

## Definition of Homeless Children and Youth

The term “homeless children and youth” mean individuals who lack a fixed, regular, and adequate nighttime residence and includes;

- Children and youth 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; or are abandoned in hospitals.
- Children and youth 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.
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
- Migratory children (such as 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)

-from the McKinney-Vento Homeless Assistance Act of 2001, Title VII Subtitle B, Section 725 as modified by Title X, Part C of the No Child Left Behind Act of 2001

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## What Are the Educational Rights of Children & 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. They must be given access to the same public education, including preschool education, provided to other children.
- Continue in the school they last attended before they became homeless or the school they last attended, if that is the parent’s or youth’s choice and is feasible. If a staff member of a school sends the child or youth to a school other than the one requested, the staff member must provide a written explanation and offer the right to appeal the decision.
- Receive transportation to the school they attended before the family or youth became homeless or the school they last attended; if the parent or youth requests such transportation.
- Enroll in school with out giving a permanent address. Schools cannot require proof of residency that might prevent or delay school enrollment.
- Enroll and attend classes while the school arranges for the transfer of school and immunization records or any other documents required for enrollment.
- Enroll and attend classes in the school of choice even while the school and parent or youth seek to resolve a dispute over the selected school. (The school district local liaison for homeless education will assist youths with the dispute process.)
- Receive the same special programs and services, if needed, as provided to all other children or youths served in these programs.
- Receive transportation to school and to school programs.

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