



### **Transportation for Formerly Homeless Students Under the McKinney-Vento Act**

This memo clarifies the responsibility of local educational agencies (LEAs) to provide transportation to students who complete the academic year at their schools of origin after finding permanent housing.

School stability is critical for academic achievement. Children and youth experiencing homelessness often must change schools due to their residential mobility. As Title X, Part C of the No Child Left Behind Act, the reauthorization of the McKinney-Vento Act provides an essential tool to improve the academic achievement of these students: the ability to remain in the school of origin, when feasible. Children and youth have the right to remain in their schools of origin for the duration of their homelessness and “for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year.” 42 U.S.C. § 11432 (g)(3)(A)(i). This right is limited by feasibility and the wishes of the parent or guardian. If remaining in the school of origin is not feasible (due, for example, to the effect of the commute on the student’s education), or if a parent or guardian prefers that the child attend the local school, the student will not continue in the school of origin. As a result, many students will not remain in the school of origin after finding permanent housing.

When it is feasible and consistent with a parent’s or guardian’s wishes for a student to complete the academic year at the school of origin, transportation is required. Specifically, the Act requires that each “State and its local educational agencies will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin, as determined in paragraph (3)(A).” 42 U.S.C. § 11432(g)(1)(J)(iii). The word “homeless” does not even appear in this requirement.<sup>1</sup> This transportation requirement also specifically refers to paragraph (3)(A), which is the paragraph (quoted above) that ensures students the right to remain in the school of origin for the duration of homelessness and “for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year.” This specific reference demonstrates the intent of Congress that transportation be provided for both the duration of homelessness and the remainder of the academic year if permanent housing is found.

Further, this reference is repeated in relation to transportation elsewhere in the Act. For example, the local liaison’s duties include ensuring that students are “assisted in accessing transportation to the school that is selected under paragraph (3)(A).” 42 U.S.C. § 11432(g)(6)(A)(vii). Again, the reference to paragraph (3)(A) clearly incorporates transportation both during the student’s homelessness and for the remainder of the academic year. Thus,

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<sup>1</sup> This requirement is followed by two subsections focusing on the implementation of the requirement; they assign financial and logistical responsibility for providing transportation to particular LEAs, depending on the location of the student’s housing.

liaisons must assist with transportation to the school of origin for the remainder of the academic year for those students who acquire permanent housing.

Without transportation to the school of origin, attendance will obviously be impossible for many students. Homelessness is a function of extreme poverty. Most families remain at risk for homelessness even after finding permanent housing. Many simply do not have the resources to transport their children to school. Without the right to transportation provided by the McKinney-Vento Act, many children would be forced to change schools mid-year, undermining the school stability that is the very centerpiece of the Act. Thus, it is the responsibility of local educational agencies (LEAs) to provide transportation to students who complete the academic year at their schools of origin after finding permanent housing.