

Kentucky Department of Education
Homeless Education Program
Frequently Asked Questions
(Revised 14-06-02)

Answers provided below are based upon federal law requirements. For additional information, please refer to [USDE Homeless Education Guidance](#) (July 2004).

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The No Child Left Behind Act of 2001 reauthorized the McKinney-Vento Homeless Assistance Act. The program is now referred to as the McKinney-Vento Homeless Education Assistance Improvement Act of 2001. It is intended to ensure that homelessness does not cause children to be left behind in school.

For more information on the Kentucky Homeless Education Program, please click the link below.

1. How can McKinney-Vento funds be used?

McKinney-Vento funds may be used for tutoring , supplemental services, enrichment services, evaluation of strengths and needs of homeless children, professional development, provision of referral services for medical, dental, mental, and other health services, transportation cost, programs to retain homeless children in public schools, mentoring, homework assistance, and costs for obtaining records, education and training to parents about rights and resources.

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2. What about the McKinney-Vento program has changed?

The principal differences between the current McKinney-Vento program and the predecessor program are summarized in section A-4 of the [Homeless Education Non-Regulatory Guidance](#) (July 2004). Changes include:

- a. Express prohibition against segregating homeless students (details may be found in **Section E** of the [Guidance](#))
- b. Requirement for transportation to and from school of origin (details may be found in **Appendix A** and **Section H** of the [Guidance](#))
- c. Immediate school enrollment requirement (details may be found in **Section G** of the [Guidance](#))
- d. Changes in "best interest" determination (details may be found in **Section G** of the [Guidance](#))
- e. Local liaison in all school districts (details may be found in **Section F** of the [Guidance](#))

3. How does the USDE define "homeless"?

Stability and adequacy of the living arrangement are critical considerations when determining homelessness. For the purpose of McKinney-Vento, the term homeless refers to children and youths who lack a fixed, regular, and adequate nighttime residence. This includes children and youth, ages three through 21 who are:

- a. Sharing housing due to loss of housing or economic hardship
- b. Living in motels, hotels, dilapidated trailers or camping ground due to lack of alternative adequate housing
- c. Living in emergency or transitional housing
- d. Abandoned in hospitals
- e. Awaiting foster care
- f. Having a primary nighttime residence that is a public or private place not designed for, or ordinarily used as regular sleeping accommodations
- g. Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations
- h. Migratory students who live in housing described above
- i. "Unaccompanied Homeless Youth" means a homeless youth who is not in the physical custody of a parent or guardian with no age limitation.

4. How do I enroll a Homeless child in school?

A school selected must immediately enroll the students who are homeless, even if they do not have required documents, such as school records, medical records, proof of residency, or other documents. The term "enroll" includes attending classes and participating fully in school.

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Enrolling schools must immediately contact the previous schools to obtain records. Students must be enrolled while records are being obtained.

If the student does not have required medical records such as immunizations, the liaison must immediately assist in obtaining them. The student must be enrolled in the interim.

5. How do I determine which school a homeless student should attend?

LEAs must to the extent feasible, keep students in homeless situations in their school of origin unless it is against the parent or guardian's wishes. Some of the factors to consider in determining whether it is in the student's best interest to keep the student in the student's school of origin are:

- a. The student's age;
- b. The student's academic needs;
- c. The student's emotional needs;
- d. The student's experiences at the school of origin;
- e. Continuity of instruction;
- f. Any other special needs of the family;
- g. Length of stay in the shelter;
- h. The school that the student's siblings attend;
- i. The likely location of the family's future permanent housing;
- j. Time remaining in the school year;
- k. Distance of commute and the impact it may have on the student's education and other student-centered, transportation-related factors; and
- l. The safety of the child.

Under the new federal law, whenever a dispute arise about school selection or enrollment, the student must be immediately admitted to the school of choice while the dispute is being resolved.

6. What are the Federal School Enrollment Guidelines for the Education of Homeless Children?

This information can be found at the USDE Federal Register by clicking [here](#)

7. What do I do if I disagree with a decision made about the residency of a homeless student?

It would be necessary to file a Kentucky Department of Education Homeless Education [dispute resolution form](#). To access instructions and a copy of the form, [click here](#).

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