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## MEMORANDUM

TO: Superintendents  
FROM: Heather A. Bouchey Ph.D., Interim Secretary of Education  
SUBJECT: Resources to Support Homeless Students  
DATE: June 23, 2023

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### Background

With the recently passed legislation regarding the state's homeless housing program, the Agency of Education compiled the following information about the McKinney-Vento Homeless Assistance Act. This memo provides an overview of the responsibilities of Supervisory Unions (SU/SDs) to students experiencing homelessness in their learning community.

### McKinney-Vento Definition of Homeless

The McKinney-Vento Homeless Assistance Act of 1987 (42 U.S.C. §11434a(2)) defines "homeless children and youth" as individuals who lack a fixed, regular, and adequate nighttime residence. The definition includes children and youths who:

- Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason
- Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations
- Are living in emergency or transitional shelters
- Are abandoned in hospitals
- Have a primary nighttime residence that is a public or private place not normally used as a regular sleeping accommodation for human beings
- Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- Are migratory and qualify as homeless because they are living in circumstances described in the above situations

Not every student who appears to be unhoused will be eligible for McKinney-Vento services. Some students who may appear to have housing (e.g., "a roof over their heads") will qualify and are entitled to educational rights and services under the McKinney-Vento Act.



LEA Homeless Liaisons (see below for contact information) will make McKinney-Vento eligibility determinations for students who may be experiencing homelessness. McKinney-Vento eligibility determinations follow the school year. When a student has been determined eligible by the Homeless Liaison, they are eligible for all McKinney-Vento rights and services until the end of the academic year, even if they secure permanent housing.

## **Educational Rights of Students Experiencing Homelessness**

The McKinney-Vento Homeless Assistance Act guarantees educational rights and support for students who meet the [definition of homeless](#). In general, McKinney-Vento eligible students have a right to:

- Equal access to the same free, appropriate public education, including public preschool education, as is provided to other children and youth
- Immediate enrollment, even when records normally required for enrollment are not present
  - This includes the right for unaccompanied youth (homeless youth who are not in the physical custody of their parent/guardian) to be immediately enrolled without proof of guardianship
- Full participation in school and all school activities
- To remain in the school of origin, if it is in the student's best interest, in order to maintain educational stability
  - School of origin is defined as the school the student attended when permanently housed or the school in which the student was last enrolled
- Transportation, provided by the LEA, to and from the school of origin at the request of the parent or the homeless liaison (in the case of an unaccompanied youth), if needed
- Provision of services comparable to services offered to other students in the school, including Title I services or similar State or local programs, educational programs for children with disabilities, and educational programs for English learners; career and technical education; programs for gifted and talented students; and school nutrition programs
- Access all educational and related services for which they are eligible, including services through Head Start programs, early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the local educational agency

## **Contact Information and Resources**

- Every local educational agency (LEA) has a designated Homeless Liaison to facilitate the identification, enrollment, and attendance of and services to students experiencing homelessness. The [Liaison Contact List](#) provides contact information for the liaisons in each Supervisory Union/School District.
- The State Coordinator for Homeless Education is Katy Preston, [katy.preston@vermont.gov](mailto:katy.preston@vermont.gov) or 802-828-1468

- For questions about the end of the AHS Pandemic-Era Emergency Housing Program, please contact the [local AHS Field Services Director](#)

## Resources

- [Data and Information on the Pandemic-Era General Assistance Emergency Housing Program](#)
- [Stretch Your Budget with Vermont Food Programs](#)
- [USDA Summer Meals for Kids Site Finder](#)
- [School Meals for MV Eligible Students](#)
- [Outreach/awareness materials](#) – download and print information on McKinney-Vento rights for students experiencing homelessness
- [Overlap of McKinney-Vento and HUD Definitions of Homeless](#)