



**National Center for Homeless Education**  
Supporting the Education of Children and  
Youth Experiencing Homelessness  
<https://nche.ed.gov>



Best Practices in Homeless Education Brief Series

## Serving Children and Youth Experiencing Homelessness in Charter Schools

This NCHE brief:

- summarizes key provisions in the McKinney-Vento Act and explains how they apply to public charter schools
- provides recommended practices for collaborations between state education agencies (SEAs) and charter schools, and between local education agencies (LEAs) and charter schools, relevant to serving children and youth experiencing homelessness

### Introduction

Over the past 30 years, the charter school movement has grown dramatically, with over 7,700 schools now serving more than three million students (National Alliance for Public Charter Schools, 2021). While charter schools are defined differently across states, some common elements include the following:

- Many are created by a developer or adapted by a developer from an existing public school.
- They may be considered an LEA or a school within an LEA.
- They may be exempt from significant state or local rules, in accordance with state statutes authorizing the granting of charter schools.
- They may have specific eligibility requirements for students to enroll.

Because of the uniqueness of each state charter and each charter school, SEAs and specific programs within the SEAs often encounter challenges with determining how federal mandates apply to charter schools, such as mandates that address the needs of children and youth experiencing homelessness.

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act, reauthorized in 2015 by Title IX, Part A of the Every Student Succeeds Act (42 U.S.C. § 11431 et seq.; hereafter referred to as the McKinney-Vento Act) describes the rights and services to which

### Who is Homeless?

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 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;

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).

all children and youth experiencing homelessness are entitled. The law also specifies the responsibilities of LEAs and schools to ensure that these students receive a free, appropriate public education and to remove barriers to their school access, attendance, and success.

Charter schools that are LEAs or schools within LEAs must implement the requirements of the McKinney-Vento Act just as any other LEA or school to ensure that students experiencing homelessness have access to and can succeed in their education. Services include those for students who become homeless while attending a charter school as well as for students experiencing homelessness who wish to enroll in a charter school.

### **McKinney-Vento Act Requirements for LEAs**

The McKinney-Vento Act includes specific requirements for LEAs which also apply to charter schools that are LEAs. According to the law (42 U.S.C. § 11432(g)(3)), LEAs must

- continue the education of a child or youth experiencing homelessness in the school of origin or enroll them in any public school that a non-homeless student who lives in the attendance area where the family is temporarily staying can attend, according to the child's best interest;
- provide written notice to parents/guardians and unaccompanied youth, including a statement regarding the right to appeal, when the LEA sends the student to a school other than the one that the parents/guardians or unaccompanied youth request;
- enroll a child or youth experiencing homelessness immediately in school, even if they are unable to produce required records;
- make records available in a timely fashion when a child or youth experiencing homelessness enters a new school or school district;
- provide services to students experiencing homelessness that are comparable to those offered to other students (this would include transportation services comparable to those provided to other students);
- coordinate with local service agencies or programs that provide services to children and youth experiencing homelessness;

- appoint a local homeless education liaison (hereafter referred to as local liaison) to ensure that:
  - children and youth experiencing homelessness are identified, enrolled in school, and connected to services;
  - parents/guardians and unaccompanied youth experiencing homelessness are informed of their educational rights;
  - public notice of rights is disseminated;
  - disputes are carried out under the state's McKinney-Vento dispute resolution process; and
  - parents/guardians and unaccompanied youth experiencing homelessness are informed of all transportation services, including transportation to and from the school of origin;
- coordinate with the SEA, community, and school personnel responsible for providing services to children and youth experiencing homelessness;
- review and revise policies that may act as barriers to the enrollment of children and youth experiencing homelessness; and
- submit data on students experiencing homelessness enrolled in their schools (42 U.S.C. § 11432(g)(6)(C)).

While the list of responsibilities may seem extensive for a charter school that is an LEA, there are ways to manage the tasks. Once the charter school appoints a local homeless liaison, this person should contact their state coordinator for the Education for Homeless Children and Youth program (hereafter referred to as the state coordinator)<sup>1</sup> to be included on all correspondence and in all professional development opportunities for local liaisons. Additionally, the charter school local liaison should contact the local liaison in the LEA in which the charter school is located to determine how some services for children and youth can be coordinated. For example, it is likely that the local liaison in the LEA has a comprehensive list of agencies and resources for children and families experiencing homelessness that they would share with the charter school liaison.

<sup>1</sup> Visit <https://nche.ed.gov/data/> and click on your state for state coordinator and local liaison contact information.

