

# Chapter One: Overview and History



## Section 1.1 Why the *Toolkit*

Did you know?

- Homeless children and youth must have access to a public education?
- Barriers that may inhibit the ability of homeless children and youth to enroll in and succeed in school must be eliminated?

Do you know?

- What potential barriers to school enrollment, attendance, and success may exist in local policies and procedures?
- How those barriers may be alleviated?
- What school districts or local educational agencies (LEAs) are required to do to ensure rights and services for homeless children and youth?

Every LEA must know this information in order to carry out the mandates in Subtitle VII-B of the McKinney-Vento Homeless Assistance Act, reauthorized in 2001. (Throughout the *Toolkit*, we will refer to the law as the McKinney-Vento Act.) The 2001 reauthorized version of the McKinney-Vento Act requires all LEAs to designate a local liaison as responsible for working with homeless education issues in each LEA.

This *Toolkit* provides clear and specific explanations of the provisions of the McKinney-Vento Act and includes practices, procedures, and tools gathered from effective local homeless education programs since the 2001 reauthorization of the law. New local homeless liaisons, as well as experienced liaisons, will be able to use the *Toolkit* to understand the law and learn ways to improve their programs. It serves as both an orientation manual for new local homeless liaisons and as a ready reference for both new and experienced liaisons.

## Section 1.2 Educational Challenges of Homeless Children & Youth

For the first time, schools across the nation identified over 1 million children and youth who experienced homelessness during the 2010-2011 school year (NCHE, 2013). In a nation with economic challenges and shrinking public resources, the number of homeless children and youths has steadily increased over the past 10 years. (For a publication that summarizes data on homeless children and youth submitted to the U.S. Department of Education, see Section 1.5 Useful Links.)

Homeless children and youth face many educational barriers due to the disruption and trauma of not having a fixed, regular, and adequate place to live. Most face educational disruption due to changing schools as they move from one temporary location to another. Homeless children and youth also have higher incidences of illness, depression, and exposure to violence than their stably housed peers. Specific educational challenges faced by homeless students include

- not being identified for services;
- difficulty enrolling without records, or without a parent or guardian present for unaccompanied homeless youth;
- difficulty attending school regularly;
- a lack of stable transportation;
- frequent school changes;
- falling behind in school;
- not accruing credits on time;
- a lack of basic needs including food, clothing, and adequate housing;
- stress, depression, trauma; and
- embarrassment and stigma related to their housing conditions.

Many homeless youth are also *unaccompanied*, meaning they are not in the physical custody of a parent or guardian. Being both homeless and unaccompanied leaves youth fending for themselves in a world where they are vulnerable to a myriad of potentially life-threatening dangers and temptations.

For all these reasons, school can often be the one place of stability, safety, and support in the tumultuous lives of these students.

### Section 1.3 History of the McKinney-Vento Act

The first federal law to directly impact the education of students experiencing homelessness was enacted in 1987 as part of the Stewart B. McKinney Homeless Assistance Act. The McKinney Act, which originally contained 15 programs designed to address the needs of homeless persons, contained a subtitle with the purpose of ensuring that children and youth experiencing homelessness could enroll in school without barriers. Since the initial passage, the homeless education law has been reauthorized three times with stronger and more specific requirements for state educational agencies (SEAs) and LEAs to ensure the immediate enrollment, school stability, and academic support needed to increase the educational success of homeless children and youth.

Table 1.1 provides a brief history of the McKinney-Vento Education for Homeless Children and Youth Act. For a more extensive history, see Appendix 1.A.

**Table 1.1 Brief History of the McKinney-Vento Act**

1987	1990	1994	2000	2001-2002
Stewart B. McKinney Homeless Assistance Act signed into law	McKinney Act amended.	Education subtitle of McKinney Act included in Improving America’s Schools Act (IASA).	Name of law changed to McKinney-Vento Act	Reauthorized as part of No Child Left Behind Act of 2001; signed into law in January, 2002.
Required states to review & revise residency requirements for enrollment of homeless children & youth.	Required removal of enrollment barriers. Access to & success in school set as goal. Allowed educational services with McKinney funds.	Added preschool services, greater parental input, & emphasis on interagency collaboration.	Name of law changed to honor former legislator.	Strengthened requirements to provide access & success; required local liaison in all LEAs.

