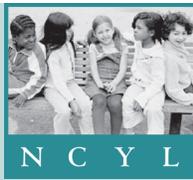


Identifying Students Experiencing Homelessness

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Understanding the Definition of “Homelessness”

The McKinney-Vento Homeless Assistance Act protects students who lack a fixed, regular, and adequate nighttime residence. Some people that are experiencing homelessness do not recognize themselves as “homeless.” Students living in the following situations fall within the McKinney-Vento Act’s protections:

- ❖ **Doubling-up:** couch surfing or sharing a living space with friends, family, or strangers because of economic hardship, loss of housing, or a similar reason
- ❖ **Hotels or motels:** due to of a lack of alternative housing
- ❖ **Shelters or transitional housing programs:** including domestic violence shelters, homeless shelters, youth shelters, and other transitional housing
- ❖ **Substandard housing:** including spaces that do not have electricity, heat, or water; are infested with vermin or mold, or present unreasonable dangers
- ❖ **Unsheltered:** living in cars, buses, parks, public buildings, abandoned buildings, the streets, or similar settings
- ❖ **Any other situation that is not fixed, regular, or adequate**

Considerations for Interviewing Students and Families Experiencing Homelessness

When students are living in the above situations, they are entitled to special rights, protections, and supports to ensure that they have the opportunity to succeed in school. Students have these rights during the entire time they are experiencing homelessness, and for the remainder of that school year. These rights apply to all homeless students, including non- U.S. citizens.

- ❖ **Remain enrolled** in the school they were attending before losing secure housing for that school year
- ❖ **Enroll in a new school** where they are living now if it is in the student’s best interest
- ❖ **Enroll even if they are missing required documents**, including proof of residency, birth certificates, proof of immunization, or school records
- ❖ **Enroll without a parent or legal guardian signature** if the student is an **unaccompanied youth**, or living without parents or a guardian
- ❖ **Be provided a written explanation** if the school denies enrollment
- ❖ **Challenge school decisions** about enrollment and **remain enrolled** until a final decision is made
- ❖ **Keep Private** information about their living situation unless they give permission to disclose
- ❖ **Free transportation** to attend school and any school-related activities if needed
- ❖ **Assistance with school supplies** including school uniforms, books, and devices

A family’s housing situation is private information. It is important to establish trust with a family or unaccompanied student to allow them to feel comfortable sharing their story. When doing an intake with a family or unaccompanied student:

- ❖ Ask housing questions in a private setting;
- ❖ Ask follow-up questions;
- ❖ Be honest and transparent about why you need to know certain background facts;
- ❖ Inform them of potential rights under McKinney-Vento; and
- ❖ Avoid the term “homeless” and instead use language that they are more likely to identify with such as “experiencing housing insecurity” or “receiving housing support from friends or family.”

The parent or unaccompanied youth should be informed that they may be entitled to additional education rights under the federal McKinney-Vento Act, a law that helps students who are temporarily displaced from their home for certain reasons. You are asking for additional information to determine whether the student would be eligible for these additional supports.

Regardless of who is being asked about housing status, it is critical to inform the individual *why* you are asking about their housing. If more information is needed to confirm that a family is experiencing homelessness, then explain to the family that you need the additional information to help determine the student's eligibility. Think of how the questions should be rephrased depending on the individual being asked.

Speaking with a Parent

When children are involved, there is a lot of distrust that someone will call the Child and Family Services Agency. You should be clear about your reporting responsibilities and inform the parent or student about any confidentiality protections available.

There should be no judgment when interviewing a family!

- ❖ How long have you lived at your current address?
- ❖ What made you move to your current address?
- ❖ Are you living with family or friends?
- ❖ Do you think you will be moving again soon?
- ❖ Are you interested in learning more about housing support programs?
- ❖ Is your current living situation due to loss of housing or financial troubles?

Speaking with an Unaccompanied Student

A lot of care should go into speaking with a child about their home situation. Be sensitive. If they are unaccompanied then they may be fleeing unsafe or abusive homes. They may experience discomfort talking about the events that led them to homelessness. Avoid "why" questions. These may come off as blame-attributing and cause the individual to be defensive.

Inform the student about your reporting obligations to Child and Family Service Agency and law enforcement.

- ❖ What led to you leave your last home?
- ❖ How did you come to live at your current address?
- ❖ Do you feel safe in your current address?
- ❖ Do you have everything you need such as food, access to a shower, a quiet space to do schoolwork?

Dispute Resolution Under McKinney-Vento

The McKinney-Vento Act requires schools to develop and implement written procedures for the receipt and resolution of complaints. The Office of the State Superintendent of Education (OSSE) has provided a detailed guidance on dispute resolution which can be found on [their website](#), along with a model resolution form.

The following steps must be followed when a school challenges the rights of a student:

- ❖ **Initial Decision:** The family or unaccompanied youth must be provided with a written explanation of the school's challenges to the student's rights. The explanation must also include notice of the family's or student's right to appeal the school's decision within 15 calendar days, and a form to be completed if they choose to appeal.
- ❖ **Appeal to LEA:** The decision is first appealed to the Local Education Agency (LEA). The LEA has a maximum of 15 calendar days after receipt of the appeal to review the school's initial decision and make a final decision on the challenge. The decision must be in writing and state the legal basis and factual information relied upon.
- ❖ **Appeal to OSSE:** Once the family has initiated an appeal to the LEA, the LEA must notify OSSE of the challenge. If the dispute is not resolved at the LEA level, or the LEA exceeds their 15 calendar days, then OSSE, through the Homeless Education Program, will make the final determination. This determination must be made within 15 calendar days and must be submitted in writing.

Additional Assistance and Referrals

Anyone may use the [NCYL Student Homelessness Referral Form](#) to refer students and families for support with education-related issues. For questions regarding student homelessness and education, you may reach out to Taylor Jones.

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