

# HOMELESS EDUCATION 201

TRANSPORTATION RIGHTS  
UNDER THE MCKINNEY-  
VENTO ACT: LEGAL  
OBLIGATIONS FOR LEAS

MARCH 2026



# Abbreviations

SCHOOL OF ORIGIN- SOO  
MCKINNEY-VENTO ACT- THE ACT  
LOCAL EDUCATIONAL AGENCIES- LEA(S)

# Overview

FEDERAL LAW-REQUIREMENTS

ROLE OF THE LEA

LIAISON

FPM

SCENARIOS/FAQS

FINAL TIPS & TAKEAWAYS

# EDUCATION FOR HOMELESS CHILDREN AND YOUTH ACT (1)

The McKinney-Vento Act (The Act) provides educational protections for children and youth experiencing homelessness, including transportation requirements to provide school stability.



# EDUCATION FOR HOMELESS CHILDREN AND YOUTH ACT (2)

- Works hand-in-hand with Title I, Part A and other federal education programs
- Requires all local educational agencies (LEAs) to designate a local homeless liaison to ensure identification, enrollment, and success for homeless children and youth.



# EDUCATION FOR HOMELESS CHILDREN AND YOUTH ACT (3)

The Act also requires LEAs to remove barriers to the identification and enrollment of students experiencing homelessness.

Such barriers include transportation.

LEAs ensure that students experiencing homelessness receive the transportation services that are essential to their academic access and success.



# DEFINITIONS

The next several slides will address the definitions for the following:

- Homelessness
- Unaccompanied homeless youth
- School of origin



# HOMELESS DEFINITION (1)

Fixed, regular, and adequate are defined as:

- A ***fixed*** residence is one that is stationary, permanent, and not subject to change.
- A ***regular*** residence is one that is used on a normal, standard, and consistent basis.
- An ***adequate*** residence is one that is sufficient for meeting both the physical and psychological needs typically met in home environments.



# HOMELESS DEFINITION (2)

Examples of homelessness include children and youth living in:

- Shared housing due to economic hardship
- Motels or hotels
- Public or private places not designed for sleeping
- Trailer parks or campgrounds
- Cars, parks, and abandoned buildings
- Shelters
- Emergency or transitional shelters



# HOMELESS DEFINITION (3)

Additional examples of homelessness include children and youth who are:

- Migratory children, who qualify as homeless
- Abandoned in hospitals
- Unaccompanied youth, who qualify as homeless



# HOMELESS DEFINITION (4)

To determine if a homeless child or youth lives in substandard living conditions, consider:

- Health and safety concerns
- Number of occupants per square foot
- Age of occupants
- State and local building codes



# UNACCOMPANIED HOMELESS YOUTH DEFINITION

- “Unaccompanied homeless youth” is defined as a child or youth who meets the Act’s definition and is not in the physical custody of a parent or guardian
- There is no age limit for an unaccompanied homeless youth



# SCHOOL OF ORIGIN DEFINITION (1)

- A homeless student has the right to remain in their school of origin (SOO) for the duration of their homelessness, if it is in the best interest of the student, and it is parent requested



# SCHOOL OF ORIGIN DEFINITION (2)

- SOO is defined as:
  - The school that a child or youth attended when permanently housed;
  - The school in which the child or youth was last enrolled; or,
  - A school that the child or youth has had some sort of connection to within the last 15 months



# SCHOOL OF ORIGIN DEFINITION (3)

- Feeder school patterns are also part of the definition, including preschool.
- Best interest is based on student-centered factors, such as age, grade, programs, etc.



# TRANSPORTATION – SCHOOL OF ORIGIN (1)

- When a homeless student attends their school of origin and lives within the LEA's attendance area, then the LEA needs to provide or arrange transportation
- Once a homeless student becomes permanently housed, services continue to be provided for the remainder of the school year
- This includes transportation



# TRANSPORTATION – SCHOOL OF ORIGIN (2)

- When a homeless student attends their school of origin, and lives outside the LEA's attendance area, then the LEA of origin and the LEA of residence must agree upon a method and cost for providing or arranging transportation
- If the two LEAs are unable to agree, then the responsibility and cost for transportation must be shared, equally



# TRANSPORTATION – GENERAL (1)

- The McKinney-Vento Act requires LEAs to provide services to homeless students comparable to those services offered to other students, including transportation.
- LEAs are required to enroll homeless students immediately, and transportation must be arranged without delay.
- Transportation should be part of the LEA's policies and procedures at it relates to homeless students.



