Advocates for Children of New York
Protecting every child's right to learn

Students in Temporary Housing

Students in temporary housing face many challenges in school. They need the stability that staying in the same school can give. The McKinney-Vento Act is a federal law that gives important educational rights to students in temporary housing.

Who are students in temporary housing?

Students who lack a "fixed, regular and adequate" nighttime residence are considered homeless and are protected under the McKinney-Vento Act. This includes students living in:

- Family or domestic violence shelters,
- Transitional housing,
- Motels or hotels because they don't have any other place to live,
- Cars,
- Parks, bus or train stations, or other public places,
- Sharing the housing of others because they lost their housing or because of economic hardship (sometimes referred to as "doubled-up").

Students in foster care are not protected under the McKinney-Vento Act, but they have similar rights to students who are homeless. For more information about foster care, visit AFC's website.

DID YOU KNOW?

The **McKinney-Vento Act** gives students in temporary housing the right to:

- Stay in the same school even if they move
- Immediately enroll in a new school even if they don't have the documents normally needed
- Get transportation to and from school
- Get referrals and access to services
- Get help from the McKinney-Vento liaison (also known as the Students in Temporary Housing Regional Managers)
- And more!

Who can help a student in temporary housing with school-related issues?

The Department of Education has liaisons called Students in Temporary Housing (STH) Regional Managers who can help students in temporary housing and their families. Also, most family shelters have a Department of Education STH Community Coordinator or Family Assistant onsite who can help with enrollment, transportation, and other services.

Where can students in temporary housing attend school?

Students in temporary housing can choose to go to:

- The school the student attended before they became homeless;
- The school the student last attended; or
- The school zoned for where the student is temporarily living.

It is usually best for a student to stay at the same school if they lose their housing or have to move shelters or temporary housing locations, because it can give students stability.

Students in temporary housing can ***immediately enroll*** in school (in other words, same-day enrollment), even if they don't have the paperwork normally needed, such as proof of address, a birth certificate, or vaccination records. It's the ***responsibility of the school***, not the parent, to ask the student's old school for these records.

What other protections and services are available to students in temporary housing?

- **Transportation:** Students in temporary housing can get busing or an OMNY Card. Parents of students in temporary housing can get free MetroCards to take their children to school.

  → **Busing**

  - ***In shelter:*** Busing will be provided for students in grades K-6 and students with IEPs in 7th & 8th grade (if student doesn't already have busing on their IEP). To request busing, contact the STH Community Coordinator, Family Assistant, or Regional Manager.
  - ***Temporarily doubled-up*** (temporary shared housing): Busing will be provided for students K-6 if an appropriate route is available. To request busing, Create a Ticket online.
  - ***Remainder of the school year after a student moves into permanent housing:*** Busing will be provided if an appropriate route is available. To request busing, Create a Ticket online.
  - ***3-K and Pre-K:*** Busing will be provided if an appropriate route is available, and usually only if the child has an older sibling who goes to school in the same building as the 3-K or Pre-K program. To request busing, Create a Ticket online.
  - ***Students with busing on their IEPs:*** All students with transportation listed on their Individualized Education Programs (IEPs) get busing. To get busing rerouted, ask the school to update your child's address in its system.

  → **Student OMNY Cards and Parent MetroCards**

  - ***Student OMNY Cards:*** Students in temporary housing can get Student OMNY cards from their school.
  - ***Parent MetroCards:*** Parents of students in temporary housing can get free MetroCards to take their children to school, including summer school. Parent MetroCards are available from the child's school. For help, contact the STH Community Coordinator, Family Assistant, or Regional Manager.

- **Title I Services:** All schools get Title I STH funding to help students in temporary housing. Schools can use this money to buy things like school supplies, school clothes, hygiene supplies, emergency food, and to give help like counseling or tutoring. To find out more, talk to the school's Students in Temporary Housing (STH) School-Based Liaison (SBL) about how Title I STH funds can help your child.

- **Timely Special Education Services:**

    - If a student moves to NYC from another city, state, or country, the NYC school must create a Comparable Service Plan and give similar or "comparable" services to what the student had before.

    - If a student has a NYC IEP and transfers to another NYC school, the new school must provide the services on the IEP.

    - If a student in temporary housing is in the process of getting special education evaluations and changes schools, the new school must finish the evaluations on time (60 calendar days from when the parent signed the consent form), unless the parent agrees to more time. This means that the child's special education case should stay open and not be started over.

- **Enrollment and Missed Deadlines:** Schools have to make sure that missed deadlines do not prevent a child who is homeless from enrolling. For example, if a child in temporary housing has missed the deadline to apply to 3-K, Pre-K, kindergarten, or any other program available to permanently housed students, the school should make sure that the deadline does not create a barrier to the student's participation.

- **Academic and Extracurricular Activities:** Schools have to make sure that students who meet the eligibility rules do not face barriers to participating in academic and extracurricular activities. For example, if there is a fee to take an AP exam, participate in a school club, or pay for a sports uniform/equipment, the school should waive that fee for a student in temporary housing.

- **Preschool and Child Care Services:** Children in temporary housing are prioritized for certain preschool and child care services. For information about Pre-K, 3-K, Head Start, and programs for infants and toddlers, call 718-935-2009 or email STH_enrollment@schools.nyc.gov, ESEnrollment@schools.nyc.gov, and CCapplication@schools.nyc.gov. Also, families in temporary housing who are income-eligible and have immigrant status may be able to get free child care vouchers. For more information about child care vouchers, call the Child and Family Wellbeing Call Center at 212-835-7619 or visit nyc.gov/acs/early-care/childcare.

- **School-Related Shelter Transfer:** If the Department of Homeless Services places a family in a shelter far from the child's school, the parent can ask for a shelter transfer to be closer to the child's school. The Department of Homeless Services will transfer the family if there is an appropriate unit available. For more information, speak with your shelter caseworker, the STH Regional Manager, or email us at ProjectLIT@afcnyc.org.

How do schools know when students are in temporary housing?

Schools have to ask parents about their housing situation whenever they change a child's address or enroll a child in a new school. Usually this is done by asking the parent to complete a Housing Questionnaire. Even if not asked, we strongly encourage parents to talk to school staff if they think that their child may qualify as a student in temporary housing and about how to get additional services.

What if the school does not agree that the student is temporarily housed?

If a school has questions about the student's eligibility under the McKinney-Vento Act, the school should talk to the Students in Temporary Housing Regional Manager. If there is a disagreement between the school district and the parent about whether the student is projected as homeless under the McKinney-Vento Act (or a disagreement about enrollment or transportation for a student in temporary housing), the school district must follow the dispute resolution process. The school district must give the parent written notice of their decision, and the parent (or the student if they are not living with their parent/guardian) has 30 days to appeal the decision. The student can go to the school where they would like to enroll until the dispute is resolved. Learn more about the dispute resolution process.

For more information or to get help for a student in temporary housing, contact Advocates for Children's **Project LIT** – Learners In Temporary housing – at **(212) 822-9546** or email **ProjectLIT@afcnyc.org**.

More information can also be found on our website.

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(866) 427-6033 (toll-free) • Monday—Thursday • 10am—4pm
www.advocatesforchildren.org

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