A homeless child or youth, including an unaccompanied youth, has the right to:

- Attend school, no matter where the child lives or how long they have lived there. They must be given access to the same public education provided to other students.
- Attend a school and participate in school programs with students who are not homeless.
- Enroll in school without giving a permanent address. Schools cannot require proof of residency that might prevent or delay school enrollment.
- Continue in the school attended before they became homeless, if that is the child or guardian's choice, it is feasible, and in the best interest of the child.
- Enroll and attend classes while the school arranges for the transfer of school and immunization records or other documents.
- Participate in the same special programs and services, if needed, as provided to all other students and is automatically eligible for Title I services. Those programs could be before- and afterschool programs, preschool programs, special education, gifted and talented programs, career and technical education, and extracurricular programs of the public school, etc.
- Automatically participate in free breakfast and lunch programs.
- Receive transportation to the school and school programs the child attended before they became homeless (or the school last attended).

Who can I call with questions?

Each school district has a McKinney Vento education liaison. Contact your local district administration office or your school principal.

The South Dakota Department of Education also has a statewide coordinator. Call 605-773-3134 and ask for the McKinney Vento education liaison. Find more information at https://doe.sd.gov/title/McKinneyVento.aspx

south dakota DEPARTMENT OF EDUCATION
Learning. Leadership. Service.

Office of Educational Services & Support
800 Governors Drive, Pierre, SD 57501
605-773-3134

10,000 copies printed by the SD Department of Education at the cost of $0.08 per piece.



south dakota DEPARTMENT OF EDUCATION
Learning. Leadership. Service.

McKinney-Vento Homeless Education Act

Know Your Rights



McKinney-Vento rights

Children and youths lacking fixed, regular, and adequate nighttime housing have certain education rights; as do unaccompanied youth. These are your McKinney-Vento rights:

- You can remain in the same school even if you move to find housing.
- You can enroll in a new school without required records, such as proof of residency, immunizations, school records, or other papers so that you can start school immediately. You may enroll even if you lack a parent or legal guardian.
- You will be provided transportation to school.
- You will be proided all the school services you need and be given the opportunity to participate in any extracurricular activities.
- You are automatically able to participate in free breakfast and lunch programs.
- You may challenge decisions about your homeless rights made by schools and districts.

Definition of homelessness

Under the McKinney-Vento Act, the term "homeless children and youths" means individuals, including unaccompanied youths, who lack a fixed, regular, and adequate nighttime residence.

This includes children and youths:

- Who are sharing the housing of others due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals
- 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
- Who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- Who are migratory children who qualify as homeless