



School Enrollment for Students in Temporary Housing

Guidance for Refugee Service Providers

Ensuring access to education is an essential element of resettlement. Finding affordable housing is a significant challenge in most communities in the U.S., and at times, clients may be unhoused or in temporary housing. This guide discusses school enrollment for children and youth who are facing this circumstance.

The McKinney-Vento Act

The McKinney-Vento/Homeless Assistance Act is a U.S. federal law that helps ensure the rights of unhoused children, or those who are in temporary housing, to access and maintain public school enrollment. The McKinney-Vento Act defines homeless children as “individuals who lack a fixed, regular and adequate nighttime residence.” Children and youth protected by the McKinney-Vento Act include:

- Those sharing housing due to loss of housing, economic hardship, or a similar reason.
- Those living in “motels, hotels, trailer parks, or campgrounds due to lack of alternative accommodations.”



Under federal law, Afghan Placement and Assistance (APA) clients staying in hotels paid for by the Office of Refugee Resettlement (ORR) qualify under the McKinney-Vento Act as *homeless*: they are in hotels due to a lack of adequate alternative accommodations.

- Those living in “emergency or transitional shelters.”
- Those whose primary nighttime residence is not ordinarily used as a regular sleeping accommodation (e.g., park benches, etc.).
- Those living in “cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations.”
- Migratory children and youth living in any of the above situations.

The McKinney-Vento Act ensures that impacted children have the right to immediately enroll, attend classes and participate fully in school activities in the local school in the area where they are living, *without proof of residency, immunization records or other medical records, school records, or other documents*. The McKinney-Vento Act allows children and youth to enroll in school *and* gives a 30-day window to ensure the student has the required school documentation. This ensures that students do not miss any school while documentation or other requirements are gathered.

The Act also provides the rights for children to:

- Stay in their original school for the remainder of the school year even if they move out of the school district or find permanent housing.
- Receive transportation to their original school for the remainder of the school year even if they move out of the school district or find permanent housing. Transportation may be arranged by the original school district, by what would be the new school district, or as a joint effort between school districts.
- Receive assistance to support full participation in school and school-related activities (waived school fees, supplies, etc.).
- Attend pre-school programs provided by the school district.
- Access all school services including: free school meals, services for English language learners/Multi Language Learners, special education, Title I services, vocational/technical education, gifted and talented services, and before- and after-school wrap-around care services as needed.

You can learn more about the rights of houseless students in this [FAQ document](#) from the National Association for the Education of Homeless Children and Youth.

Steps for Getting Started in McKinney-Vento Enrollment

Bolster Staff Capacity

School enrollment can be difficult for any newly arrived student; temporary housing adds additional challenges. Enrolling temporarily housed children in school will likely require more staff time than school enrollments for children in permanent housing. Reasons these enrollments may take additional time include:

- **Staff preparation:** Staff may need extra time to analyze whether a child’s situation may qualify them for protection by the McKinney-Vento Act and create a plan for enrollment with both the family and the school or district.
- **Family decisions may be more complex:** Staff may need to spend more time discussing with families or caregivers so they may make well-informed decisions (see below for tips).
- **Additional administrative procedures:** The school district must determine that the child’s living arrangements meet the McKinney-Vento definition of *homeless*), which may involve procedures not typical of other enrollments, such as home visits.¹
- **Additional Advocacy:** The understanding and familiarity with McKinney-Vento regulations among school district personnel varies across states, districts, and schools. Service providers and families must often share information about their rights with schools (see *Resources*, below). Sometimes, requests to enroll under McKinney-Vento are incorrectly denied and appeals must be requested.

Build Key Relationships

Establish communication with your local Homeless Coordinator or Homeless Education Liaison. Every state educational agency (SEA) must designate an Office of State Coordinator or Liaison to help carry out the duties of the McKinney-Vento act. Every local education agency (LEA) must also designate a liaison for students experiencing homelessness who is able to carry out the duties described in the law. Family advocates within individual schools may also be relevant points of contact.

¹ National Center for Homeless Education. (2017). [Best Practices in Homeless Education Brief Series Confirming Eligibility for McKinney-Vento Rights and Services](#).

Common Challenge: Age Discrepancies

Among students affected by forced migration, birthdates may be incorrect on documents like a passport, national ID card (e.g., Tazkera), I-94, or Employment Authorization Document (EAD). This can create challenges in school enrollment and appropriate grade placement. Schools and families sometimes seek to document a student's more accurate age in order to place them in a more appropriate grade.

What to do: Keep in mind that revising legal documentation is a serious decision that may affect legal and immigration rights of children, youth, and families beyond the education arena. Consider these steps:

- Help families make informed decisions about grade placement, focusing on the holistic picture of the child's or youth's best interest.
- If parents, caregivers, or school personnel are exploring revisions to students' legal documentation, encourage them to consult with resettlement agency office immigration staff.
- As relevant, also recommend that parents or caregivers consult immigration attorneys before making changes to legal documentation, including school records.
- Together with schools and school districts, discuss grade placement policies and procedures to explore what options may be appropriate and acceptable to all involved.

For more information on this topic, see *Bridging Refugee Youth and Children's Services (BRYCS): [Birthdates of Refugee Children and the Impact on Grade Placement: A Toolkit for Teachers and School Personnel](#)*

In addition, research local organizations and resources that can support staff when they or their families face barriers to enrollments under McKinney-Vento. For example, [Advocates for Children of New York](#) provides pro bono legal and advocacy services for children at risk of discrimination in New York.

Also consider transportation relationships as part of the preparation stage. Transportation through McKinney-Vento may take time to arrange. Ask your McKinney-Vento liaison or family advocate for assistance with options such as ride-shares or taxis.

If you are having difficulty with school enrollment for a child in temporary housing, contact your local Homeless Coordinator or Homeless Education Liaison, or the [National Center for Homeless Education](#), technical assistance center for the federal Education for Homeless Children and Youth (EHCY) Program.

Prepare to Advocate with and for Families

Familiarize yourself with US Department of Education [Regulations & Guidance](#) with regard to McKinney-Vento, as well as your state's guidance on McKinney-Vento and the rights of immigrants and English/Multilingual Learners.

Prepare hard copies of this guidance to bring with you when enrolling a child/youth under the McKinney-Vento Act. Plan to share with school staff who may not be familiar with the regulations. See *Resources*, below.

Talking to Families about McKinney-Vento Enrollment

Some families may prefer to wait until they have permanent housing to enroll in school. This may be an appropriate choice, particularly when temporary housing is very short-term. But if the unstable housing is expected to last more than a month, or the duration is unpredictable, it is important to pursue school enrollment under the McKinney-Vento Act. While moving schools may be disruptive in some ways, delayed enrollment carries many risks.

When talking to families in temporary housing about school enrollment, the following points may be helpful:

- **Enrolling in school as soon as possible supports learning, development, permanency, and well-being:** The school day provides routine that can bring a sense of safety and stability to a child's or youth's life. Educational tasks help children and youth continue on their appropriate developmental trajectory through opportunities for brain growth and development. School also provides opportunities to develop social connections and social and emotional assets.
- **Minimizing gaps in schooling increases chances for academic success:** Children and youth with interrupted education face more challenges to completing their education. The sooner a student is enrolled in school, the more time they have to make up for any lost time. Students not in school during the day may face safety or neglect risks if left home alone while caregivers attend to family needs.
- **Timely enrollment in school is required by law:** Though mandatory school attendance laws vary by state, enrolling children/youth in school within 30 days of arrival to a new community is a good practice (this aligns with the timeline required in the Reception and Placement, or R&P, program). There may be additional requirements for youth who are Unaccompanied Minors; be sure to review applicable program guidance. In some cases, caregivers who neglect to enroll or encourage attendance in school may be at risk of being investigated for educational neglect.
- **Schools offer supportive services:** School systems often provide a vast number of services that children, youth and families can benefit from, including free and reduced meals, access to social services, and much more. Professional staff and mentors including school social workers and counselors can support students' mental health, psychosocial, and learning needs.
- **McKinney-Vento offers benefits:** If children/youth are enrolled in school under the McKinney-Vento Act, they can choose to stay or switch schools once permanent housing is found, and transportation must be provided if they stay.
- **School enrollment can support caregivers:** Children and youth being in school provides time for caregivers to secure employment, get to know the community, access resources, accomplish needed tasks, and rest.

Common Challenge: Emergency Contacts

Providing a list of emergency contacts may be required for school enrollment. This may be challenging for newcomers to a community. An emergency contact should be a trusted person who can be reached (i.e., has a working phone), and who is able to pick up the child/youth if needed.

What to do: While you cannot tell caregivers or students whom to list, you can help families understand and meet this requirement. Consider these steps:

- If needed, explain that service providers should not be listed as emergency contacts, in order to maintain boundaries and safeguarding policies. An exception may be made for unaccompanied minors.
- Help caregivers and students think through whom they might designate to serve as emergency contacts. Consider:
 - Adult siblings
 - Relatives/extended family
 - Neighbors
 - Other families whose children attend the same school or live in the same district
 - Community sponsor (if relevant)
 - Family mentors
- Coach caregivers and students to get to know potential emergency contacts and request permission to list them.
- Remind caregivers that emergency contacts can be changed at any time and should be updated as needed (e.g., when emergency contacts move out of the area or change phone numbers). If a caregiver is not fully comfortable with the contact they have listed, set a reminder to check back in about a month to see if they would like to make changes.

Resources

The resources below are designed for States, school districts, schools, providers, families, and youth. Also consult state and local guidance found via State Department of Education Websites, State Title III Coordinators, or refugee/immigrant liaisons. Clients and staff often encounter state- or local-level barriers (for example, minimum and maximum ages at which access to free public education is required; the availability of certain types of English/Multilingual Learner programs; documents accepted during the enrollment process to establish residency; and guardianship, age, or vaccination requirements).

Department of Education Resources

[Information on the Rights of All Children to Enroll in School](#): This fact sheet gives examples of acceptable enrollment policies as well as policies that may not be used by schools to deny enrollment.

[Confronting Discrimination Based on National Origin and Immigration Status](#): This document explains the right to enroll in school and what to do when facing discrimination in school enrollment or participation.

[Dear Colleague Letter: School Enrollment Procedures](#): This letter describes unallowable practices that lead to exclusion of children from school, such as lack of social security number, lack of birth certificate, or birth certificate from another country.

[Dear Chief State School Officer Letter: State Education Agencies](#): This letter affirms that Afghan newcomers are entitled to an education just like any other student; provides information about U.S. Department of Education funds and resources available to support children and their families from Afghanistan, as well as other countries, now or will in the future.

[Information on the Rights of Unaccompanied Children to Enroll in School and Participate Meaningfully and Equally in Educational Programs](#): This guide helps districts and schools understand unaccompanied children and how to uphold their rights to education.

Resources on the McKinney-Vento Act

[U.S. Department of Education Memo](#): This memo clarifies that Afghan evacuees living temporarily in hotels are eligible for McKinney-Vento services.

[Best Practices in Homeless Education Brief Series Confirming Eligibility for McKinney-Vento Rights and Services](#): This document, from the National Center for

Homeless Education, contains “do’s and don’ts” for determining eligibility for McKinney-Vento services.

[Communications Guide for McKinney-Vento Liaisons Centering Anti-Racist Approaches to Conversations with Families and Colleagues](#): This tip sheet, from the NY State Technical Assistance Center for Homeless Students, provides guidance on how to support families through McKinney-Vento school enrollments.

Resources on the Rights of English Learners and Limited English Proficient Parents

[Ensuring English Learner Students Can Participate Meaningfully and Equally in Educational Programs](#): This document informs caregivers and students of the responsibilities districts have towards English learners.

[Information for Limited English Proficient Parents and for Schools and School Districts that Communicate with Them](#): This document informs caregivers of their rights as parents of children in school, such as to interpretation and translation, and EL services.

[Dear Colleague Letter: English Learner Students and Limited English Proficient Parents](#): This letter explains obligations to EL students and common civil rights issues, including but not limited to identify ELs, providing EL programs, EL program curricula, and evaluating ELs for special education.

[National Clearinghouse for English Language Acquisition \(NCELA\) webinars](#): This website contains upcoming and archived NCELA webinars provide participants from around the country an opportunity to hear expert speakers present research on all aspects of English learner education.

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