



McKinney-Vento Homeless Assistance Act and Disaster Relief Frequently Asked Questions

Question: When families' homes have been destroyed — whether by fire, tornado or other disaster — and students and families are staying in state parks or shelters, would these students qualify as homeless under the McKinney-Vento Homeless Assistance Act?

Answer: These students would likely qualify as homeless, but this must be determined on a case-by-case basis. Homeless children and youths means individuals who lack a **fixed, regular and adequate** nighttime residence. For example, it could include (but not limited to) children and youths who are sharing the housing of other persons due to loss of housing, those who are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations, and those who are living in emergency or transitional shelters. However, districts **must** consult with their district's homeless child education liaison (homeless coordinator), as this is the person who is designated by the McKinney-Vento Homeless Assistance Act as responsible for the identification of students experiencing homelessness. It is important to speak with the homeless coordinator in your district to determine what steps you should take should you come into contact with a student you believe might be experiencing homelessness. The district homeless coordinator will review the evidence and details of the student's living situation to make a determination of homelessness. A list of district homeless coordinators can be found on the Kentucky Department of Education's (KDE's) website through [Open House](#).

Question: What are the responsibilities associated with costs of transportation for students that have relocated to another district?

Answer: If a student moves into a district, and the district homeless coordinator learns or suspects the student may be homeless, they would go through the eligibility determination process. If the coordinator determines the student is homeless according to the McKinney-Vento criteria, they would then work with the coordinator from the sending district, the student and parents, or unaccompanied homeless youth to determine whether remaining in the school of origin is in the student's best interest. It is presumed that it is in the best interest of the homeless child or unaccompanied youth to remain in the school of origin, unless doing so is contrary to a request made by the unaccompanied youth or the parent or guardian of the homeless child. If it is in the student's best interest to change schools, homeless students must be immediately enrolled in a new school, even if they do not have the records normally required for enrollment. If remaining in the school of origin is determined to be in the student's best interest, the sending and receiving districts would need to work out how to transport the student and how to pay for the cost. If the LEAs are unable to agree upon such method, the responsibility and costs for transportation must be shared equally ([McKinney-Vento Homeless Assistance Act](#) Section

722(g)(1)(J)(iii)(II)). However responsibility is divided, students must be provided with transportation without delay.

Question: What are the transportation requirements for homeless students when they have relocated across state lines?

Answer: When a homeless student moves from the LEA of origin to an area served by a different LEA, whether in the same state or a different state, and that LEA determines it is in the student's best interest to remain in the school of origin, the LEA of origin and the LEA in which the student now resides must agree upon a method to apportion the responsibility and costs of providing the student with transportation to and from the school of origin ([McKinney-Vento Homeless Assistance Act](#) Section 722(g)(1)(J)(iii)(II)). If the LEAs are unable to agree upon such method, the responsibility and costs for transportation must be shared equally (Section 722(g)(1)(J)(iii)(II)). This requirement applies even if the LEA in which the student now resides is in a state different from the LEA of origin. Transportation must be arranged promptly to ensure immediate enrollment and so as not to create barriers to the homeless student's attendance, retention and success. For more information, refer to the [U.S. Department of Education's non-regulatory guidance](#) and the [Transporting Children and Youth Experiencing Homelessness brief](#).

Additional Resources:

- [KDE Title IX, Part A – Education for Homeless Children and Youth webpage](#)
- [NCHE Eligibility Flowchart](#)
- [NCHE \(National Center for Homeless Education\) Disaster Preparation and Response Resources](#)
- Connecting Schools and Displaced Students
 - [Meeting the Educational Needs of Students Displaced by Disasters: Youth on Their Own](#)
 - [What Relief Agencies Should Know About the Educational Rights of Children Displaced by Disasters](#)
 - [What School District Administrators Should Know About the Educational Rights of Children Displaced by Disasters](#)