# TRANSPORTATION – GENERAL (2)

- The mode of transportation is based on the best interest of the student and in consultation with the parent/guardian
  - The LEA ultimately determines the mode of transportation, as long as it does not create a barrier to the student
- If transportation is a barrier to participate in extracurricular activities, the LEA would be required to provide or arrange transportation to and from the activity



# Homeless Education (HE) Federal Program Monitoring Items related to Transportation

HE 03 LEA LAISON AND THEIR DUTIES



## HE 03: LEA LIAISON AND THEIR DUTIES

Each LEA liaison for homeless children and youths shall ensure that:

(g) Homeless children, youths, and their families are provided with information on and assistance in accessing transportation, including to and from the school of origin.

(42 U.S.C. Sections 11432[g][6][A][viii], 11432[g][1][J][iii]; EC Section 48852.7[e][1])



# Homeless Education (HE) Federal Program Monitoring Items related to Transportation

HE 06 COORDINATING SERVICES WITHIN THE LEA OR  
LOCAL AGENCIES



## HE 06: LEA LIAISON AND THEIR DUTIES

Each LEA shall coordinate:

(b) Transportation, transfer of school records and other inter-district activities with other LEAs. (42 U.S.C Section 11432[g][5][A][ii])



# Homeless Education (HE) Federal Program Monitoring Items related to Transportation

HE 13 SCHOOL STABILITY



## HE 13: SCHOOL STABILITY

13.0 If a student is homeless or becomes homeless during the school year, the LEA shall allow the student to continue their education in their school of origin. (EC Section 48852.7[a])

13.3 If the homeless child continues to live in the area served by the LEA in which the school of origin is located, that LEA must provide or arrange for the child's transportation to or from the school of origin.

(42 U.S.C. Section 11432[g][1][J][iii][I]; EC Section 48852.7[e])



# Homeless Education (HE) Federal Program Monitoring Items related to Transportation

HE 14 PROVIDES COMPARABLE SERVICES



## HE 03: LEA LIAISON AND THEIR DUTIES

The LEA must provide services to homeless students comparable to those offered to other students. Such services include:

(a) Transportation services (42 U.S.C. Section 11432[g][4][A])



# Homeless Education (HE) Federal Program Monitoring Items related to Transportation

HE 16 IMMEDIATE ENROLLMENT AND OBTAINING  
RECORDS



## HE 16: LEA LIAISON AND THEIR DUTIES

Each LEA liaison for homeless children and youths shall ensure that:

(g) Homeless children, youths, and their families are provided with information on and assistance in accessing transportation, including to and from the school of origin.

(42 U.S.C. Sections 11432[g][6][A][viii], 11432[g][1][J][iii]; EC Section 48852.7[e][1])



# TRANSPORTATION – FUNDING OPTIONS

- LEAs can use the following funds to provide or arrange transportation:
  - General funds
  - Title I, Part A reservation funds
  - The McKinney-Vento Act subgrant funds or Education for Homeless Children and Youth (EHCY) federal grant





# Homeless Education (HE) Transportation Questions and Answers Scenarios\*



\*Questions, Answers, and Scenarios are in part from questions received by both SchoolHouse Connection and the CDE.





Can the LEA or COE support transportation for students to exams, assessments, etc.? For example, we have a student who needs to come to the school campus for an exam.



\*Questions, Answers, and Scenarios are in part from questions received by both SchoolHouse Connection and the CDE.

# Table Talk

Questions, comments, strategies?



# A

Yes. This falls under 42 USC §11432(g)(1)(I), which requires LEAs to “review and revise policies to remove barriers to the identification of homeless children and youths, and the enrollment and retention of homeless children and youths in schools in the State.”



\*Questions, Answers, and Scenarios are in part from questions received by both SchoolHouse Connection and the CDE.



Our district policy is that elementary students living within 1.5 miles from the school they attend walk (middle and high school is 2.0 miles). Would that policy apply to a McKinney-Vento eligible student?



\*Questions, Answers, and Scenarios are in part from questions received by both SchoolHouse Connection and the CDE.



# Table Talk

Questions, comments, strategies?





For transportation that is not to the school of origin, local educational agencies are required to provide transportation that is comparable to that provided to housed students. 42 USC 11432(g)(4)(A). Therefore, the same policy on walk zones would apply to McKinney-Vento students.





However, the McKinney-Vento Act also requires LEAs to eliminate barriers to the school enrollment and retention of students experiencing homelessness.

42 USC 11432(g)(1)(I), (g)(7).





So, if there is something about this family's homelessness that is a barrier to walking to school within the 1.5 miles, then the school district would be required to eliminate the barrier, potentially through transportation, depending on the exact situation.



\*Questions, Answers, and Scenarios are in part from questions received by both SchoolHouse Connection and the CDE.



What is the legal basis to say that a district must continue providing school of origin transportation to a McKinney-Vento student who has been suspended from the bus?



\*Questions, Answers, and Scenarios are in part from questions received by both SchoolHouse Connection and the CDE.

# Table Talk

Questions, comments, strategies?



# A

Data shows that McKinney-Vento students receive more suspensions and expulsions than their housed peers. LEAs are encouraged to engage in positive discipline practices while complying with the McKinney-Vento Act's requirement to remove barriers to enrollment and retention in school.



\*Questions, Answers, and Scenarios are in part from questions received by both SchoolHouse Connection and the CDE.

# A

The district is not necessarily required to continue to transport the student on the school bus. The McKinney-Vento Act does not supersede discipline policies, so a bus suspension can stand.



\*Questions, Answers, and Scenarios are in part from questions received by both SchoolHouse Connection and the CDE.

A

A student's homelessness and right to transportation does not exempt them from appropriate, safe and respectful behaviors towards teachers, staff and peers.



\*Questions, Answers, and Scenarios are in part from questions received by both SchoolHouse Connection and the CDE.

# TRANSPORTATION STRATEGIES (1)

- Convene a meeting with local liaisons and transportation directors
- Identify a district transportation staff member who will serve as the point person to work with the liaison and homeless students
- Develop forms, such as student requests, parent agreements, and inter-district transportation agreements



# TRANSPORTATION STRATEGIES (2)

- Be aware that homeless families often move frequently, and transportation plans must be adjusted accordingly
- Explore flexible bus routes that can be implemented easily
- Maintain a list of shelters, hotels, motels, campgrounds, and other areas where homeless families may live



# TRANSPORTATION STRATEGIES (3)

- Assist the liaison with developing a system of providing gas vouchers/cards or reimbursement to parents/guardians
- Brainstorm cost-saving solutions with the LEA and community stakeholders
- Remember anyone can assist with identification of homeless children and youth within the community





# TRANSPORTATION STRATEGIES (4)

- Bus drivers can assist with identification, too. They can observe changes in a student's appearance or behavior (e.g. wearing the same and/or dirty clothes everyday, arriving late to the bus stop, acting withdrawn, or behaving aggressively)
- Display a "You Can Enroll in School" poster on buses.
- Posters are available on the CDE's web site at <https://www.cde.ca.gov/sp/hs/cy/documents/homelesspostereng.pdf>





# TRANSPORTATION RESOURCES



California Department of Education, Homeless Education Transportation Training Presentation:

<https://www.cde.ca.gov/sp/hs/cy/documents/homelessedandtrans.pptx>

California Department of Education, Homeless Education Transportation Agreement Sample:

<https://www.cde.ca.gov/sp/hs/cy/documents/transportationmou.pdf>

National Center for Homeless Education Transportation brief:

[https://nche.ed.gov/wp-content/uploads/2025/08/NCHE\\_Transporting\\_Children\\_and\\_Youth\\_Experiencing\\_Homelessness\\_2025.pdf](https://nche.ed.gov/wp-content/uploads/2025/08/NCHE_Transporting_Children_and_Youth_Experiencing_Homelessness_2025.pdf)

HETAC Website:

<https://www.hetac.org/resources/transportation>



# CONTACT INFORMATION

Homeless Education Program  
Integrated Student Support and Programs Office  
California Department of Education

Toll-free Number 1-866-856-8214

Email: [HomelessEd@cde.ca.gov](mailto:HomelessEd@cde.ca.gov)



THANK YOU

