



Summary of Education Rights

McKinney-Vento Act defines homeless children and youth as any student “**who lacks a fixed, regular, and adequate nighttime residence.**” Students and families who meet this definition have the following rights:

School Choice

If you move into temporary housing, your children can stay in the same school they went to when you had a permanent address or where they were last enrolled (known as the school of origin), OR they can transfer to the school for where you are staying now. This includes public preschool and head start programs. **If the school district believes that the school selected is not in your best interest, the district must provide you with a written explanation of its position and inform you of your [right to appeal its decision](#).**

Immediate Enrollment

You can enroll your children in school without the usually required documents. The school must enroll your children immediately, without immunization forms, guardianship papers, birth certificates, or proof of address. After your children are enrolled, the homeless liaison and school can help you obtain any needed records and paperwork.

Transportation

If your children **stay in their school of origin**, they can receive free transportation to and from that school if you request this. This includes pre-school aged students. **If you move from temporary to permanent housing during the school year, your children will still get transportation for at least the rest of the school year.**

Free Meals and Title I Services

Your children can receive free meals at school. You do not need to fill out any forms about your family's finances. Students in temporary housing can also receive Title I services including for emergency supplies, counseling, tutoring, etc.

Support from the homeless liaison

Every school district has a homeless liaison. The liaison is a staff person who will help you enroll your child in school and connect you and your family with additional resources and services.

Staying in School

You may qualify for certain rights and protections under the federal McKinney-Vento Act, **if you live in any of the following situations:**

- A shelter.
- A motel or campground due to the lack of an alternative adequate accommodation.
- A car, park, abandoned building, bus or train station.
- Doubled up with other people due to loss of housing or economic hardship.
- Living with someone or others who are not your parents or guardians.
- If you have run away from home, been thrown out of your home, been abandoned by your parents/ guardians, or separated from your parents or guardians for any other reason.

As an eligible student you have the right to:

- Receive a free, appropriate public education.
- Enroll in school immediately, even if lacking documents normally required for enrollment.
- Enroll in school and attend classes while the school gathers needed documents.
- Enroll in the local school or continue attending your school of origin (the school you attended when permanently housed or the school in which you were last enrolled), if that is your preference and is feasible. *If the school district believes that the school selected is not in your best interest, the district must provide you with a written explanation of its position and inform you of your right to appeal its decision.
- Receive transportation to and from the school of origin, if you request this.
- Receive educational services comparable to those provided to other students, according to your needs as a student.

All students attending public schools from head start and preschool until age 21 or high school graduation (including those in charter schools or school programs operated by Intermediate Units) qualify for additional rights and services under the McKinney-Vento Act if they are experiencing homelessness. The protections apply for as long as the student experiences homelessness, and certain protections like school stability and transportation apply for the remainder of the year that the student secures permanent and adequate housing.

Questions to Ask Your Homeless Liaison:

- What transportation is available for my child? Who can help me set it up?
- Who can help set up free meals for my child?
- What if my child needs special education or English language learner (ELL) services?
- What if my child needs school supplies? Who can help me?
- How can I get my child's medical, dental, mental health needs met?
- How can I get the right enrollment paperwork needed after my child is immediately enrolled in school?

[Source: The New York State Technical and Educational Assistance Center for Homeless Students](#)