

**Executive Summary and Key Changes to McKinney-Vento**  
**U.S. Department of Education Guidance, July, 2016**

The Education for Homeless Children and Youth (EHCY) program is authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) (McKinney-Vento Act). The McKinney-Vento Act was originally authorized in 1987 and most recently re-authorized in December 2015 by the Every Student Succeeds Act (ESSA)<sup>1</sup>.

The McKinney-Vento Act is designed to address the challenges that homeless children and youths have faced in enrolling, attending, and succeeding in school. This particularly vulnerable population of children has been increasing; from the 2006-2007 school year to the 2013-2014 school year, the total number of homeless children and youths approximately doubled from 679,724 to 1,301,239 students, according to EHCY program data<sup>2</sup>. Under the McKinney-Vento Act, State educational agencies (SEAs) must ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youths. Homeless children and youths must have access to the educational and related services that they need to enable them to meet the same challenging State academic standards to which all students are held. In addition, homeless students may not be separated from the mainstream school environment.<sup>3</sup> SEAs and local educational agencies (LEAs) are required to review and undertake steps to revise laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youths.

The McKinney-Vento Act includes, among other things, new or changed requirements focused on:

1. Identification of homeless children and youths;
2. Preschool-aged homeless children, including clarification that local liaisons must ensure that these children and their families have access to and receive services, if eligible, under LEA-administered preschool programs, including Head Start, Part C of the Individuals with Disabilities Education Act (IDEA) (Early Intervention Program for Infants and Toddlers with Disabilities), and other preschool programs administered by the LEA;
3. Collaboration and coordination with other service providers, including public and private child welfare and social services agencies; law enforcement agencies; juvenile and family courts; agencies providing mental health services; domestic violence agencies; child care providers; runaway and homeless youth centers; providers of services and programs funded under the Runaway and Homeless Youth Act; and providers of emergency, transitional, and permanent housing, including public housing agencies, shelter operators, and operators of transitional housing facilities;
4. Professional development and technical assistance at both the State and local levels;
5. Removing enrollment barriers, including barriers related to missed application or enrollment deadlines, fines, or fees; records required for enrollment, including immunization or other required health records, proof of residency, or other documentation; or academic records, including documentation for credit transfer;
6. School stability, including the expansion of school of origin to include preschools and receiving schools and the provision of transportation until the end of the school year, even if a student becomes permanently housed;
7. Privacy of student records, including information about a homeless child or youth's living situation; and
8. The dispute resolution process.

In addition, the ESSA removes “awaiting foster care placement” from the definition of “homeless children and youths.”<sup>4</sup>

The McKinney-Vento Act strongly emphasizes the importance of school stability for homeless children and youths. Changing schools multiple times significantly impedes a student’s academic and social growth. The research on highly mobile students, including homeless students, indicates that a student can lose academic progress with each school change.<sup>5</sup> Highly mobile students have also been found to have lower test scores and worse overall academic performance than peers who do not change schools frequently.<sup>6</sup> Therefore, the McKinney-Vento Act calls for LEAs to maintain students in their school of origin to promote school stability and greater educational outcomes overall, unless it is not in the student’s best interest.

Significantly, a number of the changes that the ESSA made to the McKinney-Vento Act highlight and respond to the needs of homeless children and youths across the educational spectrum. There is an increased focus on services for preschool-aged homeless children, which data show compose a major share of the overall homeless population;<sup>7</sup> this includes the explicit inclusion of preschools in the definition of “school of origin.” A number of changes also draw attention to the need for homeless youths in secondary school to be college- and career-ready, and the important role that school staff play in the transition to postsecondary education. The ESSA also requires that SEAs implement procedures to ensure full and partial credit transfer for these students. Additionally, the McKinney-Vento Act now has a strengthened emphasis on the unique needs of, and supports for, unaccompanied homeless youths, such as through the verification of independent student status for the purposes of the Free Application for Federal Student Aid (FAFSA) and improved coordination with other federally funded homeless assistance programs for which these youths may be eligible.

To view this full guidance document and changes under the reauthorization from the U.S. Department of Education, please visit: <https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716.pdf>

For more resources on the changes to McKinney-Vento under ESSA, effective October 1, 2016, please visit the CDE Homeless Education website at:

[https://www.cde.state.co.us/dropoutprevention/homeless\\_resources](https://www.cde.state.co.us/dropoutprevention/homeless_resources)

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<sup>1</sup> All references in this document to requirements under the McKinney-Vento Act or the EHCY Program are to requirements under the McKinney-Vento Act, as amended by the ESSA.

<sup>2</sup> To view the Federally Required State Data Collection for the McKinney-Vento Education Assistance Improvements Act of 2001, please visit: <http://www2.ed.gov/programs/homeless/performance.html> and [http://center.serve.org/nche/pr/data\\_comp.php](http://center.serve.org/nche/pr/data_comp.php).

<sup>3</sup> Except for the limited exception in section 722(e)(3)(B) of the McKinney-Vento Act, as described more fully in footnote 15.

<sup>4</sup> For more information on children and youths “awaiting foster care placement”, please see question A-2.

<sup>5</sup> National Center for Homeless Education (2011). NCHE mobility study bibliography. Retrieved from [http://center.serve.org/nche/downloads/nche\\_mobil\\_biblio.doc](http://center.serve.org/nche/downloads/nche_mobil_biblio.doc)

<sup>6</sup> For example, see Cutuli, J.J., Desjardins, C.D., Herbers, J.E., Long, J.D., Heistad, D., Chan, C., Hinz, E., & Masten, A.S. (2013). “Academic achievement trajectories of homeless and highly mobile students: Resilience in the context of chronic and acute risk.” *Child development*, 84(3), pages 841-857

<sup>7</sup> For example, half of all people in shelters in 2012 were reported as children age 0 through 5 according to the 2012 Annual Homeless Assessment Report, Volume 2 available at <https://www.hudexchange.info/resource/3297/2012-ahar-volume-2-estimates-of-homelessness-in-the-us/>; see also “Fact Sheet: Homelessness and Early Learning” available at <http://www.naehcy.org/educational-resources/early-childhood>