

**The school says they won't enroll me
because they don't think I am homeless.
What can I do?**

Under the law, you must still be served by the school even if they disagree with what you have told them or say they cannot enroll or transport you. Your parent (or the Liaison if you are on your own) can appeal this decision to the school district office, to the school board, and even to a court if necessary. In the meantime, you still have the right to stay in your school.

This is not all the information you need to know if you or your family is experiencing homelessness and you are having trouble continuing your education.

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This brochure was produced by the South Carolina Appleseed Legal Justice Center. This brochure is for information only. If you think you need legal assistance, you may want to contact your local legal services program by calling Legal Aid Telephone Intake Service for a referral at 744-9430 in Columbia or toll free at (888) 346-5592 from other places in the state.

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What Law Says About... Special Rights of Students Without a Permanent Place to Live



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A federal law known as the McKinney-Vento Act gives students who don't have permanent housing help in enrolling, attending, and succeeding in school. The law states that schools must make sure that all students have the same chance to receive a free and appropriate public education, even when difficult times have caused students and families to lose their permanent homes. Students in this situation must be given extra help, and this brochure describes some of their rights provided under the law.

How do I know if the law applies to me?

If a child or youth does not have a fixed, regular, or satisfactory place to live, that person is homeless under the law. It does not matter whether the child or youth is living with a parent or is away from their parents. If you are homeless and the age to attend public school, this law applies to you.

Don't I have to be in a shelter or on the street to be considered homeless?

No. Sometimes people have other places to go, such as to a friend or other family member's house, to a motel or hotel, or to a campground. Even though these may seem more permanent than a shelter, students living in any of these places are homeless under the law.

I am temporarily living with another family member, away from my parents, until things get better. I even have my own room. Does the law apply to me?

Yes. Any time family members have to 'double up' temporarily with others in their home because of hard times; children and youth involved are considered homeless under the McKinney Act.

I was kicked out of my home by my parents and am staying with friends. Does the law apply to me?

Yes. Whether a young person has been locked out by parents or has run away, they are considered homeless and may receive the extra protections of the McKinney Act. Young people are also considered homeless if they have told their parents they are leaving home and their parents do not care that they are going.

Who at the school should I talk with about my situation?

Every school district in South Carolina must have someone to help students who don't have a permanent home by telling them about their options, helping with enrollment problems, and helping find their school records. This person is usually called the 'Homeless Liaison' or 'McKinney Liaison.' You can ask anyone in the school office who this person is and how to get in touch with them. This information is also available on the Internet at <http://ed.sc.gov/agency/programs-services/87/documents/McKinney-VentoDistrictLiaisons2012.pdf>.

I don't want everyone at school to know my personal business — do I have to announce I am homeless or put it on a form?

No. In fact, most people do not like using the word 'homeless' to describe their situation. It is important, though, to let the school know you are living in a temporary place because of hard times so that the school can make sure to provide you with the services you need. You can ask that this information be kept private. It is against the law for the school to separate you from other students or discriminate against you just because you don't have a permanent home. Also remember that you are not getting your parents 'in trouble' with the law by letting the school know you or your family does not have a permanent place to live. It is not against the law to be homeless.

The school has said that I cannot enroll without a parent or guardian. What can I do?

It is important to let the school official know your situation. Schools are required by the McKinney Act to serve homeless youth whether or not you are in the physical custody of a parent or guardian. Ask to speak with the Liaison if you have problems enrolling.

I don't know where any of my records are, such as my birth certificate or proof of immunization. Can I still enroll in school?

Yes. Schools are required to enroll homeless children and youth right away. If school records are missing, you must still be admitted, and the school must then find your records. If you are missing immunization records, the Liaison must help you with those.

Now that I am staying in a different place, I am in a different school district. Do I have to change schools?

No. In fact, it will be better for your education if you don't change schools. Unless your parent says otherwise or you have moved so far away it would be impractical, you should still attend your original school. Again, it is important to let school officials know your situation and to ask for help from the homeless Liaison if you need it.

Is there any way I can get on the school lunch plan without any records?

Yes. The school should help you with getting free lunch (and breakfast if it is available) right away. No documents or paperwork are required.

I rode the bus to school before I had to move to this new place. How will I get to school now?

The school must still provide you with transportation. If you are now living in a different school district but want to keep attending your original school, the law says the two school districts must work out a way for you to get there. However, your parent or the McKinney Liaison must request this help for you.

