



## Do You Know a Child Living in Temporary Housing?

Children have educational rights covered under the **McKinney-Vento Act** if they are:

- Lacking a permanent, regular, and adequate nighttime residence
- Living in emergency or transitional housing
- Sharing housing because of lost housing or economic hardships
- Living in a motel, hotel, or camp ground because they don't have other housing
- Living in a car, park, public space, abandoned building, bus or train station
- Waiting for foster care placement

### Important Terms to Understand

#### **McKinney-Vento Act:**

A federal law that protects the educational rights of children living in temporary housing situations.

#### **Local School:**

The school designated for the area where the student is temporarily living.

#### **School of Origin:**

The school where the student was last enrolled or the school the student attended before the housing was lost.

#### **Homeless Liaison:**

Someone who can help children living in temporary housing with their educational needs. Every school must have one.

**The New York State Technical & Education Assistance Center for Homeless Students (NYS-TEACHS)** can give you more information and help (1-800-388-2014). Visit them on the web at [www.nysteachs.org](http://www.nysteachs.org).

### Where can children go to school if they are in temporary housing?

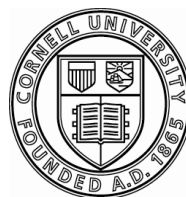
They can choose from:

- The school they went to when they had permanent housing
- The last school they went to (**school of origin**)
- The **local school** in the area where they are temporarily living

### What educational rights do students living in temporary housing have?

They can:

- Enroll in school and begin going to classes immediately
- Get special education services if they have a current IEP
- Get free school meals without having to fill out an application
- Be involved in any school activity that is available to other students
- Get free transportation to and from school



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## Paperwork Needed for School Enrollment

**Students who have temporary housing must be enrolled in school immediately even if they do not have the paperwork normally needed.** The school's *homeless liaison* can help.

School Records—The new school must contact the children's old school for their records.

Immunization Records—Students cannot be turned away from school because they do not have these records. The family and the liaison should try to find a copy of the records and/or get the children the shots they need to be up to date.

Current Address Records—They do not need to get a letter from a shelter or landlord proving where they are living in order to enroll in school. However, if a school doubts that the student is living in a temporary housing situation, they can start the dispute resolution process and the student will have to prove where they are living.

Custody Records—If a student is living in temporary housing with family or friends, they do not have to show legal custody in order to enroll in school. Also, students living without a parent or guardian can enroll in school without the parent or guardian's permission.

## Other Concerns

Student Absences—Absences caused by homelessness cannot be counted against students.

Student Transportation—Students living in temporary housing can get transportation to either their *school of origin* (within 50 miles) or the *local school*. Transportation will be provided until they find a permanent place to live. Even if they find a permanent place to live, they can still stay at the school of their choice until the end of the school year.

Public Transportation—If public transportation is available and children have to use it to get to and from school, then schools must pay for it.

Parent/Guardian Transportation—If children must use public transportation to get to and from school, but are too young to travel alone, then the school must pay for an adult to travel with them. If it is decided that the best way for the children to get to school is for the parent to drive them, then the school must give the parent gas cards or money for the number of miles they have to drive. Parents may also be able to get transportation for meetings at the school.

Challenging a School District's Decision—If a school does not believe a student is homeless and is refusing the student's rights under the *McKinney-Vento Act*, then you can challenge the school's decision. The school must immediately enroll the student and provide transportation until the problem is solved. Contact the school liaison or NYS-TEACHS for help with this process.

Parental Information and Resource Center (PIRC)  
Families and Communities Together with Schools

Cornell Cooperative                      Phone: 315-788-8450  
Extension of Jefferson County        Fax: 315-788-8461  
203 North Hamilton Street            Web: www.nyspirc.org  
Watertown, New York 13601        Email: info@nyspirc.org

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