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## **SPECIAL REPORT**

### **THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT: A CLOSER LOOK AT CALIFORNIA'S HOMELESS STUDENTS AND YOUTH**

#### I. Overview

The McKinney-Vento Homeless Assistance Act was the first federal response to homelessness, signed into law in 1987 and reauthorized by Title X, Part C, of the No Child Left Behind Act.[1] It provides emergency shelter, transitional housing, job training, healthcare, and education to the eligible homeless population. To address the needs of the homeless students, Subtitle VII-B of the act authorizes the Education for Homeless Children and Youth (ECHY) program and establishes rights for homeless students. This brief, released by the California Institute for Federal Policy Research, follows our previously released "California's Homeless Student and Youth Population Profile" and provides supplementary information to further understand the issue of student and youth homelessness in California.

The McKinney Vento ECHY program seeks to protect the rights of homeless students by ensuring their access to the same free, appropriate education, including a public preschool education, as other children and youth.[2] For the purposes of the act, homeless children and youth are defined as those who lack a fixed, regular, and adequate nighttime residence, qualified to include:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (commonly referred to as "doubling up");
- Children who may be living in hotels, motels, trailer parks, shelters, or awaiting foster care placement;
- Children and youth 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;
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings, or;
- Migratory children who qualify as homeless because they are children who are living in circumstances similar to those listed above.[3]

Eligible children and youth are entitled to immediate school enrollment even without records, the right to attend the school that is in the student's best interest, the right to receive transportation to school, and support for academic success.[4] Additionally, homeless students are afforded the following rights under McKinney-Vento:

- Homeless students may attend their school of origin or the school where they are

temporarily residing;

- Homeless students must be provided a written statement of their rights when they enroll and at least two times per year;
- Homeless students may enroll without school, medical, or similar records;
- Students must be provided a statement explaining why they are denied any service or enrollment;
- Students must receive services, such as transportation, while disputes are being settled;
- Students are automatically eligible for Title I services;
- School districts must reserve a portion of Title IA funds to serve homeless students;
- School districts must review and revise policies that provide barriers to homeless students;
- Schools must post information in the community regarding the rights of homeless students, in schools and other places that homeless families may frequent; and
- School districts must identify a McKinney-Vento Liaison to assist students.[5]

## II.Funding

States receive McKinney-Vento funding to be distributed to school districts based on a proportion of Title I, Part A of the Elementary and Secondary School Act, hereby referred to as Title I, federal allocations.[6] Title I provides federal funding to school districts with high numbers and percentages of low-income families in order to meet the educational needs of low-achieving children in schools of high poverty. In order to receive these funds, states and school districts must demonstrate a plan to support the enrollment, attendance, and success of homeless students as designated under the McKinney-Vento Act. School districts that do not receive Title I funds are obligated to automatically provide services to homeless youth through set-aside funds. Acceptable uses of such funds for homeless students include the following expenses: clothing, school supplies, general education student fees, immunizations, food, counseling, tutoring, parent involvement activities, and more.[7]

Although the intention of Title I is to provide supplementary funding to the nation's neediest students, critics claim that the funding formula is outdated and unfair. Federal allocations are determined by a combination of measures, including the number or percentage of students in poverty and the average amount each state spends per pupil in public schools, with a minimum amount automatically allocated to small states. [8]"The unintended consequence of this formula is that it hurts small school districts with high concentrations of low-income students and disproportionately favors small states, states that already make significant investments in education, and large school districts," claims the Children's Defense Fund.[9] The California Department of Education stipulates that once in receipt of Title I funds, a local education agency (LEA) must distribute funds to participating schools in rank order, based on the percentage, not the number, of

low-income children counted.[10]

The Center for American Progress released a report in which it compared California's Title I funding level to that of another state with very high costs, Illinois. The study found that California, the state with the higher portion of child poverty, received a lower allocation rate and demonstrated that a high poverty school district in California could receive an additional \$200,000 less than that district would receive were it in Illinois.[11]

Federal funding to states for Homeless Children and Youth Education has decreased overall by .1% between FY 2014 and FY 2015, despite a growing population of homeless students nationwide.[12] The estimated proportion of California's federal grant has also decreased by .1% in the same time period. Although California receives the largest amount of federal funding, the total amount of funding available to states is inadequate to meet the needs of the nation's homeless students.[13]

