To amend subtitle B of title VII of the McKinney-Vento Homeless Assistance Act to provide education for homeless children and youths, and for other purposes.

IN THE SENATE OF THE UNITED STATES

April 25, 2013

Mrs. Murray (for herself and Mr. Franken) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend subtitle B of title VII of the McKinney-Vento Homeless Assistance Act to provide education for homeless children and youths, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Educational Success for Children and Youth Without Homes Act of 2013”.
SEC. 2. EDUCATION FOR HOMELESS CHILDREN AND YOUTHS.

Subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) is amended to read as follows:

“Subtitle B—Education for Homeless Children and Youths

SEC. 721. STATEMENT OF POLICY.

“The following is the policy of Congress:

“(1) Each State and local educational agency shall ensure that each homeless child and youth has access to the same free appropriate public education, including a public preschool education, as is provided to other children and youths.

“(2) In any State where compulsory residency requirements or other requirements of laws, regulations, practices, or policies may act as a barrier to the identification, enrollment, attendance, or success in school of homeless children and youths, the State and local educational agencies shall review and revise such laws, regulations, practices, or policies to ensure that homeless children and youths are afforded the same free appropriate public education as is provided to other children and youths.
“(3) Homelessness is not a sufficient reason to separate students from the mainstream school environment.

“(4) Homeless children and youths shall have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.

“SEC. 722. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTHS.

“(a) General Authority.—The Secretary is authorized to make grants to States from allotments made under subsection (c) and in accordance with this section to enable such States to carry out the activities described in subsections (d) through (h).

“(b) Application.—In order for a State to be eligible to receive a grant under this section, the State educational agency, in consultation with other relevant State agencies, shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

“(c) Allocation and Reservations.—
“(1) ALLOCATION.—

“(A) IN GENERAL.—Subject to subparagraph (C), the Secretary is authorized to allot to each State an amount that bears the same ratio to the amount appropriated for such year under section 727(a) that remains after the Secretary reserves funds under paragraph (2) and uses funds to carry out section 724 (d) and (h), as the amount allocated under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332) to the State for that year bears to the total amount allocated under section 1122 of such Act to all States for that year, except as provided in subparagraph (B).

“(B) MINIMUM ALLOTMENTS.—No State shall receive less under this paragraph than the greater of—

“(i) $300,000; or

“(ii) one-fourth of 1 percent of the amount appropriated under section 727(a) for that year.

“(C) REDUCTION FOR INSUFFICIENT FUNDS.—If there are insufficient funds in a fiscal year to allot to each State the minimum
amount under subparagraph (B), the Secretary shall ratably reduce the allotments to all States based on the proportionate share that each State received under this subsection for the preceding fiscal year.

“(2) Reservations.—

“(A) Students in territories.—The Secretary is authorized to reserve 0.1 percent of the amount appropriated for each fiscal year under section 727(a) to be allocated by the Secretary among the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, according to their respective needs for assistance under this subtitle, as determined by the Secretary. Funds allocated under this subparagraph shall be used for programs that are consistent with the purposes of the programs described in this subtitle.

“(B) Indian students.—

“(i) Transfer.—The Secretary shall transfer 1 percent of the amount appropriated for each fiscal year under section 727(a) to the Department of the Interior for programs that are for Indian students
served by schools funded by the Secretary of the Interior, as determined under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), and that are consistent with the purposes of the programs described in this subtitle.

“(ii) AGREEMENT.—The Secretary of Education and the Secretary of the Interior shall enter into an agreement, consistent with the requirements of this subtitle, for the distribution and use of the funds described in clause (i) under terms that the Secretary of Education determines best meet the purposes of the programs described in this subtitle. Such agreement shall set forth the plans of the Secretary of the Interior for the use of the funds transferred, including appropriate goals, objectives, and milestones for that use.

“(d) STATE ACTIVITIES.—Grant funds from a grant made to a State under this section shall be used for the following:

“(1) To provide activities for and services to improve the identification of homeless children and youths and enable such children and youths to enroll
in, attend, and succeed in school, including in early
care and education programs (especially in pre-
kindergarten).

“(2) To provide activities and services to im-
prove the identification of homeless children and
youths and enable such children and youths to enroll
in, attend, and succeed in school and preschool pro-
grams.

“(3) To establish or designate an Office of the
Coordinator for Education of Homeless Children and
Youths in the State educational agency in accord-
ance with subsection (f) that has sufficient capacity,
resources, and support to carry out the duties de-
scribed in this subtitle.