## McKinney-Vento Act Requirements for Schools

Schools are required to carry out the policies established by the LEA for implementing the McKinney-Vento Act, with the guidance and support of the local liaison. Charter schools must carry out these responsibilities, as well.

School responsibilities include the following:

- identifying children and youth experiencing homelessness;
- enrolling children and youth experiencing homelessness, including unaccompanied homeless youth, immediately;
- providing services for and connecting children and youth experiencing homelessness to services to support their academic success; and
- maintaining the family's, children's, or youth's confidentiality related to their living situation.

## Strategies to Support Children and Youth Experiencing Homelessness

Following are some common ways schools support the education of students experiencing homelessness:

- assisting the family or unaccompanied youth with obtaining records for enrollment;
- assessing the students' academic needs and providing tutoring or other support to ensure their success during the stress of experiencing homelessness;
- ensuring students have needed school supplies;
- providing time and space for a student who does not have a proper study environment outside of school to complete homework assignments or work on school projects;
- ensuring that students are not punished for behavior related to their homelessness, such as tardiness or not completing homework, and providing support to address the behaviors;
- waiving fees and removing barriers to students' participation in extracurricular activities;
- discussing needs the family, children, or youth have, and connecting them with community services; and

- developing a resource or referral list to provide to families and youth who may not be familiar with community resources.

The McKinney-Vento Act prohibits the segregation of homeless students in separate classrooms or in separate schools (42 U.S.C. § 11432(e)(3)(A)). Segregating students experiencing homelessness stigmatizes them and isolates them from what most want more than anything else – being with their peers and having as “normal” of a mainstream school experience as possible.

In order for charter schools to identify and provide services for children and youth experiencing homelessness, they should ensure that all teachers and staff are familiar with the needs of children and youth experiencing homelessness and ways to identify and support them. The local liaison in the LEA in which the charter school is located or the charter school liaison (if the charter school is its own LEA) should provide professional development opportunities to familiarize teachers and staff with the needs of children and youth experiencing homelessness and the McKinney-Vento Act even if the charter school has historically enrolled and served only a small number of these students. Also, it is essential for charter schools to establish policies and procedures for immediate enrollment and for quickly linking these students to all needed supports to enable them to be successful in school.

## McKinney-Vento Act Requirements for Transportation

### Transportation to and from the School of Origin

If an LEA determines that remaining in the school of origin is in the best interest of a child or youth who becomes homeless, the LEA must provide or arrange transportation to and from the school of origin at a parent's or guardian's request (or at the request of a local liaison on behalf of an unaccompanied homeless youth) (42 U.S.C. § 11432(g)(3)(A)). The definition of school of origin is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled (42 U.S.C. § 11432(g)(3)(I)).

The McKinney-Vento Act further states that when a student experiencing homelessness moves to a different LEA and wishes to remain in the school of origin and it is in the best interest of the student to do so, the parent/ guardian or unaccompanied youth can request transportation. At that point, the two LEAs must agree on a method to share the responsibility and costs for transportation to and

from the school of origin. If they are unable to agree on a method, they must share the responsibility and cost of the transportation equally (42 U.S.C. § 11432(g)(1)(J)(iii)(II)). Similarly, a charter school that is an LEA must provide or arrange transportation for students experiencing homelessness to remain in the charter school as their school of origin, if requested.

Charter schools that are LEAs should include funds for transporting students experiencing homelessness to and from the school of origin in their annual budget. They also should explore the use of public transportation, community partnerships, taxis, and ride sharing companies, or consider reimbursing parents and students for mileage or providing them with gas vouchers for school of origin transportation.

In developing policies and strategies for implementing the McKinney-Vento Act school of origin transportation provisions, charter school administrators should contact the state coordinator to see if any state policies address the coordination of transportation between charter schools and LEAs. Then, the charter school administrators should meet with the local liaisons and pupil transportation directors in the LEA or LEAs where its students experiencing homelessness are likely to move to or from and discuss developing a transportation agreement to share the cost and responsibility of transportation.

LEAs that receive McKinney-Vento subgrant funds may use these funds to defray the excess cost of school of origin transportation (42 U.S.C. § 11433(d)(5)). Additionally, Title I, Part A funds reserved for students experiencing homelessness may also be used to provide school of origin transportation (20 U.S.C. § 6313(c)(3)(C)(ii)). Charter schools that are LEAs and that receive McKinney-Vento subgrants or Title I, Part A funds should also explore using a portion of these funds for transportation to and from the school of origin.