## Section 1.4 Education for Homeless Children and Youth Program

The Education for Homeless Children and Youth (EHCY) program at the U.S. Department of Education (ED) is overseen by a federal coordinator. The McKinney-Vento Act authorizes ED to provide grants to SEAs to ensure that homeless children and youth have equal access to the same free, appropriate public education, including public preschool education, as is provided to other children and youth [42 U.S.C. § 11431(1)].

The grants, which are based on a proportion of a state's Title I federal allocation, are used to

- carry out the policies in the Act;
- provide activities to ensure that homeless children and youth can enroll in, attend, and succeed in school;
- establish an Office of Coordinator for Education of Homeless Children and Youth;
- carry out the state plan for serving homeless children and youth;
- create and implement professional development programs for school personnel to heighten their awareness of and capacity to respond to specific problems in the education of homeless children and youth [42 U.S.C. § 11432(d)].

SEAs must distribute no less than 75% of their annual McKinney-Vento allocation to local school districts in subgrants, and can retain the rest for state level activities. (A few minimally funded states can reserve up to 50% of their allocation.) Subgrants are awarded competitively to LEAs based on their need and the quality of their application. Currently, approximately 22% of LEAs across the nation receive McKinney-Vento subgrants (NCHE, 2013).

As noted above, every SEA has a State Coordinator for homeless education whose responsibilities are to carry out the activities specified in the law. Contact information for State Coordinators can be found on the website for the National Center for Homeless Education (NCHE) at: [http://center.serve.org/nche/states/state\\_resources.php](http://center.serve.org/nche/states/state_resources.php). Among other responsibilities, State Coordinators support local liaisons by providing technical assistance about state and federal policies as well as administering the subgrant process that provides funding to LEAs.

In addition, all SEAs are required to submit annual data to ED on homeless children and youth enrolled in school and to conduct monitoring of all LEAs to assess compliance with the provisions in the McKinney-Vento Act.

***Whether they receive a subgrant or not, all LEAs are required to implement the provisions in the McKinney-Vento Act.***

ED established a national technical assistance center in 1997 to better assist both SEAs and LEAs with implementation of the McKinney-Vento Act. The National Center for Homeless Education (NCHE) at the University of North Carolina-Greensboro provides a wealth of resources, including a comprehensive website, a toll-free helpline (800-308-2145), online and onsite trainings, and informational resources, including the *Homeless Liaison Toolkit*.

A profile of the EHCY program is updated annually. It is available at the website provided in Section 1.5 Useful Links.

## Section 1.5 Useful Links

**McKinney-Vento Education for Homeless Children and Youth Act**

<http://www.law.cornell.edu/uscode/text/42/11431>

***Education for Homeless Children and Youth Non-Regulatory Guidance***

<http://www2.ed.gov/programs/homeless/guidance.pdf>

***Education for Homeless Children and Youths Program: Analysis of Federal Data Collection and Three-Year Comparison***

[http://center.serve.org/nche/ibt/sc\\_data.php](http://center.serve.org/nche/ibt/sc_data.php)

**Federal EHCY Program Profile**

[http://center.serve.org/nche/downloads/ehcy\\_profile.pdf](http://center.serve.org/nche/downloads/ehcy_profile.pdf)

**National Center for Homeless Education**

[www.serve.org/nche](http://www.serve.org/nche)

**State Coordinator Contact Information**

[http://center.serve.org/nche/states/state\\_resources.php](http://center.serve.org/nche/states/state_resources.php)

## Section 1.6 Resources and Tools for Chapter One

### Appendix 1.A History of the McKinney-Vento Act