

Immediate Enrollment Under McKinney-Vento:  
How Local Liaisons 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” 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.<sup>1</sup> 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.<sup>2</sup>

**Conduct Ongoing Awareness Activities in the District**

- ✓ Provide annual awareness and sensitivity training to all school staff, including administrators, counselors, social workers, teachers, secretaries, registrars, nurses, bus drivers, security staff, attendance officers, and federal programs staff. A sample PowerPoint presentation can be downloaded at [http://www.serve.org/nche/downloads/tr\\_pres/info\\_share.ppt](http://www.serve.org/nche/downloads/tr_pres/info_share.ppt); a sample online training can be found at <http://servepres.serve.org/p33447103/>.
- ✓ Make sure all school staff members are aware of the

McKinney-Vento Act's requirements and local policies used to implement them.

### **Build collaborations with community service providers and advocates**

- ✓ Develop collaborations with other agencies serving unaccompanied youth and domestic violence survivors, such as social services, law enforcement, juvenile/family court, advocates and attorneys, and other service providers.
- ✓ Use your community collaborations to refer youth, as appropriate, to shelters, outreach programs, social services, housing resources, counseling, family mediation, and other programs.
- ✓ Refer survivors of domestic violence to advocates who can help them obtain protective orders.
- ✓ If you suspect a child has been abducted or reported missing, contact the National Center for Missing and Exploited Children (<http://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.
- ✓ Train school staff about positive communication strategies and about statements and actions that may be perceived as offensive or threatening to a family or youth experiencing homelessness.
- ✓ Talk with the student, the student's parents, and staff at the student's previous school about potential dangers; then, 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, their home may be an unhealthy or dangerous environment.

### **Protect confidential information**

- ✓ Never share any information about a student with anyone who cannot prove the legal right to obtain it. Make sure everyone with access to student information understands his/her responsibility to protect the information and takes this responsibility seriously.
- ✓ Local homeless education 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).<sup>3</sup> 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 maintain a record of all requests.
- ✓ 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.

- ✓ Design school district databases so that access to information about survivors of domestic violence can be limited to a few, trained people. As an alternative, enter standardized, false information and a code for domestic violence survivors in the district database, and maintain a separate database of actual information with restricted access.
- ✓ 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 contact 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.**

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#### **Endnotes**

1. For more information on immediate enrollment, visit [http://www.serve.org/nche/ibt/sc\\_enroll.php](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](http://www.serve.org/nche/ibt/sc_youth.php).
3. For more information on FERPA, visit [http://www.serve.org/nche/legis\\_resources.php](http://www.serve.org/nche/legis_resources.php).

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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 State Coordinator for Homeless Education, and every school district is required to have a local homeless education liaison. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your State Coordinator is, visit the NCHE website at *[http://www.serve.org/nche/states/state\\_resources.php](http://www.serve.org/nche/states/state_resources.php)*.



For more information on the McKinney-Vento Act and resources for implementation, call the NCHE Helpline at 800-308-2145 or e-mail *[homeless@serve.org](mailto:homeless@serve.org)*.



**Local Contact Information:**