



NATIONAL ASSOCIATION FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

NAEHCY's Every Student Succeeds Act Resource Series

Preschool and the McKinney-Vento Homeless Assistance Act

September 2016

- The McKinney-Vento Act, reauthorized by the Every Student Succeeds Act of 2015, applies to homeless children attending LEA-administered preschools.¹ 42 USC §11432(g)(i)(F)(i); US Dept. of Education (July 2016). *Education for Homeless Children and Youths Program Non-Regulatory Guidance*, N-4.
- States must ensure that homeless children have access to public preschool programs, administered by the state or local educational agency (SEA or LEA), as provided to other children. 42 USC §11432(g)(i)(F)(i)
- McKinney-Vento State Coordinators must collaborate and coordinate with child development and preschool program personnel. 42 USC §11432(f)(4)(A)
- Every LEA must designate a liaison for children and youth in homeless situations who is able to carry out the duties specified in the law. 42 USC §11432(g)(1)(J)(ii)
- LEA homeless liaisons must ensure that homeless children have access to Head Start and Early Head Start programs, early intervention services under the Individuals with Disabilities Education Act (Part C), and other preschool programs administered by the LEA. 42 USC §11432(g)(6)(A)(iii).
- Homeless children have the right to continue their education in their “school of origin” for the duration of homelessness, and until the end of the academic year in which they become permanently housed, if it is determined to be in their best interest. 42 USC §11432(g)(3)(A)
- “School of origin” is defined as the school attended when permanently housed or school in which last enrolled, including a preschool. 42 USC §11432(g)(3)(I)
- In determining a child’s best interest, LEAs must: presume that keeping the child in the school of origin is in the child’s best interest, unless contrary to the request of the parent or guardian; consider student-centered factors, including the impact of mobility on achievement, education, health, safety, the child’s attachment to preschool staff, and the availability and quality of services; and give priority to the parent/guardian’s request. 42 USC §11432(g)(3)(B)(i)-(ii); *Non-Regulatory Guidance* N-3.
- LEAs must provide transportation to and from the preschool of origin, including until the end of the year when the student obtains permanent housing, at a parent/guardian’s request. 42 USC §11432(g)(1)(J)(iii); *Non-Regulatory Guidance*, N-5.
- In addition to preschool of origin transportation, LEAs also must provide children in homeless situations with transportation services comparable to those provided to other children. 42 USC §11432(g)(g)(4)(A)

For more information, please contact Barbara Duffield, Director of Policy and Programs, at bduffield@naehcy.org.

¹ While the term “preschool” is not defined in this context, the definition used for McKinney-Vento data collection by the U.S. Department of Education is a helpful reference: “early childhood education programs for children aged 0-5, funded through tax dollars or other public funds, and for which the LEA is a financial or administrative agent or for which the LEA is accountable for providing early childhood education services.” Examples include preschool programs operated or administered by an LEA; Head Start programs receiving funding from the LEA or for which the LEA is the grant recipient; preschool special education services, operated or funded by the LEA or mandated under IDEA; preschool programs and services administered or funded by the LEA through the use of Title I or similar government grants; or home-based early childhood educational services funded and administered by an LEA.” National Center for Homeless Education (2015). *Guide to Reporting Federal Data*.