



PLEASE POST

**The Educational Rights of Children and Youth Living in Homeless situations
Birmingham City Schools**

The McKinney-Vento Homeless Education Act, Title IX, Part C of the Elementary and Secondary Education Act (ESSA) as amended provides that children and youth who are homeless or living in a homeless situation are eligible to receive the same educational and supportive services available for their academic success.

The McKinney-Vento Act states that children and youth who lack "a fixed, regular, and adequate nighttime residence" are considered homeless or living in a homeless situation. This includes the following situations:

- In a shelter (emergency/transitional living program, domestic violence, or youth shelter)
- In a motel, hotel, or weekly rate housing
- In an abandoned building, in a car, at a campground, in public spaces, at bus or train stations, on the street, or the lack of alternative adequate accommodations
- Doubled up with friends, relatives, or neighbors because of economic hardship or unaffordable housing
- Sharing housing with friends, relatives, or neighbors because you are an unaccompanied youth (a youth not in the physical custody of a parent or guardian)
- In substandard housing (without electricity, water, or heat)

Schools must immediately enroll homeless students, even if they do not have records or other items that are required for other students, such as:

- Proof of residency
- School records
- Immunizations or immunization records
- Physical examinations or medical records
- Birth certificates and/or other documents
- A parent/guardian or legal guardianship papers

If, after enrollment, it is determined that a student is not homeless as defined by the law, the school district will follow the policies that are in place to address other forms of fraud. A written notice will be given to the parent, guardian, or youth, including his or her right to appeal the decision.

Children and youth living in homeless situations may:

- Participate fully in all school activities and educational programs for which they are eligible.
- Qualify automatically for the child nutrition program.
- Continue to attend the school of origin (where the student was last enrolled) or the school identified by the attendance zone in which the student is currently physically living).
- Receive comparable transportation services provided to other students, based on an individualized feasibility determination (a child centered decision).

assistance with other educational and supportive services

Parents' responsibilities are to:

- Make sure your child attends school regularly and completes class assignments.
- Attend parent/teacher conferences and other school-related activities.
- Stay informed of school rules (absentees, tardiness, and discipline), regulations, and activities.
- Participate in school advisory/decision-making activities.