

Appendix B-2. Federal Legislation State Coordinators Should Know

Legislation	Highlights for SC Responsibilities	Legislation ED, NCHE, and Related
Education for Homeless Children and Youth Program in the McKinney-Vento Homeless Assistance Act, Title X, Part C of the Elementary and Secondary Education Act	The primary law that directs the work of state coordinators. Becoming familiar with this legislation is an important first step to become familiar with the responsibilities of state coordinators. The role of the state coordinator and the requirements for a State plan are addressed in Sections 722(f) 722(g). These sections provide the structure to state level activities related to homeless education.	Public Law 107–110: Title X, Part C ED M-V Guidance NCHE M-V At-A-Glance
Title I, Part A	Students experiencing homelessness are automatically eligible for Title I, Part A support. McKinney-Vento and Title I require collaboration between the two programs in planning. LEAs are required to reserve Title I, Part A funds to serve homeless students not enrolled in Title I schools.	Public Law 107–110: Title X, Part C Public Law 107–110: Title I, Part A ARRA Title I Guidance Question NCHE resources
Education of Migratory Children, Title I, Part C	By definition, a migrant student who lacks a fixed, regular, and adequate nighttime residence should be considered homeless and served by both laws. Coordination with the migrant education program can assist in accurate identification and outreach for these students.	Public Law 107–110: Title I, Part C Title I, Part C
The Individuals With Disabilities Educational Improvement Act (IDEA)	Students experiencing homelessness are more likely than their housed peers to be diagnosed with a disability, making special education an important partner for serving homeless students. Homeless educators have the responsibility to	Public Law 108-446 ED IDEA website OSERS Q&A

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	<p>ensure students have access to needed services, including special education, and early intervention services for infants and toddlers served by Part C. IDEA has specific mandates that support this objective, including targeting homeless children and youth in Child Find activities, addressing mobility during evaluations once services are in place, and ensuring unaccompanied homeless youth have access to special education.</p>	<p>NCHE briefs NECTAC link to Part C agencies</p>
<p>Family Educational Rights and Privacy Act (FERPA)</p>	<p>Procedures for releasing student information to service providers, and transferring records when students change schools must comply with Family Educational Rights and Privacy Act (FERPA). FERPA is an important reference when releasing records to a receiving school for an unaccompanied youth. A sending school can release records without parent permission if the district includes such a statement in its annual FERPA notice to parents. This information is often in the Parent Handbook. See FERPA sections 99.31(2) and 99.34.</p>	<p>20 U.S.C. § 1232g; 34 CFR Part 99 ED Policy Guidance</p>
<p>Higher Education Opportunity Act</p>	<p>Students identified as unaccompanied homeless youth may complete the Free Application for Federal Student Aid (FAFSA) as independent students. Liaisons can provide verification of status.</p>	<p>Public Law 110-315</p>
<p>Emergency Impact Aid;</p>	<p>One-time legislative initiatives – often overseen by state</p>	<p>Public Law 110-329</p>

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Homeless Education Disaster Assistance (HEDA); M-V American Recovery and Reinvestment Act of 2009 (ARRA)	<p>coordinators. Emergency Impact Aid (EIA) is closed, but you may have historical records from Hurricanes Rita and Katrina; Homeless Education Disaster Assistance (HEDA) funds to address natural disasters in 2008 are available through September 30, 2010.</p> <p>M-V American Recovery and Reinvestment Act of 2009 (ARRA) funds are available February 12, 2009 to September 30, 2011.</p>	<p>ED HEDA Guidance</p> <p>ARRA website</p>
Homeless Prevention and Rapid Rehousing (HPRP – HUD ARRA funds); Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act	<p>United States Department of Housing and Urban Development (HUD) programs are guided by the housing section of the McKinney-Vento Act. Reauthorization expands the HUD definition of homeless to include more situations that are recognized by EHCY. Remaining situations that HUD does not recognize as homeless are now considered individuals at risk of becoming homeless. With a greater emphasis on homeless prevention in HEARTH and HPRP, the opportunities to work with housing partners have increased. Furthermore, the recent reauthorization places greater emphasis on housing coordination with education. EHCY also has a mandate for coordination.</p>	<p>HPRP</p> <p>HEARTH</p> <p>U.S. Interagency Council on Homelessness (USICH)</p>
Improving Head Start for School Readiness Act of 2007	<p>Young children experiencing homelessness are automatically eligible for Head Start services. Homelessness is one of the priority populations Head Start must serve. Head Start grants</p>	<p>Head Start Act</p> <p>OHS list of state collaboration</p>

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	go directly to localities, but each state has a state collaboration director. Both McKinney-Vento and Head Start require communication and collaboration between the two programs.	directors
Runaway and Homeless Youth Act (RHYA)	Provides funding to local programs that serve a subpopulation of youth included in the definition for homeless used by EHCY. Street outreach program, basic center programs, transitional living programs, and maternity group homes are funded by RHYA. Coordination with these programs is required.	Runaway and Homeless Youth Act List of RHYA subgrants ACF – Family and Youth Services
Fostering Connections to Success and Increasing Adoptions Act	Requires child welfare to collaborate with schools to ensure immediate enrollment and school stability for children in care. Clarifying who is served as “awaiting foster care” in McKinney-Vento and the similarity of Fostering Connections to McKinney-Vento EHCY means state coordinators may be involved in implementation.	Public Law 110-351 CHE briefs and related links Bureau of Children
Child Nutrition and WIC Reauthorization Act	Children who are homeless are categorically eligible for free meals. With verification by a homeless liaison or shelter director, no application is required.	Public Law 108-265 U.S. Department of Agriculture Memos on the Food Research and Action Center