

THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

(Re-authorized as the [No Child Left Behind Act](#) of 2001)

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A. Background

The [McKinney-Vento Homeless Assistance Act](#) ensures educational rights and protections for children and youth experiencing homelessness. It is designed to help expedite the school enrollment of homeless children and youth. State educational agencies must ensure that homeless children and youth have equal access to the same free public education as is provided to other children and youth. All educational agencies must review and revise any practices or policies that may act as barriers to the enrollment, attendance, or success in school of homeless children and youth.

B. Definitions

The McKinney-Vento Act, [Section 725](#), defines the following terms:

1. “Homeless children and youth” refers to individuals who lack a fixed, regular, and adequate nighttime residence:
 - a) Homeless children and youth are those who share the housing of other persons due to loss of housing, economic hardship, or a similar reason; or are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; or are living in emergency or transitional shelters; or are abandoned in hospitals; or are awaiting foster care placement.
 - b) Homeless children and youth are those 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.
 - c) Homeless children and youth are those who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
 - d) Migratory children (as defined in [Section 1309](#) of the [Elementary and Secondary Education Act](#) of 1965, as amended) are those who qualify as homeless because they are living in circumstances described in this definition.
2. “Enroll and enrollment” refers to individuals attending classes and participating fully in school activities.
3. “Unaccompanied youth” refers to a youth not in the physical custody of a parent/guardian.

C. Further Information

Upon identification of a student who appears to meet the definition as described above, school personnel should refer the situation to the Volusia County Schools Manual for Enrolling and Serving Homeless Students: [Students/Pupil Policies – Number 204](#). The manual covers district procedures. Manuals are given to all registrars and are posted online. Copies are available from the District Homeless Education Liaison, ext. 53338.