### **General Transportation Requirements for Students Experiencing Homelessness**

In the McKinney-Vento Act, general transportation (including all transportation except to and from the school of origin) for students experiencing homelessness falls under comparable services (42 U.S.C. § 11432(g)(4)(A)). LEAs are required to provide transportation services to students experiencing homelessness comparable to those provided to other students. However, some situations exist in which an LEA must provide transportation assistance for a student experiencing homelessness that may exceed what is provided to other students because LEAs and

schools are required to remove barriers to the school enrollment and attendance of children and youth experiencing homelessness, including transportation barriers. For example, when an LEA does not provide student transportation in general, but a child experiencing homelessness has to walk across a busy intersection to get to school without a parent or guardian, the LEA must ensure that the student can get to and from school safely. A charter school that does not provide transportation would also have to enact measures to remove barriers to attendance related to transportation if a student becomes homeless while attending the charter school.

### **McKinney-Vento Act Enrollment Requirements as They Apply to Charter Schools**

While the McKinney-Vento Act requires the immediate enrollment of students experiencing homelessness, some charter schools have specific criteria for enrollment. Only those students experiencing homelessness who meet the charter school criteria would be eligible to enroll. Children and youth experiencing homelessness who meet the charter school criteria and enroll in the school, like children and youth experiencing homelessness enrolling in any school, must not face barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, on-line learning, and charter school programs (42 U.S.C. § 11432(g)(1)(F)(iii)).

Many charter schools have enrollment caps and would violate their charters if the cap were exceeded. If the charter school is the local enrollment school for a student experiencing homelessness, enrollment policies like enrollment caps would apply. In these instances, a charter school would not have to enroll a student experiencing homelessness but should assist the parents or guardians or unaccompanied youth with finding another school in the local attendance area where the family or youth is staying. The charter school should contact the LEA's local liaison for assistance in this effort. Charter school enrollment policies, including enrollment caps, however, may not be used to override the right of a student experiencing homelessness to continue their education in the school of origin for the duration of homelessness in any case in which the student becomes homeless between academic years or during an academic year, or for the remainder of the academic year, if the student becomes permanently housed during an academic year (42 U.S.C. § 11432(g)(3)(A)(i)).



Many charter schools have deadlines for enrollment or lotteries to determine which students may enroll. Families experiencing homelessness and high mobility could be disadvantaged by these requirements if they are not in the area when the deadline or lottery occurs. Charter schools should provide equal opportunity for students experiencing homelessness to attend, and the schools should revise any policies that constitute barriers to enrollment. For example, if there are still enrollment slots available or if the lottery has not already occurred, schools could extend the application deadline for identified students experiencing homelessness who missed the deadline because of their homelessness.

All LEAs, including charter schools that are LEAs, should anticipate and accommodate the needs of McKinney-Vento-eligible students to enroll in charter schools, magnet schools, and other schools, programs, and activities despite missing application and enrollment deadlines due to a period of homelessness. In addition, LEAs should consider giving children and youth experiencing homelessness priority if there is a waitlist for these schools, programs, and activities. (U.S. Department of Education, 2018).

### **Free School Meals and Snacks for Students Experiencing Homelessness**

Students experiencing homelessness are automatically eligible for free meals through the federal school meal programs. If a school does not have a federal meal program, there is no obligation to provide students with food, but recognizing the strong correlation between adequate nutrition and academic achievement, many charter schools that do not participate in a federal school meal program choose to provide students experiencing homelessness with food. Strategies include

- establishing business partnerships or community collaborations with restaurant franchises, food pantries, or faith-based organizations;
- connecting families with food banks so that they may send meals and snacks to school with their children;
- using the Title I, Part A set-aside funds for students experiencing homelessness. While not designed to meet all of the nutritional needs of a student experiencing homelessness, funds may be used for such things as providing food during a tutoring program. (U.S. Department of Education, 2018).

#### **Additional Nutrition Resources:**

The National School Lunch program fact sheet: <https://fns-prod.azureedge.us/sites/default/files/resource-files/NSLPFactSheet.pdf>

Eligibility of Schools and Institutions to Participate in School Nutrition Programs: <https://www.fns.usda.gov/cn/eligibility-schools-and-institutions-participate-school-nutrition-programs>

FAQ for charter schools and the National School Lunch Program: <https://www.fns.usda.gov/cn/national-school-lunch-program-and-school-breakfast-program-questions-and-answers-charter>

### **Coordination between State Education for Homeless Children and Youths Programs and Charter Schools**

Coordination between charter schools (and agencies administering charter schools) and the state Education for Homeless Children and Youths program will ensure that children and youth experiencing homelessness have equal access to attend charter schools. Examples of coordination with the SEA include

- establishing SEA policies or charter board policies that specify ways charter schools must enroll and serve children and youth experiencing homelessness,
- state coordinators training charter school administrators,
- state coordinators including charter schools in local monitoring for implementation of the McKinney-Vento Act, and
- charter school authorizers including indicators specifically related to enrolling and serving students experiencing homelessness in their annual reviews of charter schools.

