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Supporting All Children and Youth (0-20) Who Are Experiencing Homelessness: The Connections between the McKinney-Vento Homeless Assistance Act and Title I, Head Start, and IDEA

McKinney-Vento Homeless Assistance Act

The McKinney-Vento Act defines who is considered homeless and provides what rights and protections are required for children and youth who meet that definition. Certain laws and regulations require collaboration among agencies and groups working with infants, toddlers, children and youth who are economically disadvantaged, having disabilities, and experiencing homelessness.

The term “homeless children and youth”-

- Means individuals (ages 0-20) who lack a fixed, regular, and adequate nighttime residence...; and
- Includes-
 - a. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 - b. Children and youths 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...
 - c. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - d. Migratory children who qualify as homeless for the purposes of this subtitle, because the children are living in circumstances described [a] through [c].

Title I – No Child Left Behind (NCLB)

Title I, Part A regulations state that children and youth who are homeless are automatically eligible for Title I, Part A services, whether or not they attend a Title I school or meet the academic standards required of other children for eligibility. The regulations continue and state that: “(1) IN GENERAL.- For any State desiring to receive a grant under this part, the state educational agency shall submit to the Secretary a plan...that satisfies the requirements of this section and that is coordinated with other programs under this Act, *the Individuals with Disabilities Education Act of 2004* (IDEA), the *Carl D. Perkins Career and Technical Education Improvement Act of 2006*, the *Head Start Act* (the *Improving Head Start for School Readiness Act of 2007*), the *Adult Education and Family Literacy Act*, and the *McKinney-Vento Homeless Assistance Act*.” According to *Maryland’s Implementation of [the] McKinney-Vento Act and Title I, Part A Provisions*, SEA and LEA Title I plans must be coordinated with the plans agencies develop under the McKinney-Vento Act.

Head Start

The Head Start reauthorization (*Improving Head Start for School Readiness Act of 2007*; Public Law 110-134) includes a definition of homelessness that is the same as defined in the education subtitle of the *McKinney-Vento Homeless Assistance Act* [42 U. S. C. 9832(19)] and makes these children categorically eligible for Head Start [42 U. S. C. 9840(a)(1)(B)]. This same definition is used in the *Child Nutrition Act*, and the *Violence Against Women Act*.

Individuals with Disabilities Education Act (IDEA)

The 2004 reauthorization of the *Individuals with Disabilities Education Act* (IDEA) now aligns directly with McKinney-Vento. IDEA now–

- Incorporates the McKinney-Vento definition of homeless children;
- Part B requires that states identify and serve all children ages 3 to 21 with disabilities who meet the definition of homeless under McKinney-Vento; and
- Part C requires that states identify and serve all infants and toddlers birth to age 3 with disabilities who meet the definition of homeless under McKinney-Vento.