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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, ensures that children and youth experiencing homelessness have full and equal access to a free and appropriate public education and provide 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" will be 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) to the extent feasible, or attend the school of residency (the school identified by the attendance zone in which the student is currently physically living).
- Receive comparable transportation services provided to non-homeless students; the services must rest on the individualized feasibility determination (a child-centered decision).
- Contact the district liaison to assist in the resolution of any disputes that arise during the enrollment process and to provide 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.

If you have any questions or if assistance is needed, please contact Ameet Bosmia, Homeless Coordinator, at (205) 415-6647.