



McKinney-Vento and Foster Youth: Differences and Similarities within the Law

Legal Requirement	Homeless Student	Foster Youth
School District Liaison	Federal requirement	State requirement
School of Origin vs. School of Residence	Has right to remain at last school enrolled or school attending when permanently housed, if feasible; OR may attend the school of residence. Can remain at the school of origin for the duration of homelessness. No matriculation rights.	Has right to remain at last school of attendance, if feasible; OR may attend the school of residence OR best interest of the youth. Can stay in district for the duration of court jurisdiction - includes matriculation rights.
Enrollment	Required immediately, regardless of lack of documentation, immunizations, etc.	Required immediately, regardless of lack of documentation, immunizations, etc.
Immunizations	Must be enrolled regardless of lack of immunization information including Tdap.	Must be enrolled regardless of lack of immunization information. Tdap requirement the same as for any other student.
School Transfer of Records: School personnel will assist	State: completed within 10 days	State: completed within 2 days of receiving request
Special Education	Appropriate and immediate placement in classes regardless of records; 30-day review.	Appropriate and immediate placement in classes regardless of records; 30-day review.
Equal access	Every program or afterschool activity that any other student would qualify for.	Every program or afterschool activity that any other student would qualify for.
Free and Reduced Lunch	Automatic qualification	Automatic qualification
Transportation	Provided or arranged by district(s), if needed. If student attends school in one district and resides in another; both districts must work together or split the cost.	Provided by caregiver or foster parent; Assistance to districts (ACL11-51); DCFS has access to resources
Partial Credits	Required to implement policies and practices to ensure credits accrual to ensure the student's full participation.	Schools must provide credits based on the amount of time student was present, regardless of whether student completed the semester at the school.
Grade and Credit Protection	Law is silent in this area	Student maintains grade and credit earned from previous school placement, even if student transfers mid-semester. (AB490, 2004)
Minimum Requirements for Graduation	Same as any other student	Decision based on school in the 11 th and 12 th grade; have at least 130 credits and is reviewed by district liaison. (AB167, 2013)
Dispute Resolution Process	Required to have process: District to County to State	Required to have process: District to County to State