“(4) To prepare and carry out the State plan
described in subsection (g).

“(5) To develop and implement professional de-
velopment activities for liaisons designated under
subsection (g)(1)(J)(ii), other local educational agen-
cy and school personnel, and community agencies—

“(A) to improve their identification of
homeless children and youths; and

“(B) to heighten their awareness of, and
capacity to respond to, specific problems in the
education of homeless children and youths.
“(e) State and Local Subgrants.—

“(1) Minimum Disbursements by States.—
From the grant funds made available each year to a State under subsection (a) to carry out this sub-
title, the State educational agency shall distribute not less than 75 percent by making subgrants under section 723 to local educational agencies for the pur-
poses of carrying out section 723.

“(2) Use by State Educational Agency.—
From the remainder of those grant funds, a State educational agency may use amounts to conduct ac-
tivities under subsection (f) directly or through grants or contracts.

“(f) Functions of the Office of the Coordinator.—The Coordinator for Education of Homeless Children and Youths established in each State shall—

“(1)(A) gather and make publicly available reli-
able, valid, and comprehensive information—

“(i) on the number of homeless children and youths identified in the State;

“(ii) on the nature and extent of the prob-
lems homeless children and youths have in gaining access to early care and education pro-
grams, and to public elementary schools and secondary schools;
“(iii) on the difficulties in identifying the special needs and barriers to participation and achievement of such children and youths;

“(iv) on any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties; and

“(v) describing subgrants awarded under this subtitle, and the success of the programs under this subtitle in identifying homeless children and youths and allowing such children and youths to enroll in, attend, and succeed in, school; and

“(B) ensure that a report indicating the numbers of homeless children and youths identified by each local educational agency in the State shall be posted annually on the State educational agency’s website;

“(2) develop and carry out the State plan described in subsection (g);

“(3) collect data for and transmit to the Secretary, at such time and in such manner as the Secretary may require, reports containing such information as the Secretary determines is necessary to assess the educational needs of all homeless children
and youths within the State, including data requested pursuant to subsection (h) of section 724;

“(4) in order to improve identification of homeless children and youths and to improve the provision of comprehensive education and related support services to homeless children and youths and their families, and to minimize educational disruption, coordinate activities, and collaborate with—

“(A) educators, including teachers, administrators, special education personnel, child development and preschool program personnel, truancy, attendance, and dropout prevention personnel, and personnel from programs provided under titles I, III, and IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq., 6801 et seq., and 7101 et seq.) and similar State programs;

“(B) providers of services to homeless children and youths and their families, including services of public and private child welfare and social services agencies, law enforcement agencies, juvenile and family courts, agencies providing mental health services, domestic violence agencies, child care providers, runaway and homeless youth centers, and providers of serv-
ices and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); “(C) providers of emergency, transitional, and permanent housing to homeless children and youths, and their families, including public housing agencies, shelter operators, operators of transitional housing facilities, and providers of transitional living programs for homeless youths; “(D) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; “(E) community organizations and groups representing homeless children and youths and their families; “(F) relevant State agencies and task forces, such as State interagency councils on homelessness, State agencies administering higher education programs and councils for higher education, State housing agencies, emergency and disaster response teams, State Head Start collaboration offices, and State advisory panels and State interagency coordinating councils convened under parts B and C of the Indi-
individuals With Disabilities Education Act (20 U.S.C. 1411 et seq., 1431 et seq.); and

“(G) the Coordinators for Education of Homeless Children and Youths in other States, including adjacent States;

“(5) provide professional development and technical assistance to and conduct monitoring of local educational agencies, in coordination with local educational agency liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of paragraphs (3) through (7) of subsection (g), and subsection (h); and

“(6) respond to inquiries from parents and guardians of homeless children and youths and unaccompanied youths to ensure that each child or youth who is the subject of such an inquiry receives the full protections and services provided by this subtitle.

“(g) STATE PLAN.—

“(1) IN GENERAL.—Each State shall submit to the Secretary and carry out a plan to provide for education and related support services for all homeless children and youths within the State. Such plan shall include the following:
“(A) A description of how such children and youths are (or will be) given the opportunity to meet the same challenging State student academic achievement standards as all students are expected to meet.

“(B) A description of the procedures the State educational agency will use, in coordination with local educational agencies, to identify all such children and youths in the State and to assess their special needs.

