

The McKinney-Vento Education of Homeless Children and Youth Assistance Act

The McKinney-Vento Education of Homeless Children and Youth Assistance Act is a federal law that ensures immediate enrollment and educational stability for homeless children and youth. McKinney-Vento provides federal funding to states for the purpose of supporting district programs that serve homeless students.

Defining Homeless

The McKinney-Vento Act defines homeless children as "individuals who lack a fixed, regular, and adequate nighttime residence." The act provides examples of children who would fall under this definition:

- Children and youth sharing housing due to loss of housing, economic hardship or a similar reason
- Children and youth living in motels, hotels, trailer parks, or camp grounds due to lack of alternative accommodations
- Children and youth living in emergency or transitional shelters
- Children and youth abandoned in hospitals
- Children and youth whose primary nighttime residence is not ordinarily used as a regular sleeping accommodation (e.g. park benches, etc)
- Children and youth 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 Program also meets the needs of "a youth not in the physical custody of a parent or guardian" (42 USC §11434a(6), 2001). Youth not in the physical custody of a parent or guardian and lacking a fixed, regular and adequate residence are referred to as unaccompanied homeless youth. Youth who run away are also eligible for services even if the parent/guardian/caregiver wishes the student to return home. Some reasons a youth may be on his/her own include, but is not limited to, family dysfunction, parental neglect and abuse (emotional, physical, sexual, or substance), incarceration, illness and deportation. Runaway youth and unaccompanied homeless youth are eligible to be enrolled immediately without a legal guardian. Under the McKinney-Vento Program, there is no age limit for an unaccompanied homeless or runaway youth as long as the student is eligible for K-12 public education in NC. Schools must immediately alert the School McKinney-Vento Liaison or the District McKinney-Vento Liaison if presented with a possible runaway or unaccompanied homeless youth. The provisions of the McKinney-Vento Act supersede any state law or local policy that may conflict with this act.

Homelessness Data

Due to smaller student populations, we cannot post school specific data counts. Please visit [the NCHEP website](#) to learn more about homelessness across North Carolina

To learn more about parent's rights visit: [Parent's Rights](#)

To learn more about unaccompanied homeless youth rights visit: [Unaccompanied Youth](#)

Contact Information

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