



September 2015

To: All Special Education Instructional Staff

From: Kimberly Rockenstyre
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Re: **The McKinney-Vento Homeless Assistance Act**

Federal legislation entitled The McKinney-Vento Homeless Assistance Act requires that all homeless students have access to the educational and other services that they need to enable them to meet the same academic achievement standards to which all students are held. It also requires that each Local Education Agency have a Homeless Education Liaison to ensure that this access is provided.

I am the liaison for Questar III. Listed below are some definitions that describe what constitutes a homeless child. Please let me know if one of the children with whom you are working becomes homeless and I will follow-up with their district to be certain their rights are being met.

DEFINITION OF HOMELESS CHILD AND UNACCOMPANIED YOUTH

Pursuant to McKinney- Vento 42 USC §11434a[2] and Education Law §3209(1)(a), a homeless child is defined as a child who does not have a fixed, regular, and adequate nighttime residence or whose primary nighttime location is in a public or private shelter designated to provide temporary living accommodations, or a place not designed for, or ordinarily used as regular sleeping accommodations for human beings. This definition includes a child who is:

- sharing the housing of other persons due to loss of housing, economic hardship or similar reason (sometimes referred to as double-up);
- living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- living in a car, park, public space, abandoned building, substandard housing, bus or train stations or similar settings;
- abandoned in hospitals;
- awaiting foster care placement; or
- a migratory child who qualifies as homeless because he or she is living in circumstances described above
- An unaccompanied youth is a homeless child for whom no parent or person in parental relation is available (8 NYCRR §100.2[x][1][vi]).