### State Education Agency Highlight: North Carolina Homeless Education Program (NCHEP)

The North Carolina Homeless Education Program (NCHEP) employs a full-time program specialist whose primary role is to work with charter schools throughout the state. Annually, NCHEP holds a Learning Institute where LEAs/charter/lab schools attend training and professional development related to homeless education. This opportunity provides homeless education liaisons a chance to learn from one another. Participation in the Learning Institute also allows LEAs, charter, and lab schools to make vital connections to serve students experiencing homelessness across the state. NCHEP provides virtual office hours for liaisons to ask questions and receive additional technical assistance and holds an annual training for new charter school liaisons. NCHEP's compliance forums, where attendance is required of LEAs and charter schools, provide another way for homeless education liaisons to connect. Additionally, NCHEP offers regional round table events for all liaisons to learn from one another and have networking opportunities. For more information on NCHEP, visit the website at <https://hepnc.uncg.edu/>.

### Coordination between LEAs and Charter Schools

Coordination between charter schools (and agencies administering charter schools) and LEAs will ensure that the many needs of children and youth experiencing homelessness are addressed and that students have equal access to all educational options available to them. Coordination strategies for LEAs and charter schools to consider include

- identifying local liaisons in your area and sending an email to the surrounding LEAs and charter schools introducing yourself as the local liaison and suggest that you meet as a group to discuss collaborating on serving children and youth experiencing homelessness. (This meeting could be scheduled just before or after a recurring meeting where attendance is required of LEAs and charter schools to ensure optimal attendance.) Topics could include
  - o Identifying needs and brainstorming ideas together for ongoing and future collaborations.

- o Coordinating policies and procedures for enrolling and providing transportation to students experiencing homelessness who move between the LEA and charter school.
- o Sharing information on community resources.
- o Selecting a person(s) who will take the lead scheduling meetings, setting agendas, and leading collaborations. (These meetings could be virtual to optimize participation.)
- developing joint training opportunities to address identified needs of students experiencing homelessness and invite one another to trainings and professional development opportunities offered either by the SEA, LEA, or charter school.

### Learning about the McKinney-Vento Act and its Implementation

The following strategies will help charter school administrators and local liaisons or homeless contacts learn more about implementing the McKinney-Vento Act:

- Contact the state coordinator (see footnote 1).
- Attend national, state, and local trainings on the McKinney-Vento Act and serving children and youth experiencing homelessness.
- View resources on the National Center for Homeless Education (NCHE) website at <https://nche.ed.gov/> and attend NCHE's regularly scheduled webinars.<sup>2</sup>
- Review NCHE's *Local Homeless Education Liaison Toolkit* at <https://nche.ed.gov/homeless-liaison-toolkit/>.

<sup>2</sup> Visit <https://nche.ed.gov/group-training/> to register for NCHE webinars.

## References

- National Alliance for Public Charter Schools (2021). *30 years strong: 2021 annual report*. <https://www.publiccharters.org/our-work/publications/2021-annual-report>
- Subtitle VII-B of the McKinney-Vento Homeless Assistance Act, 42 U.S.C. § 11431 et seq. <http://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter119/subchapter6/partB&edition=prelim>
- U. S. Department of Education. (2018). *Education for Homeless Children and Youths Program nonregulatory guidance*. <https://oese.ed.gov/files/2020/07/160240ehcyguidanceupdated082718.pdf>

This brief was developed by:

National Center for Homeless Education  
800-308-2145 | [homeless@serve.org](mailto:homeless@serve.org)  
<https://nche.ed.gov>

October 2022

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 is supported by the U.S. Department of Education’s Office of School Support and Accountability. The contents of this brief were developed under a grant from the Department; however, these contents do not necessarily reflect the views or policies of the Department.



For more information on issues related to the education of children and youth experiencing homelessness, contact the NCHE helpline at 800-308-2145 or [homeless@serve.org](mailto:homeless@serve.org).

Local Contact Information:

