

# The McKinney-Vento Homeless Assistance Act and How It Affects School Bus Routing

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## Introduction

Child homelessness is a significant problem in America. According to government estimates, roughly 1 in 30 children is unhoused or lacks a permanent housing situation, adding up to at least 2.5 million homeless kids. Yet these children still deserve a proper education; otherwise, how could they ever overcome their circumstances?

In the 1980s, the US government recognized the problems with homelessness in America and acted, passing the McKinney-Vento Homeless Assistance Act (42 U.S.C. Ch. 119) in 1987. This omnibus law was the first significant legislation attempting to deal with homelessness. The act has been repeatedly re-authorized over the years and remains in force as of 2024.

While the bill covers a wide range of issues, one of the most impactful is the obligation of U.S. schools: They must provide education and transportation services for unhoused students which are equivalent to those provided to housed students. This creates several obligations that school transportation directors must be aware of and adhere to.

This eBook will cover all the major aspects of the McKinney-Vento Act of which school transportation directors should be aware: the law itself, the obligations it creates, and how schools can succeed in providing proper transportation to their unhoused students.



## I. Background

Before the 1980s, homelessness in America was considered a local problem to be handled at the state and city level. However, rising levels of homelessness in the 1980s caused the situation to become a national issue, and Congress moved to act. The Urgent Relief for the Homeless Act was introduced in early 1987. The bill passed both Houses easily and was signed into law by President Reagan on July 22, 1987.

Over the years, it was reauthorized several times. Under the Clinton administration, it was renamed the McKinney-Vento Homeless Assistance Act, acknowledging its two most prominent supporters, which is the official name to this day. The Act continues to be widely popular and is now well-entrenched in law. There is no reason to expect it to be abandoned in the foreseeable future.

Originally, the McKinney-Vento Act contained fifteen programs intended to address issues of homelessness across the country. This included funding for care and housing programs, creating emergency shelters, and establishing the still-extant Interagency Council on Homelessness.

In addition, it placed several specific burdens on schools, in the form of rights assigned to unhoused families and/or children. From the current version of the McKinney-Vento Homeless Assistance Act, these include:

- that the school provides contact information for the local liaison for homeless children and youths and the State Coordinator for Education of Homeless Children and Youths
- that homeless children and youths shall be provided comparable services
- including transportation services, educational services, and meals through school meal programs
- that homeless children and youths should not be stigmatized by school personnel
- that no homeless child or youth is required to attend a separate school for homeless children or youths

These provisions are considered mandatory, and schools that do not adhere to the McKinney-Vento Act will be risking their federal funding. The remainder of this eBook will cover a school's obligations and opportunities under these rules.





## II. Definitions of Homelessness

The first important thing to know is the definition of homelessness in the Act. It was originally phrased as “individuals who lack a fixed, regular, and adequate nighttime residence.” This definition has been expanded over the years to include a wide variety of situations:

- Students abandoned by their parents to shelters, hospitals, churches, etc.
- Students in shared housing with non-family members, similar to “couch-surfing” arrangements
- Students living in cars, public parks, train stations, and other truly unhoused arrangements
- Students living in emergency homeless shelters
- Students living in short-term rentals such as hotels, motels, or campgrounds

It now covers virtually every situation in which a student does not have a stable place to sleep in a traditional residence such as a house, apartment, or fixed trailer.

Please note: These definitions are explicitly written to focus on the students, not their families. For example, in a situation in which a child is “kicked out” of home, that child is considered *homeless* for the purposes of the Act, even if the rest of the family is housed.

### III. School Obligations under the McKinney-Vento Homeless Assistance Act

As a result of the McKinney-Vento Act, schools have numerous responsibilities to their unhoused students and/or families. To summarize those obligations:

- **Schools must be willing to enroll unhoused students**, even if they lack documents that would otherwise be required, such as birth certifications, immunization records, or proof of residency. Lack of paperwork is not an acceptable reason to refuse schooling to an unhoused student, regardless of circumstance.
- **Schools must designate a staff member as the local homeless education liaison** overseeing McKinney-Vento activities and compliance within the district. This liaison will also serve several public functions.
- **Schools must provide reasonable accommodations** that allow unhoused students to have the same academic opportunities as housed students.
- **Schools must provide reasonable assistance** to unaccompanied students who lack parents/guardians to help them navigate the bureaucracy of enrollment.
- **Schools must provide transportation services to unhoused students** equivalent to those provided to housed students. This includes providing any special needs accommodations required to properly transport the student.
- **Schools must track unhoused students and provide reports** to local McKinney-Vento coordinators on their numbers and locations.
- **Students who become homeless and are rehomed in a different district** retain the right to attend their school of origin for the remainder of the school year if it is deemed to be in their best interests and their parents/guardians (if available) do not object.
- **Unhoused students automatically qualify** for school nutrition programs.



