](http://www2.ed.gov/programs/homeless/guidance.pdf)

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<http://www.serve.org/nche>

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Every state is required to have a State Coordinator for Homeless Education, and every school district is required to have a local homeless education liaison. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your State Coordinator is, visit the NCHE website at http://www.serve.org/nche/states/state_resources.php.



For more information on the McKinney-Vento Act and resources for implementation, call the NCHE Helpline at 800-308-2145 or e-mail homeless@serve.org.

Local Contact Information: