

## Module 3: Understanding the McKinney-Vento Homeless Assistance Act's Definition of "Homeless" Transcript

Supporting Children and Families Experiencing Homelessness

An Interactive Learning Series for Early Childhood Professionals

### Welcome

This module is intended for professionals in Head Start, Early Head Start, and child care, including early childhood and school-age child care providers, Child Care and Development Fund (CCDF) Lead Agency (or designated entity) staff, and other key stakeholders.

### Module Features

Before you get started, take a moment to review the features of this module. Select the numbered buttons on this page to learn more about each feature. When you are finished, choose "Next."

Select the **Menu** tab to:

- See a drop-down list of the module's contents
- Jump to a particular section by selecting its title
- Check your progress by selecting "Completion Status"
- Access your Certificate of Completion once you have completed all sections of this module

Select the **Transcript** tab to open a printable text version of this module.

Choose the **Resources** tab for a list of helpful resources.

Select the **Federal Policies** tab for links to sections of federal legislation and regulations related to family homelessness.

The **page numbers** show how many pages you have completed in a specific section, and how many you have left to complete.

Select the **"Play"** button to play the narration on each slide.

Select the **"Pause"** button to pause the narration on each slide.

Choose **"Previous"** to return to the previous slide.

Choose **"Next"** to go to the next slide.

## Module Instructions

- Each module takes approximately 30 minutes to complete. You can spend as much or as little time as you like on a module, depending on your level of experience.
- If you are using your own computer, you can stop a module and come back to it later; the program will remember where you left off. However, if you are using a computer that others will also use to access the learning series, plan to finish the module in one sitting.
- Select the Transcript tab to download or print the text version of the module.
- Select the Federal Policies tab for direct links to the federal legislation and regulations referenced in this module. You can bookmark these links for future reference.
- Select the Resources tab to view the full list of reference citations. A number at the end of a sentence indicates a reference citation.
- When you select a link within the module or through one of the tabs, the page will open in a new tab. To return to the module, select the module tab.
- When you finish all sections of this module, you can download a Certificate of Completion.

## Introduction to Module 3

In this module, you will learn:

- How the McKinney-Vento Homeless Assistance Act defines "homeless" for children and youth
- Why this definition is important to your work
- How to apply this definition using practice scenarios

## Understanding the McKinney-Vento Act's Definition of "Homeless"

Early childhood and school-age child care programs can provide valuable supports to children and their families that can mitigate the negative impact of homelessness.

Head Start, Early Head Start, and CCDF-funded programs are required to use the definition of "homeless" children and youth. It is included in Section 725(2) of the McKinney-Vento Homeless Assistance Act [42 U.S.C. § 11435a(2)], and is hereinafter referred to as the "McKinney-Vento Act's definition."

Other federally-funded agencies and programs for children, youth, and their families also use this definition of homelessness. This includes state and local educational agencies (SEAs and LEAs) and

programs and providers funded under Parts B and C of the Individuals with Disabilities Education Act (IDEA).

Later modules in this series will address strategies for working effectively with these partners.

## **Why the McKinney-Vento Act's Definition of "Homeless" Matters**

It is important to understand the McKinney-Vento Act's definition of "homeless" as it applies to children and youth for a number of reasons.

The Head Start Program Performance Standards (HSPPS) and Child Care Development Fund (CCDF) Final Rule of 2016 both require the use of the McKinney-Vento Act's definition of "homeless."

Understanding the definition will ensure that children who may be experiencing homelessness are identified and given the chance to participate in programs that offer developmental and educational supports.

Families experiencing homelessness often keep their situation and circumstances hidden from friends, program staff, and others. They worry about being judged or are fearful of child welfare involvement.

They may not realize that their current living circumstances could qualify them for additional supports. Therefore, it is important to understand the living conditions that meet the McKinney-Vento Act's definition of "homeless."

See Appendix A for more information on Federal Policies or Appendix B to view the McKinney-Vento definition of homeless.

## **McKinney-Vento Act's Definition of "Homeless" for Children and Youth**

The McKinney-Vento Act's definition of "homeless" for children and youth reflects the reality of family homelessness today.

The definition specifically includes children living in emergency shelters, motels, hotels, trailer parks, cars, parks, public spaces, or abandoned buildings, and those sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.

According to the McKinney-Vento Act, the term "homeless children and youths" refers to individuals who lack a fixed, regular, and adequate nighttime residence and includes the following four categories:

1. Children and youth who:
  - a. share the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - b. are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations;

- c. are living in emergency or transitional shelters; or
  - d. are abandoned in hospitals.
2. Children and youth 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.
  3. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
  4. Children of migrant or seasonal workers who qualify as homeless because they are living in circumstances described in the first three categories.

The McKinney-Vento Act and other federal laws do not give official definitions of a "fixed, regular, and adequate nighttime residence" as it pertains to children and youth experiencing homelessness. However, the following working definitions may be useful:

- A "fixed nighttime residence" is stationary, permanent, and not subject to change.
- A "regular nighttime residence" is used on a predictable, routine, or consistent basis.
- An "adequate nighttime residence" sufficiently meets the physical and psychological needs typically met in home environments.

See Appendix B to view the McKinney-Vento definition of homeless.

## **Using the McKinney-Vento Act's Definition of "Homeless" for Children and Youth**

Community programs and agencies may define "homeless" differently. For example, some housing agencies may use service eligibility criteria that require families to be living on the street. Others may require families to show evidence of having moved a certain number of times within several months before they qualify for aid, housing assistance, or shelter.

These differences related to definitions of "homeless" can be confusing when determining a child's eligibility for services. This is another important reason to fully understand the living conditions that meet the McKinney-Vento Act's definition of "homeless."

## McKinney-Vento Act's Definition of "Homeless" for Children and Youth Knowledge Check

Check your knowledge with these five questions. To complete the Knowledge Check:

- Use the numbered buttons to go through the questions in any order
- A checkmark will appear under each number once you have answered the question
- Answer true or false
- Select the "Next" button once you have answered all five questions

<p><b>Question 1: The McKinney-Vento Act's definition of "homeless" includes children and families who are staying with others or living in motels.</b></p>	
<p><b>Correct! The answer is true.</b></p> <p>The McKinney-Vento Act's definition of "homeless" includes children and youth who:</p> <ul style="list-style-type: none"> <li>• Share the housing of other persons due to loss of housing, economic hardship, or a similar reason</li> <li>• Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations</li> </ul>	<p><b>That is not correct; the answer is true.</b></p> <p>The McKinney-Vento Act's definition of "homeless" includes children and youth who:</p> <ul style="list-style-type: none"> <li>• Share the housing of other persons due to loss of housing, economic hardship, or a similar reason</li> <li>• Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations</li> </ul>
<p>See Appendix A for more information on Federal Policies or Appendix B to view the McKinney-Vento definition of homeless.</p>	

<p><b>Question 2: All children and families who stay with other families meet the McKinney-Vento Act's definition of "homeless" for children and youth.</b></p>	
<p><b>Correct! The answer is false.</b></p> <p>The McKinney-Vento Act's definition of "homeless" includes families who are staying with others due to loss of housing, economic hardship, or similar reason.</p> <p>Not all families staying with other families are considered homeless. Some families may stay with others in fixed, regular, and adequate living arrangements. Determination of homelessness status should take into consideration the unique circumstances of each child and family.</p>	<p><b>That is not correct. The answer is false.</b></p> <p>The McKinney-Vento Act's definition of "homeless" includes families who are staying with others due to loss of housing, economic hardship, or similar reason.</p> <p>Not all families staying with other families are considered homeless. Some families may stay with others in fixed, regular, and adequate living arrangements. Determination of homelessness status should take into consideration the unique circumstances of each child and family.</p>

**Question 3: All children of migrant or seasonal workers meet the McKinney-Vento Act's definition of "homeless" for children and youth.**

**Correct! The answer is false.**

Determinations of homelessness depend on the living situation and individual circumstances of migrant families.

By definition, migrant families move from place to place to relocate for temporary work and for seasonal employment. Their living arrangements are temporary but planned, and also fixed, regular, and adequate.

Migrant families would meet the definition of homelessness if they meet criteria for homeless status using the McKinney-Vento Act's definition.

**That is not correct; the answer is false.**

Determinations of homelessness depend on the living situation and individual circumstances of migrant families.

By definition, migrant families move from place to place to relocate for temporary work and for seasonal employment. Their living arrangements are temporary but planned, and also fixed, regular, and adequate.

Migrant families would meet the definition of homelessness if they meet criteria for homeless status using the McKinney-Vento Act's definition.

**Question 4: A child or youth has to be living on the street in order to be considered homeless.**

**Correct! The answer is false.**

The McKinney-Vento Act's definition of "homeless" specifically includes children or youth living in emergency shelters, motels, hotels, trailer parks, cars, parks, public spaces, or abandoned buildings. It also includes those sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.

There is sometimes confusion about how different community agencies and programs, including housing agencies, define homelessness. These differences can make it difficult to determine a child or youth's eligibility for services. Therefore, it is important to fully understand the living conditions that meet the McKinney-Vento Act's definition of "homeless."

**That is not correct. The answer is false.**

The McKinney-Vento Act's definition of "homeless" specifically includes children or youth living in emergency shelters, motels, hotels, trailer parks, cars, parks, public spaces, or abandoned buildings. It also includes those sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.

There is sometimes confusion about how different community agencies and programs, including housing agencies, define homelessness. These differences can make it difficult to determine a child or youth's eligibility for services. Therefore, it is important to fully understand the living conditions that meet the McKinney-Vento Act's definition of "homeless."

See Appendix A for more information on Federal Policies or Appendix B to view the McKinney-Vento definition of homeless.

**Question 5: A family that loses their home due to a natural disaster, such as a fire, hurricane, or other catastrophic event, qualifies as homeless under the McKinney-Vento Act's definition.**

**Correct! The answer is true.**

The McKinney-Vento Act's definition of "homeless" includes children and youth who are living in substandard housing. Natural disasters can cause the destruction of homes or sufficient damage to create substandard living conditions. Children who experience these conditions would meet homeless eligibility criteria and should be prioritized for services.

Teachers, caregivers, and peers in early childhood and school-age child care settings are a stabilizing influence for children who lose housing due to extreme events in their communities.

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Teachers, caregivers, and peers in early childhood and school-age child care settings are a stabilizing influence for children who lose housing due to extreme events in their communities.

## Practice Scenarios

Practice what you have learned about this topic. Examine real-life scenarios and decide whether each family's circumstances meet the McKinney-Vento Act's definition of "homeless."

Choose the version below that most closely aligns with your interests.

Head Start and Early Head Start or Child Care and Development Fund

## Head Start and Early Head Start Practice Scenarios

Explore five, real-life Head Start and Early Head Start scenarios. Consider how they might compare to families you encounter in your work. Remember that each family's situation is unique.

For each scenario:

- Review the McKinney-Vento Act's definition of "homeless" for children and youth
- Consider the circumstances of this scenario
- Discuss the situation with a colleague, if possible
- Choose your answer and read the feedback
- Read the feedback to the other answers to learn more

When you assess each family's situation, ask yourself:

- Are they living in a homeless situation?
- Do they have a fixed, regular, and adequate nighttime residence?
- Do they live in circumstances described in the McKinney-Vento Act's definition of "homeless?"

See Appendix A for more information on Federal Policies or Appendix B to view the McKinney-Vento definition of homeless.

Select the "Next" button to begin the scenarios.



Select the pictures to open the scenarios. You can complete the scenarios in any order.

A checkmark will appear under the picture when that scenario is completed. When you have completed all five scenarios, select the "Next" button to continue.

## Rosa

Rosa, age 4, lives with her parents, Oscar and Marie Lowe. Oscar is a construction worker and Marie is a cashier in a local supermarket. They rented a two-bedroom apartment close to Marie's job and Rosa's Head Start program. Unfortunately, both Marie and Oscar were laid off and could not find jobs. They quickly spent their limited savings to meet their basic needs.

When they were evicted from their apartment, Oscar called his brother, Bill, to explain their situation. Oscar asked if he and his family could come and stay with his brother. Bill lives in a two-bedroom house with his wife and two children. Bill agreed and the Lowes moved in.

### Assessing the Family's Living Situation

Is Rosa's family living in a homeless situation? Select the correct answer below.

1. Yes, because Rosa's parents are not working.
2. Yes, because Rosa and her parents are staying in someone else's home because of economic hardship and they were evicted from their apartment.
3. No, because Rosa and her family have a place to stay.
4. No, because Rosa and her family are living with their relatives.

1. Yes, because Rosa's parents are not working.

**That is not correct.** The McKinney-Vento Act's definition of "homeless" for children and youth does not refer to parents' work status.

Think about these questions and then try again:

- Do Rosa and her family have a fixed, regular, and adequate nighttime residence?
- Do Rosa and her family have a temporary or permanent living arrangement?
- Is Rosa's family sharing the home equally, or are they more like guests in the home?

2. Yes, because Rosa and her parents are staying in someone else's home because of economic hardship and they were evicted from their apartment.

**Correct!** Although Rosa and her parents have a place to stay, they are staying with another family due to economic hardship. They were evicted from their apartment. Their current arrangement is temporary, and they could be asked to leave at any time. These living circumstances are described in the McKinney-Vento Act's definition of "homeless."

If you haven't already, please review each answer to learn why the other answers are not correct.

3. No, because Rosa and her family have a place to stay.

**That is not correct.** Although Rosa and her parents have a place to stay, they are staying with another family due to economic hardship and because they were evicted from their apartment.

Think about these questions and then try again:

- Do Rosa and her family have a fixed, regular, and adequate nighttime residence?
- Could Rosa's relatives ask her family to leave at any time?
- Is Rosa's family sharing the home equally, or are they more like guests in the home?

4. No, because Rosa and her family are living with their relatives.

**That is not correct.** Many extended families plan to live together for various reasons. However, in Rosa's situation, her family moved in with relatives as a temporary solution to lost housing and economic hardship. This situation meets the McKinney-Vento Act's definition of "homeless."

Think about these questions and then try again:

- Do Rosa and her family have a fixed, regular, and adequate nighttime residence?
- Do Rosa and her family have a temporary or permanent living arrangement?
- Is Rosa's family sharing the home equally, or are they more like guests in the home?

## Amy

Amy, age 3, lives with her father, Sam Le. Sam lost his job as a carpenter after the plant where he worked for 20 years closed. Sam has been unable to find work for months, and he could not pay the mortgage. He and Amy had to leave their home.

To save money, Sam and Amy slept in his car last month while he looked for work. He heard about job openings in another community and decided to move there. He has rented a one-room apartment in a high-crime area using the little savings he had left. He is hopeful he will find a job, a Head Start program for Amy, and a better place to live soon.

## Assessing the Family's Living Situation

Are Sam and Amy living in a homeless situation? Select the correct answer below.

1. Yes, because they had been living in a car and may need to do that again if Sam runs out of money.
2. Yes, because Sam and Amy live in a high-crime area of town, so the residence is not adequate.
3. No, because Sam and Amy live together.
4. No, because even though they were living in a car for a while, Sam has rented an apartment.

1. Yes, because they had been living in a car and may need to do that again if Sam runs out of money..

**That is not correct.** When Sam and Amy were living in a car, their situation was considered homeless. At this time, however, Sam has leased an apartment, which is a fixed, regular, and adequate residence. It is uncertain whether they will run out of money and need to live in a car again.

Think about these questions and then try again:

- Do Sam and Amy have a fixed, regular, and adequate nighttime residence?
- Do Sam and Amy have a temporary or permanent living arrangement?
- Do Amy and Sam have their own residence?

2. Yes, because Sam and Amy live in a high-crime area of town, so the residence is not adequate.

**That is not correct.** Although Sam and Amy's apartment is located in a high-crime area of town, there is nothing in the scenario to indicate that it is substandard housing or inadequate.

Think about these questions and then try again:

- Do Sam and Amy have a fixed, regular, and adequate nighttime residence?
- Do Sam and Amy have a temporary or permanent living arrangement?
- Do Sam and Amy have their own residence?

3. No, because Sam and Amy live together.

**That is not correct.** Based on the McKinney-Vento Act's definition of "homeless," the fact that Sam and Amy live together does not define whether or not they are experiencing homelessness.

Think about these questions and then try again:

- Do Sam and Amy have a fixed, regular, and adequate nighttime residence?
- Do Sam and Amy have a temporary or permanent living arrangement?
- Do Sam and Amy have their own residence?

4. No, because even though they were living in a car for a while, Sam has rented an apartment.

**Correct!** Whether or not Sam and Amy are considered homeless is based on the McKinney-Vento Act's definition of "homeless." Although homeless when they were living in their car, Sam and Amy are not homeless now because they are living in an apartment, which is a fixed, regular, and adequate residence.

If you haven't already, please review each answer to learn why the other answers are not correct.

## Olivia

Olivia, age 4, lives with her 8-year-old brother Tony, and their mother, Marissa Preston, in a rural community. Olivia attends a Head Start program and Tony attends a local public school. Last year, Marissa lost her job in a nursing home. She decided to move to a different state to find work.

Marissa's mother agreed to let Olivia and Tony stay with her while Marissa looked for work. Marissa found a job working nights and is studying to be a certified nursing assistant (CNA). Marissa and her mother have agreed that the children will continue to live with their grandmother until Marissa completes her CNA program.

## Assessing the Family's Living Situation

Are Olivia and Tony living in a homeless situation? Select the correct answer below.

1. Yes, because they are not living with their mother.
2. Yes, because they are not living in a fixed, regular, and adequate housing situation.
3. No, because they are living in a fixed, regular, and adequate situation that was arranged by and agreed upon by both the mother and grandmother.
4. No, because they are living with their grandmother, not their mother.

1. Yes, because they are not living with their mother.

**That is not correct.** Although Olivia and Tony are not living with their mother, the McKinney-Vento Act's definition of "homeless" for children and youth does not refer to living with guardians. They are living in a fixed, regular, and adequate housing situation with their grandmother.

Think about these questions and then try again:

- Do Olivia and Tony have a fixed, regular, and adequate nighttime residence?
- Do Olivia and Tony have a temporary or permanent living arrangement?
- Could Olivia and Tony's grandmother ask them to leave at any time?
- Are Olivia and Tony welcome in the home?

2. Yes, because they are not living in a fixed, regular, and adequate housing situation

**That is not correct.** Although Olivia and Tony are not living with their mother, they are living in a fixed, regular, and adequate housing situation with their grandmother.

Think about these questions and then try again:

- Do Olivia and Tony have a fixed, regular, and adequate nighttime residence?
- Do Olivia and Tony have a temporary or permanent living arrangement?
- Could Olivia and Tony's grandmother ask them to leave at any time?
- Are Olivia and Tony welcome in the home?

3. No, because they are living in a fixed, regular, and adequate situation that was arranged by and agreed upon by both the mother and grandmother.

**Correct!** Whether or not Olivia and Tony are considered homeless is based on the McKinney-Vento Act's definition of "homeless" for children and youth. Olivia and Tony's situation is not considered homeless because they are living in a "fixed, regular, and adequate nighttime residence." Their situation does not meet the definition of "children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason."

If you haven't already, please review each answer to learn why the other answers are not correct.

4. No, because they are living with their grandmother, not their mother.

**That is not correct.** Although Olivia and Tony are living with their grandmother, guardianship is not part of the McKinney-Vento Act's definition of "homeless" for children and youth.

Think about these questions and then try again:

- Even though Olivia and Tony are not living with their mother, do they still meet the McKinney-Vento Act's definition of "homeless" for children and youth?
- Do Olivia and Tony have a fixed, regular, and adequate nighttime residence?
- Do Olivia and Tony have a temporary or permanent living arrangement?

## Najam

Najam, age 2, lives with his parents, Sara and Youssef Amir, and his twin 8-year-old brothers, Amal and Bahir. Najam participates in the local Early Head Start program where he receives services from their Part C early intervention provider. The twins attend the local public school. Both Sara and Youssef work.

A month ago, the Amir family's three-bedroom house was destroyed by fire. They learned it could take approximately four months to rebuild their house. Sara and Youssef decided to move into an extended-stay hotel nearby. They live far from their relatives, and they did not feel comfortable staying with friends.

## Assessing the Family's Living Situation

Is the Amir family living in a homeless situation? Select the correct answer below.

1. Yes, because they are living in a hotel due to the lack of alternative, adequate accommodations after their home was destroyed in a fire.
2. No, because the family's house was destroyed by fire.
3. No, because they will be able to return to their home once it is fixed.
4. No, because they can afford to live in a hotel.

1. Yes, because they are living in a hotel due to the lack of alternative, adequate accommodations after their home was destroyed in a fire.

**Correct!** The Amir family is in a homeless situation because their home was destroyed by a natural disaster, a fire. They are temporarily living in a hotel instead of their own home. The McKinney-Vento Act's definition of "homeless" for children and youth is not based on financial status. The children are eligible for additional services they may need to support them through this family crisis. The Amirs' home was destroyed, and the family does not have an alternative housing arrangement. The fact that the parents work and they may have financial resources is not relevant.

If you haven't already, please review each answer to learn why the other answers are not correct.

2. No, because the family's house was destroyed by fire.

**That is not correct.** The Amir family's home was destroyed by a natural disaster, which falls within the McKinney-Vento Act's definition of "homeless."

Think about these questions and then try again:

- Does the Amir family have a fixed, regular, and adequate nighttime residence?
- Did the Amir family lose their housing due to a natural disaster?
- Does the Amir family have their own residence?

3. No, because they will be able to return to their home once it is fixed.

**That is not correct.** Although the Amir family will be able to return to their home once it is rebuilt, currently they do not have a home.

Think about these questions and then try again:

- Does the Amir family have a fixed, regular, and adequate nighttime residence?
- Does the Amir family have a temporary or permanent living arrangement?
- Does the Amir family have their own residence?

4. No, because they can afford to live in a hotel.

**That is not correct.** The McKinney-Vento Act's definition of "homeless" for children and youth is not based on financial status, but on specific criteria.

Think about these questions and then try again:

- Does the Amir family have a fixed, regular, and adequate nighttime residence?
- Does the Amir family have a temporary or permanent living arrangement?
- Did the Amir family lose their housing due to a natural disaster?

## Sophia

Sophia, 6 months, lives with her parents, Enrique and Yvonne Martinez, her brothers, Diego (age 3), Mateo (age 5) and her sister, Maria (age 12). Enrique and Yvonne are migrant farm workers. The family left Florida as they do each year when their seasonal work ends and their camp closes. They went to Michigan for summer work and moved into a migrant camp. They had hoped to enroll their children in Head Start and summer programs.

After a month, the state's department of health closed the migrant camp due to unsafe conditions. The Martinez family then moved in with another couple and their three children who have a small, two-bedroom home. The situation is crowded. They are unsure if they will be able to stay with this other family through the season.

## Assessing the Family's Living Situation

Is the Martinez family living in a homeless situation? Select the correct answer below.

1. Yes, because living in a migrant camp is always considered a homeless situation.
2. Yes, because it is unclear whether the Martinez family will be able to stay with the other family through the season.
3. No, because the Martinez family can return to Florida to live.
4. No, because even though the Martinez family had to leave the migrant camp, they are living with another family.

1. Yes, because living in a migrant camp is always considered a homeless situation

**That is not correct.** The Martinez family's situation is considered homeless. They have lost their housing because their camp was closed due to unsafe living conditions. Note: Living in a migrant camp, though temporary, may not meet the McKinney-Vento definition of "homeless." Migrant families typically live in migrant camps and other settings on a temporary basis. Determinations of homelessness for families who migrate for seasonal and temporary work depend upon the unique circumstances of children and families in this situation.

Think about these questions and then try again:

- Does the Martinez family have a fixed, regular, and adequate nighttime residence?
- Did the Martinez family lose their housing due to unsafe living conditions?
- Is the Martinez family sharing the home equally, or are they more like guests?

2. Yes, because it is unclear whether the Martinez family will be able to stay with the other family through the season.

**Correct!** The Martinez family is living in a homeless situation because they are staying with others after losing their housing due to unsafe conditions. They are staying with another family on a temporary basis. In this situation, the fact that Enrique and Yvonne are migratory workers is not the defining factor for determining homeless status. Note: Living in a migrant camp, though temporary, may not meet the McKinney-Vento definition of "homeless."

The migrant community is unique and requires case-by-case consideration. Many migrant families move from place to place and plan to share housing with others due to the difficulty of renting a residence for a few weeks or months at a time or because shared housing is provided for them.

If you haven't already, please review each answer to learn why the other answers are not correct.

3. No, because the Martinez family can return to Florida to live

**That is not correct.** Even though the Martinez family could return to Florida, it is unclear whether they could find housing or employment there at this time. Enrique and Yvonne do have seasonal work in Michigan, but lost their housing when the camp they were staying in was closed due to unsafe living conditions.

Think about these questions and then try again:

- Does the Martinez family have a fixed, regular, and adequate nighttime residence?
- Does the Martinez family have their own permanent residence?
- Did the Martinez family lose their housing due to unsafe living conditions?



4. No, because even though the Martinez family had to leave the migrant camp, they are living with another family

**That is not correct.** Even though the Martinez family is living with another family, it is unclear whether they will be able to stay with the other family through the season. The Martinez family is in a crowded living situation that is not stable.

Think about these questions and then try again:

- Does the Martinez family have a fixed, regular, and adequate nighttime residence?
- Is the Martinez family sharing the home equally, or are they more like guests?
- Could the Martinez family be asked to leave at any time?

## Child Care and Development Fund Practice Scenarios

Explore five, real-life CCDF scenarios. Consider how they might compare to families you encounter in your work. Remember that each family's situation is unique.

For each scenario:

- a. Review the McKinney-Vento Act's definition of "homeless" for children and youth
- b. Consider the circumstances of this scenario
- c. Discuss the situation with a colleague, if possible
- d. Choose your answer and read the feedback
- e. Read the feedback to the other answers to learn more

When you assess each family's situation, ask yourself:

- f. Are they living in a homeless situation?
- g. Do they have a fixed, regular, and adequate nighttime residence?
- h. Do they live in circumstances described in the McKinney-Vento Act's definition of "homeless?"

See Appendix A for more information on Federal Policies or Appendix B to view the McKinney-Vento definition of homeless.

Select the "Next" button to begin the scenarios.

Select the pictures to open the scenarios. You can complete the scenarios in any order.

A checkmark will appear under the picture when that scenario is completed. When you have completed all five scenarios, select the "Next" button to continue.

## Rosa

Rosa, age 4, lives with her parents, Oscar and Marie Lowe. Oscar is a construction worker and Marie is a cashier in a local supermarket. They rented a two-bedroom apartment close to Marie's job and Rosa's family child care provider. Unfortunately, both Marie and Oscar were laid off and could not find jobs. They quickly spent their limited savings to meet their basic needs.

When they were evicted from their apartment, Oscar called his brother, Bill, to explain their situation. Oscar asked if he and his family could come and stay with his brother. Bill lives in a two-bedroom house with his wife and two children. Bill agreed and the Lowes moved in.

## Assessing the Family's Living Situation

Is Rosa's family living in a homeless situation? Select the correct answer below. Yes, because Rosa's parents are not working.

1. Yes, because Rosa and her parents are staying in someone else's home because of economic hardship and they were evicted from their apartment.
2. No, because Rosa and her family have a place to stay.
3. No, because Rosa and her family are living with their relatives.

1. Yes, because Rosa's parents are not working.

**That is not correct.** The McKinney-Vento Act's definition of "homeless" for children and youth does not refer to parents' work status.

Think about these questions and then try again:

- Do Rosa and her family have a fixed, regular, and adequate nighttime residence?
- Do Rosa and her family have a temporary or permanent living arrangement?
- Is Rosa's family sharing the home equally, or are they more like guests in the home?

2. Yes, because Rosa and her parents are staying in someone else's home because of economic hardship and they were evicted from their apartment.

**Correct!** Although Rosa and her parents have a place to stay, they are staying with another family due to economic hardship. They were evicted from their apartment. Their current arrangement is temporary, and they could be asked to leave at any time. These living circumstances are described in the McKinney-Vento Act's definition of "homeless."

If you haven't already, please review each answer to learn why the other answers are not correct.

3. No, because Rosa and her family have a place to stay.

**That is not correct.** Although Rosa and her parents have a place to stay, they are staying with another family due to economic hardship and because they were evicted from their apartment.

Think about these questions and then try again:

- Do Rosa and her family have a fixed, regular, and adequate nighttime residence?
- Could Rosa's relatives ask her family to leave at any time?
- Is Rosa's family sharing the home equally, or are they more like guests in the home?

4. No, because Rosa and her family are living with their relatives.

**That is not correct.** Many extended families plan to live together for various reasons. However, in Rosa's situation, her family moved in with relatives as a temporary solution to lost housing and economic hardship. This situation meets the McKinney-Vento Act's definition of "homeless."

Think about these questions and then try again:

- Do Rosa and her family have a fixed, regular, and adequate nighttime residence?
- Do Rosa and her family have a temporary or permanent living arrangement?
- Is Rosa's family sharing the home equally, or are they more like guests in the home?

## Amy

Amy, age 3, lives with her father, Sam Le. Sam lost his job as a carpenter after the plant where he worked for 20 years closed. Sam has been unable to find work for months, and he could not pay the mortgage. He and Amy had to leave their home.

To save money, Sam and Amy slept in his car last month while he looked for work. He heard about job openings in another community and decided to move there. He has rented a one-room apartment in a high-crime area using the little savings he had left. He is hopeful he will find a job, a preschool program for Amy, and a better place to live soon.

### Assessing the Family's Living Situation

Are Sam and Amy living in a homeless situation? Select the correct answer below.

1. Yes, because they had been living in a car and may need to do that again if Sam runs out of money.
2. Yes, because Sam and Amy live in a high-crime area of town, so the residence is not adequate.
3. No, because Sam and Amy live together.
4. No, because even though they were living in a car for a while, Sam has rented an apartment.

1. Yes, because they had been living in a car and may need to do that again if Sam runs out of money..

**That is not correct.** When Sam and Amy were living in a car, their situation was considered homeless. At this time, however, Sam has leased an apartment, which is a fixed, regular, and adequate residence. It is uncertain whether they will run out of money and need to live in a car again.

Think about these questions and then try again:

- Do Sam and Amy have a fixed, regular, and adequate nighttime residence?
- Do Sam and Amy have a temporary or permanent living arrangement?
- Do Amy and Sam have their own residence?

2. Yes, because Sam and Amy live in a high-crime area of town, so the residence is not adequate.

**That is not correct.** Although Sam and Amy's apartment is located in a high-crime area of town, there is nothing in the scenario to indicate that it is substandard housing or inadequate.

Think about these questions and then try again:

- Do Sam and Amy have a fixed, regular, and adequate nighttime residence?
- Do Sam and Amy have a temporary or permanent living arrangement?
- Do Sam and Amy have their own residence?

3. No, because Sam and Amy live together.

**That is not correct.** Based on the McKinney-Vento Act's definition of "homeless," the fact that Sam and Amy live together does not define whether or not they are experiencing homelessness.

Think about these questions and then try again:

- Do Sam and Amy have a fixed, regular, and adequate nighttime residence?
- Do Sam and Amy have a temporary or permanent living arrangement?
- Do Sam and Amy have their own residence?

4. No, because even though they were living in a car for a while, Sam has rented an apartment.

**Correct!** Whether or not Sam and Amy are considered homeless is based on the McKinney-Vento Act's definition of "homeless." Although homeless when they were living in their car, Sam and Amy are not homeless now because they are living in an apartment, which is a fixed, regular, and adequate residence.

If you haven't already, please review each answer to learn why the other answers are not correct.

## Olivia

Olivia, age 4, lives with her 8-year-old brother Tony, and their mother, Marissa Preston, in a rural community. Olivia attends a child care program and Tony attends a local public school. Last year, Marissa lost her job in a nursing home. She decided to move to a different state to find work.

Marissa's mother agreed to let Olivia and Tony stay with her while Marissa looked for work. Marissa found a job working nights and is studying to be a certified nursing assistant (CNA). Marissa and her mother have agreed that the children will continue to live with their grandmother until Marissa completes her CNA program.

## Assessing the Family's Living Situation

Are Olivia and Tony living in a homeless situation? Select the correct answer below.

1. Yes, because they are not living with their mother.
2. Yes, because they are not living in a fixed, regular, and adequate housing situation.
3. No, because they are living in a fixed, regular, and adequate situation that was arranged by and agreed upon by both the mother and grandmother.
4. No, because they are living with their grandmother, not their mother.

1. Yes, because they are not living with their mother.

**That is not correct.** Although Olivia and Tony are not living with their mother, the McKinney-Vento Act's definition of "homeless" for children and youth does not refer to living with guardians. They are living in a fixed, regular, and adequate housing situation with their grandmother.

Think about these questions and then try again:

- Do Olivia and Tony have a fixed, regular, and adequate nighttime residence?
- Do Olivia and Tony have a temporary or permanent living arrangement?
- Could Olivia and Tony's grandmother ask them to leave at any time?
- Are Olivia and Tony welcome in the home?

2. Yes, because they are not living in a fixed, regular, and adequate housing situation

**That is not correct.** Although Olivia and Tony are not living with their mother, they are living in a fixed, regular, and adequate housing situation with their grandmother.

Think about these questions and then try again:

- Do Olivia and Tony have a fixed, regular, and adequate nighttime residence?
- Do Olivia and Tony have a temporary or permanent living arrangement?
- Could Olivia and Tony's grandmother ask them to leave at any time?
- Are Olivia and Tony welcome in the home?

3. No, because they are living in a fixed, regular, and adequate situation that was arranged by and agreed upon by both the mother and grandmother.

**Correct!** Whether or not Olivia and Tony are considered homeless is based on the McKinney-Vento Act's definition of "homeless" for children and youth. Olivia and Tony's situation is not considered homeless because they are living in a "fixed, regular, and adequate nighttime residence." Their situation does not meet the definition of "children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason."

If you haven't already, please review each answer to learn why the other answers are not correct.

4. No, because they are living with their grandmother, not their mother.

**That is not correct.** Although Olivia and Tony are living with their grandmother, guardianship is not part of the McKinney-Vento Act's definition of "homeless" for children and youth.

Think about these questions and then try again:

- Even though Olivia and Tony are not living with their mother, do they still meet the McKinney-Vento Act's definition of "homeless" for children and youth?
- Do Olivia and Tony have a fixed, regular, and adequate nighttime residence?
- Do Olivia and Tony have a temporary or permanent living arrangement?

## Najam

Najam, age 2, lives with his parents, Sara and Youssef Amir, and his twin 8-year-old brothers, Amal and Bahir. Najam attends a local child care program where he receives services from their Part C early intervention provider. The twins attend the local public school. Both Sara and Youssef work.

A month ago, the Amir family's three-bedroom house was destroyed by fire. They learned it could take approximately four months to rebuild their house. Sara and Youssef decided to move into an extended-stay hotel nearby. They live far from their relatives, and they did not feel comfortable staying with friends.

### Assessing the Family's Living Situation

Is the Amir family living in a homeless situation? Select the correct answer below.

1. Yes, because they are living in a hotel due to the lack of alternative, adequate accommodations after their home was destroyed in a fire.
2. No, because the family's house was destroyed by fire.
3. No, because they will be able to return to their home once it is fixed.
4. No, because they can afford to live in a hotel.

1. Yes, because they are living in a hotel due to the lack of alternative, adequate accommodations after their home was destroyed in a fire.

**Correct!** The Amir family is in a homeless situation because their home was destroyed by a natural disaster, a fire. They are temporarily living in a hotel instead of their own home.

The McKinney-Vento Act's definition of "homeless" for children and youth is not based on financial status. The children are eligible for additional services they may need to support them through this family crisis. The Amirs' home was destroyed, and the family does not have an alternative housing arrangement. The fact that the parents work and they may have financial resources is not relevant.

If you haven't already, please review each answer to learn why the other answers are not correct.

2. No, because the family's house was destroyed by fire.

**That is not correct.** The Amir family's home was destroyed by a natural disaster, which falls within the definition of "homeless" under the McKinney-Vento Act.

Think about these questions and then try again:

- Does the Amir family have a fixed, regular, and adequate nighttime residence?
- Did the Amir family lose their housing due to a natural disaster?
- Does the Amir family have their own residence?

3. No, because they will be able to return to their home once it is fixed.

**That is not correct.** Although the Amir family will be able to return to their home once it is rebuilt, currently they do not have a home.

Think about these questions and then try again:

- Does the Amir family have a fixed, regular, and adequate nighttime residence?
- Does the Amir family have a temporary or permanent living arrangement?
- Does the Amir family have their own residence?

4. No, because they can afford to live in a hotel.

**That is not correct.** The McKinney-Vento Act's definition of "homeless" for children and youth is not based on financial status, but on specific criteria.

Think about these questions and then try again:

- Does the Amir family have a fixed, regular, and adequate nighttime residence?
- Does the Amir family have a temporary or permanent living arrangement?
- Did the Amir family lose their housing due to a natural disaster?

## Ben

Ben, age 4, lives with his parents, Joe and Alyssa Smith, and his sister, Jane, 9 months. Alyssa wants to leave Joe because he is physically and emotionally abusive to her. She is reluctant to leave because she is unemployed and has no family support. She worries about leaving behind everything she owns.

After building up the courage to leave, Alyssa found an opening in a domestic violence shelter. At the shelter, Alyssa and her children have food, clothing, and safe housing. They also received referrals for health care. One of the social workers has talked with her about child care programs for the children. She values the support from staff and other families as she makes plans for her family's future.

## Assessing the Family's Living Situation

Are Alyssa and her children living in a homeless situation? Select the correct answer below.

1. Yes, because Alyssa and her children are living in an emergency or transitional shelter.
2. No, because they are in a domestic violence shelter, and shelters for victims of domestic violence are not considered emergency or transitional shelters under the McKinney-Vento Act.
3. No, because Alyssa and her children are now living in a safe environment. Alyssa is making a new life for herself and her children and no longer has to live with her abusive husband.
4. No, because Alyssa and her children can return home any time. They have a fixed, regular, and adequate place to live, and it was Alyssa's choice to leave that residence.



1. Yes, because Alyssa and her children are living in an emergency or transitional shelter

**Correct!** Alyssa and her children's situation meets the McKinney-Vento Act's definition of "homeless" because they lost their housing due to domestic violence and are living in an emergency or transitional shelter.

If you haven't already, please review each answer to learn why the other answers are not correct.

2. No, because they are in a domestic violence shelter, and shelters for victims of domestic violence are not considered emergency or transitional shelters under the McKinney-Vento Act.

**That is not correct.** Homelessness under the McKinney-Vento Act includes emergency and transitional shelters for children and youth due to unavailable or inadequate housing, domestic violence, substance abuse treatment, or natural disasters.

Think about these questions and then try again:

- Do Alyssa and her children have a fixed, regular, and adequate nighttime residence?
- Do Alyssa and her children have a temporary or permanent living arrangement?
- Are shelters for domestic violence considered emergency or transitional housing?

3. No, because Alyssa and her children are now living in a safe environment. Alyssa is making a new life for herself and her children and no longer has to live with her abusive husband.

**That is not correct.** Although Alyssa and her children are now in a safe place, they are staying in the domestic violence shelter temporarily and will need to find a home of their own.

Think about these questions and try again:

- Do Alyssa and her children have a fixed, regular, and adequate nighttime residence?
- Did Alyssa and her children lose their housing because of abuse, neglect, or domestic violence?
- Do Alyssa and her children have their own residence?

4. No, because Alyssa and her children can return home any time. They have a fixed, regular, and adequate place to live, and it was Alyssa's choice to leave that residence.

**That is not correct.** Alyssa and her children's situation meet the McKinney-Vento Act's definition of "homeless" because they lost their housing in response to domestic violence and are living in an emergency or transitional shelter. Though they had been in a fixed and regular living situation, the conditions were unsafe and therefore inadequate, forcing Alyssa to leave to keep herself and her children safe. Think about these questions and try again:

- Do Alyssa and her children have a fixed, regular, and adequate nighttime residence?
- Did Alyssa and her children lose their housing because of abuse, neglect, or domestic violence?
- Are shelters for domestic violence considered emergency or transitional housing?

## Completion Status

To complete Module 3, review all sections listed below. If a section is not checked, use the Menu tab to return to that section.

- ✓ Introduction
- ✓ Definition of "Homeless"
- ✓ Knowledge Check
- ✓ Practice Scenarios: Head Start and Early Head Start or Child Care and Development Fund

Once all sections are checked, select the "Next" button to continue to your Certificate of Completion.

## Certificate of Completion

Congratulations! You have completed Module 3: Understanding the McKinney-Vento Act's Definition of "Homeless."

To access your certificate, select the "Open Your Certificate" button. A PDF document will open in a separate tab. Enter your name and the date on the certificate. Print or save the certificate to your computer.

## Appendix A: Federal Legislation and Regulations Related to Family Homelessness

<b>Federal Legislation and Regulations Related to Family Homelessness</b>	
<b>McKinney-Vento Definition of Homeless Subtitle VII-B of the McKinney-Vento Homeless Assistance Act</b>	<a href="https://nche.ed.gov/mckinney-vento-definition/">https://nche.ed.gov/mckinney-vento-definition/</a>
<b>Child Care and Development Fund Reauthorization</b>	<a href="https://www.acf.hhs.gov/occ/ccdf-reauthorization">https://www.acf.hhs.gov/occ/ccdf-reauthorization</a>
<b>McKinney-Vento Law Into Practice Brief Series Supporting Homeless Children and Youth with Disabilities: Legislative Provisions in the McKinney-Vento Act and the Individuals with Disabilities Education Act</b>	<a href="https://nche.ed.gov/wp-content/uploads/2018/10/idea.pdf">https://nche.ed.gov/wp-content/uploads/2018/10/idea.pdf</a>
<b>Head Start Program Performance Standards</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii</a>
<b>Program Operations, 45 CFR § 1302</b>	
<b>Eligibility, Recruitment, Selection, Enrollment, and Attendance, 45 CFR § 1302(A)</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-subpart-eligibility-recruitment-selection-enrollment-attendance">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-subpart-eligibility-recruitment-selection-enrollment-attendance</a>
<b>Determining community strengths, needs, and resources, 45 CFR § 1302.11</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-11-determining-community-strengths-needs-resources">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-11-determining-community-strengths-needs-resources</a>
<b>Determining, verifying, and documenting eligibility, 45 CFR § 1302.12</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-12-determining-verifying-documenting-eligibility">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-12-determining-verifying-documenting-eligibility</a>
<b>Recruitment of children, 45 CFR § 1302.13</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-13-recruitment-children">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-13-recruitment-children</a>
<b>Selection process, 45 CFR § 1302.14</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-14-selection-process">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-14-selection-process</a>
<b>Enrollment, 45 CFR § 1302.15</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-15-enrollment">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-15-enrollment</a>
<b>Attendance, 45 CFR § 1302.16</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-16-attendance">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-16-attendance</a>
<b>Family and Community Engagement Program Services, 45 CFR § 1302(E)</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-subpart-e-family-community-engagement-program-services">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-subpart-e-family-community-engagement-program-services</a>
<b>Community partnerships and coordination with other early childhood and education programs, 45 CFR § 1302.53</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-53-community-partnerships-coordination-other-early-childhood-education">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-53-community-partnerships-coordination-other-early-childhood-education</a>
<b>Transition Services, 45 CFR § 1302 (G)</b>	
<b>Transitions between programs, 45 CFR § 1302.72 (a)</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-subpart-g-transition-services">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-subpart-g-transition-services</a>
<b>Definitions, 45 CFR § 1305</b>	
<b>Terms, 45 CFR § 1305.2</b>	<a href="https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1305-2-terms">https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1305-2-terms</a>

## Appendix B: The McKinney-Vento Definition of Homeless

### The McKinney-Vento Definition of Homeless

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act (per Title IX, Part A of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act) defines homeless as follows:

The term "homeless children and youths"--

- A. means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and
- B. includes--
  - (i) children and youths who are sharing the housing of other persons 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;\* (ii) children and youths 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 (within the meaning of section 103(a)(2)(C)); (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

\*Per Title IX, Part A of the Every Student Succeeds Act, "awaiting foster care placement" was removed from the definition of homeless on December 10, 2016; the only exception to his removal is that "covered states" have until December 10, 2017 to remove "awaiting foster care placement" from their definition of homeless.

View the full text of the McKinney-Vento Homeless Assistance Act:

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter119/subchapter6/partB&edition=prelim>

## Appendix C: Module 3 Related Resources

McCoy-Roth, M., Mackintosh, B. B., & Murphey, D. (2012, February). When the bough breaks: The effects of homelessness on young children. *Child Trends: Early Childhood Highlights*, 3(1).

National Center for Homeless Education & National Association for the Education of Homeless Children and Youth. (2013, Fall). *Early care and education for young children experiencing homelessness*.