

Displaced Children From Puerto Rico and the Federal McKinney-Vento Act

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Issue

Summarize the procedures and policies necessary to comply with the federal McKinney-Vento Homeless Education Assistance Improvement Act regarding displaced children arriving in Connecticut from Puerto Rico. Address whether aspects of the law extend to the families of the children.

Summary

The McKinney-Vento Act guarantees equal access to a free, appropriate public education for all homeless children and youths by requiring that public school districts remove barriers to their enrollment and attendance in school and support their educational progress ([42 USC 11431 et seq.](#)). To that end, it requires local school districts to follow a number of procedures in order to comply, such as enrolling students in school without records from their previous schools, connecting them to educational services, and appointing a liaison to help parents and families of these children.

State Guidance to Public School Superintendents

On September 28, 2017, the State Department of Education (SDE) and the Governor's Office issued [guidance](#) to all public school superintendents regarding steps that districts should take to identify and enroll in school any children from Puerto Rico who were displaced by Hurricane Maria, or any affected storm area, and then travelled to Connecticut. The guidance is intended to remind

districts of their responsibility under the McKinney-Vento Act regarding the education of homeless students. (Although not mentioned in the letter, state law requires school districts to provide educational services to homeless students in accordance with the act ([CGS § 10-253\(f\)](#).)

The September 28 guidance letter states:

Given Connecticut's close connection to Puerto Rico, we anticipate that many families may be seeking refuge in our state. In the wake of this disaster, children and youth may be sent to reside with relatives or friends in a safe place while their parents seek supports needed to re-establish their families and communities. These students will likely qualify as "unaccompanied homeless youth" under the McKinney-Vento Homeless Assistance Act and must be provided the rights and services guaranteed to them by law.

The letter directs district personnel to enroll such children immediately despite the fact that it may not be possible to obtain records from their previous schools. It also indicates the new students will automatically qualify to receive free school meals and must be referred to, or provided with, health and related services necessary to help them perform well at school.

Regarding immunization records, SDE indicates that once a student is enrolled, school nurses may request read-only access to the Puerto Rican Immunization Registry, an online database of immunized school children, to obtain a student's immunization history (see SDE's [Supports for Students Displaced by Disasters](#)).

Also, all homeless students must be accurately reported in the statewide public school information system, as per state procedures. (A list of all the supports for displaced students can be found on SDE's [website](#).)

Homeless Children and Federal Education Law

Homeless Children Defined

The definition of "homeless children and youth" under McKinney-Vento (as amended by the Every Student Succeeds Act in 2015) means an individual who lacks a fixed, regular, and adequate nighttime residence and includes those who:

1. are sharing the housing of other people due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

2. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation; or
3. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings ([42 USC § 11434a\(2\)](#)).

Immediate Enrollment

The act requires districts to immediately enroll homeless students “even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation; or has missed application or enrollment deadlines during any period of homelessness ([42 USC § 11432\(g\)\(3\)\(C\)](#)).” Therefore, districts must remove any barriers to enrollment and attendance that may exist in their policies and practices.

Provisions on Families of Homeless Youth

While most of the act focuses on the homeless student and school, there are parts that specifically involve parents and families.

The act requires each school district to appoint someone to act as the homeless student liaison, whose duty it is to ensure that homeless students receive the same educational opportunities as other students. The liaisons have certain duties that involve the parents and families of such students including ensuring that:

1. homeless families have access to educational services that they are eligible for including Head Start, early intervention services under federal special education law (i.e., Birth-to-Three programs), and other school district-level preschool programs;
2. homeless families receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
3. parents or guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in their children’s education;
4. public notice of the educational rights of homeless children is disseminated in places frequented by parents or guardians of such children and by unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in an understandable manner and form; and
5. the parent or guardian of a homeless child, and any unaccompanied youth, is fully informed of, and helped with access to, all school transportation services.

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