



Tips for Identifying Homeless Students

Under the McKinney-Vento Act, homeless students have the right to the same access to education as housed students. The definition of “homeless” under the McKinney-Vento Act includes cases that may not generally be considered as homeless cases. To ensure that all qualifying students are receiving assistance from this law, it is important to recognize homelessness in situations that may not commonly be recognized as such.

Under the McKinney-Vento Act, individuals who lack **a fixed, regular AND adequate** nighttime residence can be considered as living in a homeless situation. If even **ONE** condition is lacking (i.e. the residence is fixed and adequate, but not regular) a student would be able to receive McKinney-Vento services.

*Consider: Can the student go to the **SAME PLACE (fixed) EVERY NIGHT (regular)** to sleep in a **SAFE AND SUFFICIENT SPACE (adequate)**? (From the NCHE Webinar, *The McKinney-Vento Act: Knowing and Implementing the Law.*)*

Examples of students in homeless situations:

- A student **living in a homeless shelter (including transitional housing)**
- A student who ran away from home (**unaccompanied youth**) and is staying at different friends’ homes (**couchsurfing**)
- A student **staying in a hotel or motel** after his or her family loses their home
- A student living “**doubled-up**” with another family (or more) after his or her family loses their home
- A student **abandoned in a hospital**

Examples of students in situations that are NOT considered to be homeless:

- A student **living in foster care**
- A student whose family is **living in a hotel, by choice, while building a house**
- A student whose family is **sharing a household due to convenience or by choice** and sharing expenses
- A student **living in low-income, section 8 or public housing**
- A student **living with legal guardians** (grandparents, friends, etc.)