

**Meeting the Educational Needs of Students Displaced by Disasters:
Youth on Their Own**



During the course of a natural disaster or similar emergency, youth may be separated from their parents or guardians. After the 2005 Gulf Coast hurricanes, for example, many youth were evacuated without their parents or guardians and sent to different locations, leaving the youth alone in the care of relief agencies. Other youth were on their own for a variety of reasons before the storms and remained so afterwards. For all of these youth, school can be the most stable and secure environment, offering structure and resources to help overcome the traumas they have experienced and helping to regain their academic, social, and emotional footing. Yet without a parent or guardian to advocate for them and exercise parental rights, these youth may face unique barriers to accessing education and related support services.

Fortunately, federal education law, the McKinney-Vento Homeless Assistance Act (Subtitle B—Education for Homeless Children and Youth), reauthorized as Title X, Part C of the No Child Left Behind Act, ensures educational protections for youth who are homeless and unaccompanied. This document explains key aspects of the law and provides strategies for implementation.

Who is homeless?

(McKinney-Vento Homeless Assistance Act of 2001 – Title X, Part C of the No Child Left Behind Act – Sec 725)

The term “homeless children and youth”—

- A. means individuals who lack a fixed, regular, and adequate nighttime residence...; and
- B. includes —
 - i. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 - ii. children and youths 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...
 - iii. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - iv. migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

Key Definitions

- The McKinney-Vento Act contains a specific definition of homelessness that includes a broad array of inadequate living situations (see panel at left for full definition). Students who are displaced by natural disasters generally will meet this definition.
- The term “unaccompanied youth” includes youth in homeless situations who are not in the physical custody of a parent or guardian.

Key Provisions

Each school district must appoint a local homeless education liaison whose duties include:

- Helping unaccompanied youth choose and enroll in a school after considering the youth’s wishes.
- Informing unaccompanied youth of their rights to transportation and assisting youth in accessing transportation.
- Providing unaccompanied youth with notice of their right to appeal school or school district decisions and ensuring that youth are enrolled in school immediately pending the resolution of disputes.

Unaccompanied homeless youth have the same rights as other students experiencing homelessness. Specifically, they have the right to:

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- Remain in their school of origin (to the extent feasible).
- Receive transportation to and from the school of origin.
- Enroll immediately in a new school serving the area in which they are currently living, even if they don't have documents typically required for enrollment (e.g.. proof of guardianship).
- Receive equal access to programs and services such as gifted-and-talented education, special education, vocational education, and English language learner services.

Strategies for Implementation

Schools and districts should adopt policies and practices to address successfully the needs of youth who have been displaced by disasters and are on their own. It is expedient to have these policies and practices in place for all unaccompanied youth, so that in the event of a disaster the enrollment of the increased numbers of youth will proceed more smoothly.

- Develop collaborative relationships with relief agencies, community-based organizations, and others who are providing services to displaced persons. Work with these agencies to assist youth to reunify with their parents, guardians, or other relatives. For additional resources on collaboration between districts and relief agencies, visit www.serve.org/nche/products.php.
- Train local liaisons and all school enrollment staff, secretaries, school counselors, principals, and teachers on the definition of unaccompanied homeless youth and their rights under the McKinney-Vento Act.
- In employing different methods of identification and outreach, remember that youth may be living in a variety of situations (e.g., shelters, sharing the housing of others, in cars, on the streets, etc.) and that their privacy and dignity must be respected.
- Develop materials such as posters, brochures, pamphlets, and fliers that explain McKinney-Vento rights information to youth. Make these items available in school attendance offices and distribute them to relief agencies, community organizations, and government agencies. Ask agencies to distribute the materials and discuss their contents with the unaccompanied youth they identify.
- Revise conflicting school district enrollment policies immediately to accommodate unaccompanied youth, and comply with the McKinney-Vento Act.
- Decide who will be allowed to enroll unaccompanied youth and assist with basic educational needs. Options include:
 - Allowing youth to enroll themselves while having the local liaison monitor academic progress and assist youth in making basic educational decisions.
 - Identifying an adult in the youth's life who can act as a caretaker.
 - Asking such adults to fill out caretaker forms establishing their responsibilities and providing their contact information.
 - Ensuring that all of the above enrollment procedures are crafted carefully so they do not create further barriers or delay enrollment. For example, policy statements should clarify that identifying a caregiver is not a prerequisite to enrollment.
- Revise district policies, such as those related to attendance and credit accrual, to ensure that there are no barriers to the academic success of unaccompanied youth.

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- Revise or develop district policies to address issues related to who signs for unaccompanied youth to participate in field trips or extra-curricular activities. Work with legal staff to eliminate fears about potential liability. Participation in extra-curricular activities is normalizing and therapeutic for youth who have experienced dislocation and trauma.
- Maintain a list of surrogate parents who are willing and able to assist unaccompanied youth with their special education needs.
- Provide counseling and mental health services and/or make referrals to community agencies for appropriate services.
- Provide additional instructional support, such as tutoring or access to after-school programs, to help youth make up for lost time or credits resulting from the educational interruption caused by the disaster.

This brief was developed by:

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 800-308-2145 (toll-free HelpLine)
www.serve.org/nche

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Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the

McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website at *www.serve.org/nche*.



For further information on the McKinney-Vento Act and resources for implementation, call the NCHE HelpLine at 800-308-2145 or e-mail *homeless@serve.org*.



Local Contact Information: