

The McKinney-Vento Act for Homeless Children and Youth (EHCY) Program Educational Rights of Homeless Children and Youth

They have rights to:

- Immediate enrollment in school without proof of residency, birth certificate, proof of immunization, or other documents.
- Attend school. Homeless children must be given access to the same public education provided to other students.
- Continue attending the school in which they were enrolled when they became homeless, the school last attended, or the school closest to their temporary residence, if feasible and in the best interest of the child or youth.
- Receive transportation to the school they attended before they became homeless.
- Automatic enrollment in the free/reduced lunch program without proof of income or residency.
- Automatic qualification for Title I services.
- Expedited assessments for services under LEP, Migrant, Title VII and IDEA.
- Receive all school-based services for which they qualify.
- Participate in all programs and activities offered to other students, including athletics, music, clubs and other extracurricular activities.
- Have their parents participate in and attend school events and activities.
- Challenge decisions on school selection made by schools and districts through the OPI Dispute Resolution process.

Definition of Homeless Children and Youth

The term “homeless children and youth,” refers to individuals who lack a fixed, regular and adequate nighttime residence. Under the law a child may qualify as homeless if he/she is:

- Living in an emergency shelter, domestic violence shelter, or transitional housing;
- Living in a motel, hotel, trailer park, or campground, were abandoned in a hospital, or are awaiting foster care placement;
- Living in a car, park, public place, bus or train station, abandoned building, or other structure not meant for housing;

- Doubled up with relatives or friends due to a loss of housing, economic hardship, or a similar reason.

- Children who are not living with a parent or legal guardian may be considered a homeless, unaccompanied youth if their living situation meets one of the four definitions listed above.