The FY 2015 estimated grand total of appropriated funds for Homeless Children and Youth Education is \$65,005,967.[14] The National Association for the Education of Homeless Children and Youth advocates raising the appropriation significantly to at least \$350 million in addition to formulating a reauthorization proposal that includes the number or proportion of homeless students, not just the number or proportion of students in poverty.[15] At the state level, the California Homeless Youth Project suggests explicitly including a category for homeless students in the Local Control and Accountability Plans (LCAP) prepared by LEAs and required through the Local Control Funding Formula (LCFF).[16] Additionally, some states, such as Illinois, provide state grants to specifically support homeless students by supplementing, while operating independently of, the McKinney-Vento Homeless Assistance Act.[17]

### III.Reporting

On an annual basis, McKinney-Vento homeless education liaisons are required to report incidents of student homelessness. The data flows from LEAs, to the state education agency, and is then submitted to the U.S. Department of Education. Based on the latest data, California has double the rate of student homelessness than the national average and the largest proportion of the nation's homeless students.[18] Homeless children and youth who are not enrolled and attending school or who have not been identified by school administrators are not included in the data.

At the national level, homeless student data is divided into four non-mutually exclusive subsets: unaccompanied youth, migratory children/youth, children with disabilities, and those of limited English proficiency. This data is not inclusive of the entire homeless student population, but seeks to identify those who fall within the subset criteria. Furthermore, a single child could fit into more than one category. In

the 2012-2013 school year, of the total homeless student population served (956,253), unaccompanied youth composed 7% (62,890), migratory children/youth comprised of 1% (12,305), students with disabilities made up 14% (136,491), and students with limited English proficiency constituted 12% (119,086). The percentages of migratory children/ youth and those with limited English proficiency declined in comparison to previous years.[19]

According to the California Department of Education's Consolidated State Performance Report from the 2011-2012 school year, the subsets of the state's served homeless student population (330,245) broke down as follows: 2% unaccompanied homeless youth (6,559), 2% migratory children/youth (4,967), 7% children with disabilities (22,396), and 22% students with limited English proficiency (72,545).[20]

The U.S. Department of Education works together with many federal programs to serve children, youth, and families experiencing homelessness. Additional services are provided at the state level. The next brief conducted by The California Institute for Federal Policy Research will focus on indentifying these programs and barriers to access for California's homeless children and youth population.

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[1] <http://www.nationalhomeless.org/publications/facts/McKinney.pdf>

[2] <http://www2.ed.gov/programs/homeless/guidance.pdf>

[3] <http://www.cde.ca.gov/sp/hs/cy/index.asp>

[4] [http://center.serve.org/nche/downloads/ehcy\\_profile.pdf](http://center.serve.org/nche/downloads/ehcy_profile.pdf)

[5] <http://www.doe.in.gov/student-services/mckinney-vento-homeless>

[6] <http://www.ksde.org/Portals/0/Title%20Programs%20and%20Services/Homeless/Data-KansasEHCYDataBrief.pdf>

[7] <http://servepres1.serve.org/titleia/>

[8] <http://www2.ed.gov/programs/titleiparta/index.html>

[9] <http://www.childrensdefense.org/policy-priorities/elementary-high-school-education/title-i-funding-revision.html#sthash.uqKudpUr.dpuf>

[10] <http://www.cde.ca.gov/fg/aa/co/ca12wguit1schall.asp>

[11] [http://cdn.americanprogress.org/wp-content/uploads/issues/2010/02/pdf/bitter\\_pill.pdf](http://cdn.americanprogress.org/wp-content/uploads/issues/2010/02/pdf/bitter_pill.pdf)

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- [14] <http://www2.ed.gov/about/overview/budget/statetables/15stbyprogram.pdf>
- [15] Personal correspondence, Patricia Julianelle, October 2014
- [16] [http://cahomelessyouth.library.ca.gov/docs/pdf/CaliforniasHomelessStudents\\_AGrowingPopulation.pdf](http://cahomelessyouth.library.ca.gov/docs/pdf/CaliforniasHomelessStudents_AGrowingPopulation.pdf)
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