McKinney-Vento Definition of "Homeless"

Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (Title X, Part C, of the No Child Left Behind Act) defines "homeless" as follows:

The term "homeless children and youths"--

(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and

(B) includes--

(i) 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; 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 (within the meaning of section 103(a)(2)(C));

(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 (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).
Educational Rights of Children and Youth Experiencing Homelessness

Children and youth experiencing homelessness have the right to

- Go to school, no matter where they live or how long they have lived there.
- Continue in the school they last attended before becoming homeless or the school they last attended, if that is the parent's or guardian's choice and is feasible.
- Receive transportation to the school they last attended before their family became homeless or the school they last attended, if a parent or guardian requests such transportation.
- Attend school and participate in school programs with children who are not homeless.
- Enroll in school without giving a permanent address.
- Enroll and attend classes while the school arranges for the transfer of school and immunization records or any other documents required for enrollment.
- Receive the same special programs and services, if needed, as provided to all other children served in these programs.
- Receive transportation to school and to school programs comparable to that provided to children who are not homeless.

These rights are established under the McKinney-Vento Homeless Assistance Act. This act is the primary piece of federal legislation dealing with the education of children and youth experiencing homelessness in U.S. public schools. It was reauthorized as Title X, Part C, of the No Child Left Behind Act in January 2002. To qualify for these rights, children and youth must be considered homeless according to the McKinney-Vento definition of homelessness.
Links to other websites:

National Coalition for the Homeless:  www.nationalhomeless.org
National Center for Homeless Education:  www.serve.org/nche
National Law Center on Homelessness and Poverty:  www.nlchp.org
National Association for the Education of Homeless Children and Youth:  www.naehcy.org
National Network for Youth:  www.nn4youth.org
National Policy and Advocacy Council on Homelessness:  www.npach.org
National Center on Family Homelessness:  www.familyhomelessness.org