

BEST PRACTICES IN HOMELESS EDUCATION

Immediate Enrollment Under McKinney-Vento: How Schools Can Keep Homeless Students Safe



Who is homeless?

(McKinney-Vento Homeless Assistance Act of 2001 – Title X, Part C of the No Child Left Behind Act – Sec 725)

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; 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).*

Children and youth in homeless situations, particularly unaccompanied youth and survivors of domestic violence, are at a high risk for experiencing violence and victimization. Frequently, unaccompanied youth become homeless after leaving abusive or destructive home environments. In turn, their homelessness, which often involves “couch surfing” (staying temporarily with friends or relatives), or living on the streets, places them at risk of further victimization, including robbery and assault. Similarly, many survivors of domestic violence flee violent home environments only to find that their batterers continue to pursue them. Keeping their whereabouts secret is often a matter of life and death.

By protecting confidential information, communicating with care and sensitivity, and building collaborations with community service providers and advocates, schools can play a pivotal role in protecting the safety of children and youth experiencing homelessness.

It is important to remember that the McKinney-Vento Homeless Assistance Act requires the immediate enrollment of children and youth experiencing homelessness, even in the absence of records normally required for enrollment.¹ School is the safest place to be for children who may be in danger. Use this checklist to help make your school district a safe place.

Put good procedures in place

- ✓ Be aware of your district’s policies related to youth on their own. The McKinney-Vento Act requires that unaccompanied youth be enrolled in school immediately, even without a parent or guardian.²
- ✓ If you believe a family or student may be in danger, contact the local homeless education liaison immediately.
- ✓ If you suspect a child has been abducted or reported missing, contact the National Center for Missing and Exploited Children (www.missingkids.com; 1-800-THE-LOST).

Build trust and talk with parents and youth with care and sensitivity about their family situation

- ✓ Assure parents and youth that you take their safety issues seriously and want to help. Give them examples of services

you can provide, referrals you can make, and steps you can take to protect their safety.

- ✓ Seek input from local liaisons, school counselors, and social workers about positive communication strategies and about statements and actions that may be perceived as offensive or threatening to a family experiencing homelessness.
- ✓ Talk with parents, students, and staff at the previous school about potential dangers, and develop a safety plan together.
- ✓ Talk to runaway youth about their home situation with care and sensitivity. Understand that although youth may hesitate to admit it, home may be an unhealthy or dangerous environment for them.

Protect confidential information

- ✓ Never share any information about a student with anyone who cannot prove the legal right to receive it. Make sure everyone with access to student information understands his/her responsibility to guard the information and takes this responsibility seriously.
- ✓ Local liaisons and other school district personnel with an educational interest in the student, as well as schools to which the student is transferring, can receive records without parental consent under the Family Educational Rights and Privacy Act (FERPA).³ Make sure those receiving such records are aware of safety and confidentiality issues.
- ✓ Require that requests for student information be accompanied by a completed and signed information request form and that a record of all requests be maintained.
- ✓ Put copies of protective orders in student files and attach an “alert” function to the student information database to notify anyone searching a record to which access has been restricted.
- ✓ Transfer school records through the office of the State Coordinator for Homeless Education, if necessary, to restrict information about where a student has enrolled in school.

When in doubt, enroll the student immediately and consult your school district’s local liaison or your State Coordinator for Homeless Education with questions. Denying immediate enrollment to a homeless student violates federal law and may place the student in danger.

Endnotes

1. For more information on immediate enrollment, visit http://www.serve.org/nche/ibt/sc_enroll.php.
2. For more information on serving unaccompanied youth, visit http://www.serve.org/nche/ibt/sc_youth.php.
3. For more information on FERPA, visit http://www.serve.org/nche/legis_resources.php.

This brief was developed by:
National Center for Homeless Education
800-308-2145 (toll-free HelpLine)
<http://www.serve.org/nche>

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Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. For information on the education of children and youth experiencing homelessness in Texas and to obtain contact information for the liaison in your district, please contact:



www.theotx.org

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