

*Fort Bend Independent School District*  
**Special Circumstances Transfer Process (SCT)**  
**(2009-10 School Year)**

**June 2009**

**Questions and Answers about the SCT**

**Section 8:      Requesting a McKinney-Vento Homeless Assistance Enrollment**

This section gives information on the policies, regulations, and laws in support of student transfers.

If your questions are not addressed, please refer to the *Special Circumstances Transfer Guidelines (2009-10 School Year)* or send an e-mail to [studenttransfers@fortbendisd.com](mailto:studenttransfers@fortbendisd.com) for additional assistance. Updates and additions to this document will occur as needed throughout the application period.

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**SECTION 8: REQUESTING A MCKINNEY-VENTO HOMELESS ASSISTANCE TRANSFER**  
**(Education for Homeless Children and Youths)**

**SECTION 8: REQUESTING MCKINNEY-VENTO HOMELESS ASSISTANCE**

***1.      What is the McKinney-Vento Homeless Assistance Act – Education for Homeless Children and Youths?***

The McKinney-Vento Homeless Assistance Act grants parents or guardians of students in homeless situations the right to keep their children in their schools of origin (to the extent feasible) or to enroll them in any public school that students living in the same attendance area are eligible to attend. In addition, the *Texas Education Code* (TEC) §25.001(b)(5) states that a school district must enroll a person who is homeless, “regardless of the residence of that person or either parent of that person, or of the person's legal guardian or other person having lawful control of that person.” Therefore, if a student is homeless, he or she can, literally, enroll in any district in the State of Texas, regardless of where the

student's parent(s) or guardian(s) reside; however the TEC does not specify which school within a district the homeless student will attend. In addition, because the state provision is *not* mandated under Federal law, school districts enrolling a homeless student into their district under this district choice provision in the state law are not required to provide transportation for the student to the campus from his/her residence or any other location. Enrollment will be provisional pending the verification of a child's homeless status.

**2. *How is the term "homeless children and youths" defined in the McKinney-Vento Homeless Assistance Act – Education for Homeless Children and Youths?***

In this federal legislation, the term "homeless children and youths" means individuals who lack a fixed, regular, and adequate nighttime residence and the definition includes

- (a) 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; are abandoned in hospitals; or are awaiting foster care placement;
- (b) 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;
- (c) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (d) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in (a, b, c) above.

**3. *We have applied for homeless status and we are currently residing out of the district area. May I choose the school I would like my child to attend within Fort Bend ISD?***

You may enroll your child in the district, but the district is not obligated to give you the campus of your choice. The district has chosen three elementary, two middle, and two high schools for enrolling "homeless" children and youths. Applicants of the children must complete the 2009-2010 REQUEST FOR ENROLLMENT IN FORT BEND ISD (McKinney-Vento Homeless Education Assistance Act) application and select among the campuses offered. The application should be sent to:

Department of School Administration-Student Transfers  
McKinney-Vento Homeless Education Assistance Act  
FBISD Administration Building  
16431 Lexington Blvd.  
Sugar Land, TX 77479.

Enrollment is provisional until homeless status is verified.

**4. *Once I have qualified for Homeless Status, am I guaranteed enrollment at the same campus every year?***

Both Federal and State provisions regarding campus assignment extend for the duration of the family's or youth's homelessness. When a homeless family or youth becomes

permanently housed during the course of a school year, the school choice option remains in effect until the end of that school year. Therefore, if a homeless child or youth becomes permanently housed before the end of the school year, he/she may continue to attend the school being attended while homeless until the end of that school year. If the family's or youth's homelessness lasts longer than the school year, the school choice option remains in effect the entire duration of homelessness. Homeless status must be verified annually through a Residency and Services questionnaire.

***5. We were in a homeless situation last school year and now have a place of residence. My child completed elementary school and is going into middle school in the fall. Is he automatically enrolled in the feeder pattern middle school?***

Your child will attend the feeder pattern middle school if your place of residence is located within the feeder pattern of the elementary school that was just completed. If not the child must be enrolled in the school of attendance area in which he/she lives. Feeder pattern schools do not fulfill the definition of “school of origin.”