In addition, there are two things that schools must *not* do under the McKinney-Vento Act:

- **Schools must not stigmatize or disadvantage unhoused students due to their status.** This includes revealing their unhoused status to the student body at large or discriminating against them in accessing school facilities and functions.
- **Transportation systems must not reveal the student's unhoused status** to other riders. For example, if a student is living at a homeless shelter, the bus stop should be far enough away from the shelter that the situation is not immediately obvious.



## IV. Providing Adequate Transportation for Unhoused Students under McKinney-Vento

Schools may need to make special arrangements or exceptions to allow students to access their facilities or provide adequate transportation to and from school. But schools are allowed a measure of creativity here.

For example, if the district is in an area with safe public transportation, such as buses or subways, it would be acceptable to pay for the student's use of non-school transportation systems. However, this must be done with the student's well-being in mind. The student must be demonstrably mature and capable enough to navigate public transportation alone,

Another potential way to protect an unhoused student's privacy would be to make the student the first pick-up in the morning and the last drop-off at night. This could prevent other students from seeing the situation. While the extended bus trips might create a slight disadvantage, this has been deemed acceptable for protecting homeless students' privacy.

Should the student's parents/guardians own a car, including a car used as a dwelling, the school could potentially reimburse the relevant fuel costs to and from school, instead of providing direct school transportation.

Because unhoused situations are often complicated and unique, school transportation managers can explore creative solutions that work for their student(s) and the school's budget. The McKinney-Vento Act allows for "real-world" contingencies if the school is making a good-faith effort to best accommodate the students and their circumstances.





## V. How MK-V Funding Is Obtained and Its Uses

Funding for activities mandated by the McKinney-Vento Act is technically provided by the Department of Education. This is distributed to individual states according to their Title 1, Part A funding. The states then disburse the funding to individual schools. Each state has its own unique school reporting and disbursement policies, so districts should look to their state education department for guidance.

McKinney-Vento funding is allowed to be used for a wide range of policies and activities related to the support of unhoused students, including but not limited to:

- Collaborations with other local educational agencies to address homeless issues
- Communication and outreach
- School supplies
- Specialized staff training relevant to assisting unhoused students
- Transportation costs
- Tutors and academic support systems

The funding side of McKinney-Vento is designed to be permissive. It provides assistance for almost any activity the school undertakes to benefit an unhoused student.

## VI. Roles of Local Educational Liaisons in McKinney-Vento Compliance

Appointed local educational liaisons are mandated by the McKinney-Vento Act.

*Each local educational agency liaison for homeless children and youths, designated under paragraph (1)( J)(ii), shall ensure that . . . the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin . . . and is assisted in accessing transportation to the school that is selected.*

These liaisons may perform a wide variety of tasks, such as:

- Collaborating with state agents to provide necessary services
- Educating students and their families about other social services the students/families may qualify for, and assisting in obtaining these services
- Ensuring homeless students and/or their families are fully informed about their right to enroll and receive school services
- Guaranteeing students are properly treated by the school and staff
- Making sure all homeless students are properly identified by schools and other relevant local agencies
- Providing other staff members with training regarding rights and responsibilities under the McKinney-Vento Homeless Assistance Act
- Supplying information in and around the community regarding the educational rights of students, such as putting up posters or flyers in local community kitchens and homeless shelters

Individual districts choose their liaisons and should be aware of the seriousness of the position. The appointee should be highly motivated to work within homeless communities and help improve the status of affected students. If the liaison fails to properly maintain the designated responsibilities, the school may be risking its Title 1 funding.







## VI. Key Takeaways

Every public school in the nation must be aware of its responsibilities and obligations under the McKinney-Vento Homeless Assistance Act. Adherence is a requirement at both federal and state levels.

- Schools must allow attendance for recently unhoused students.
- Schools must allow unhoused students to enroll, even if they lack paperwork.
- Schools must appoint and support a local, Act-trained educational liaison.
- Schools must not stigmatize, disadvantage, or segregate homeless students.
- Schools must provide equivalent transportation services to unhoused students.
- Schools must provide full educational opportunities to unhoused students.

If your district is struggling to maintain its obligations under the McKinney-Vento Homeless Assistance Act, BusBoss can help. We have extensive experience assisting schools to meet a wide variety of special needs situations through a combination of consulting and modern technology solutions.

## VIII. About BusBoss

A leader in easy and affordable bus routing and tracking software, BusBoss solutions are designed to solve all your student transportation needs and state reporting requirements. As a certified PowerSchool ISV and member of the Schools Interoperability Framework Association (SIFA), our software enables diverse applications to interact and share data seamlessly.

Since 1998, we've helped school districts and bus contractors take advantage of user-friendly bus routing products and services that make transportation management easy and efficient. [Contact us](#) to learn more or [request a live demo](#).

