

**Education of Homeless Children and Youth
McKinney-Vento Homeless Assistance Act**

A child experiencing homelessness is defined as provided in the McKinney-Vento Homeless Assistance Act.: The McKinney-Vento Act states that children and youth who lack “a fixed, regular, and adequate nighttime residence” will be considered homeless. This includes coverage for children awaiting foster placement, children of families in motels, shelters, or transitional housing, camping out, living in cars, and those who are doubled up with family or friends due to loss of housing, economic hardship or a similar reasons.

The policy of the Board of Trustees of Missoula County Public Schools is to provide every child experiencing homelessness equal access to the same free, appropriate public education as provided to other students. These services include but are not limited to: educational services for which a child meets eligibility criteria (e.g. Title I); educational programs for children with disabilities and limited English proficiency; programs in vocation and technical education; programs for gifted and talented students; school nutrition programs and transportation;. The District must admit and assign to a District school a child who is homeless regardless of residence and whether the child experiencing homelessness is able to produce documents normally required for enrollment such as school records or immunization records. The District may not require an out-of-District attendance agreement and tuition for a child experiencing homelessness; must enroll a child in school without proof of guardianship; cannot require a caregiver to get legal guardianship in order to enroll a child in school; and will work to eliminate barriers to enrollment and retention and to enroll unaccompanied children in school immediately.

Missoula County Public Schools will comply with the special transportation requirements for youth experiencing homelessness:

- Transportation will be provided to the school of origin upon the request of a parent or guardian or if the District team recommends this is in the best interests of the child. When the school of origin is outside the district, transportation will be provided in coordination with the school of origin district.
- Other transportation (as opposed to the school of origin) will be provided comparable to that provided to housed students. If the district transports housed students to the local school or to a summer program, it will transport students experiencing homelessness.
- Barriers to school enrollment and retention of youth experiencing homelessness must be eliminated. If a team composed of the parent, District personnel and the McKinney-Vento Liaison determine that lack of transportation is a barrier to the youth attending school, Missoula County Public Schools will provide transportation.

The Superintendent will appoint a liaison for homeless youth. The Superintendent/Designee/Homeless Liaison will give special attention to ensuring the enrollment and attendance of youth experiencing homelessness.

Complaints or concerns regarding placement or education of youth experiencing homelessness will first be presented orally and informally to the District Homeless Liaison. Thereafter a written complaint may be filed in accordance with the District Uniform Complaint Procedure. The Office of Public Instruction provides a McKinney-Vento Homeless Education Assistance Dispute Resolution Form to be used if the dispute is not resolved at the District level.

Legal References:

42 U.S.C. § 11431, et seq.
MCA 20-5-101

McKinney-Vento Homeless Assistance Act
Admittance of child to school

Practical Application:

The 100 Most Frequently Asked Questions on the Education Rights of Children and Youth in Homeless Situations. Drafted by the National Association for the Education of Homeless Children and Youth and the National Law Center on Homelessness & Poverty, 2004.

www.naehcy.org

www.nlchp.org

Policy History:

Presented to PN&P Committee on January 28, 2009

Approved on first reading: February 10, 2009

Posted for public comment until: July 22, 2009

Adopted on second reading: August 11, 2009