“(C) A description of procedures for the prompt resolution of disputes arising under this subtitle, which shall—

“(i) ensure that local educational agencies have developed dispute resolution procedures which, at a minimum—

“(I) are developed in coordination and collaboration with the liaisons designated under subparagraph (J)(ii);

“(II) are accessible to parents and guardians of homeless children and youths, and to unaccompanied youths;
“(III) provide such parents, guardians, and unaccompanied youths with sufficient opportunity to present their complaints; and

“(IV) designate decisionmakers who have received training on the requirements of this subtitle;

“(ii) ensure that parents and guardians of homeless children and youths, and unaccompanied youths, who have exhausted the procedures available under clause (i) are able to appeal to the State educational agency, which shall render decisions that are binding on the relevant local educational agencies;

“(iii) define the role of the Coordinator for Education of Homeless Children and Youths in resolving disputes under this subtitle appealed to the State educational agency;

“(iv) include procedures to resolve promptly disputes under this subtitle between local educational agencies;

“(v) ensure that homeless children and youths are enrolled in school pursuant
to paragraph (3)(E) and receive transportation pursuant to subparagraph (J)(iii) pending final resolution of disputes, including resolution through all available local and State dispute resolution procedures and pending legal actions, paying particular attention to ensuring enrollment in cases of disputes between local educational agencies; and

“(vi) include procedures for State educational agencies or local educational agencies to determine the need for, and ensure the delivery of, additional academic support in cases in which a local educational agency has unlawfully denied a student access to school or school services, including transportation.

“(D) A description of programs for school and other local educational agency personnel (including the liaisons, principals, attendance officers, teachers, enrollment personnel, and pupil services personnel) to heighten the awareness of such personnel of the specific needs of homeless adolescents, including runaway and homeless youths.
“(E) A description of procedures that ensure that homeless children and youths are able to participate in Federal, State, or local nutrition programs.

“(F) A description of procedures that ensure that—

“(i) homeless children have access to public preschool programs, administered by the State educational agency or local educational agency, including through the policies and practices required under paragraph (7);

“(ii) homeless youths, including youths separated from public schools, are identified and accorded access to appropriate secondary education and related support services, including through the implementation of policies and practices to ensure that such youths are—

“(I) able to receive credit for full or partial coursework satisfactorily completed while attending a prior school;
“(II) are afforded opportunities to recover credits lost during periods of homelessness; and

“(III) are not penalized for absences related to homelessness and are allowed to receive credit for work completed after their enrollment; and

“(iii) homeless children and youths who meet the relevant eligibility criteria have access to magnet school, summer school, vocational and technical education, advanced placement, online learning opportunities, and charter school programs.

“(G) Strategies to address problems identified in the reports provided to the Secretary under subsection (f)(3).

“(H) Strategies to address other problems with respect to the education of homeless children and youths, including enrollment problems related to—

“(i) immunization and other required health records and screenings;

“(ii) residency requirements;

“(iii) lack of birth certificates, school records, or other documentation;
“(iv) guardianship issues; or

“(v) uniform or dress code requirements.

“(I) A demonstration that the State educational agency, and local educational agencies and schools in the State, regularly review and revise their policies and practices to remove barriers to the identification, enrollment, attendance, retention, and success of homeless children and youths in schools, including in early care and education programs, in the State.

“(J) Assurances that the following will be carried out:

“(i) Prevention of Stigmas and Segregation.—The State educational agency and local educational agencies in the State will adopt policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless.

“(ii) Liaison.—Local educational agencies will designate a staff person as the local educational agency liaison for homeless children and youths, who shall
have sufficient training, resources, and

time to carry out the duties described in
paragraph (6), and who may also be a co-
ordinator for other Federal programs.

“(iii) Provision of Transportation.—The State and local educational
agencies will adopt policies and practices to
ensure that transportation is provided ex-
peditiously, at the request of the parent or
guardian involved (or in the case of an un-
accompanied youth, the liaison), to and
from the school of origin (as defined in
paragraph (3)(J)), for as long as the stu-
dent has the right to attend the school of
origin as determined in paragraph (3)(A),
in accordance with the following, as appli-
cable:

“(I) Within one local educational agency.—If the child or
youth continues to live in the area
served by the local educational agency
for the school of origin, the child’s or
youth’s transportation to and from
the school of origin shall be provided
or arranged by the local educational
agency for the school of origin.

“(II) INVOLVING MORE THAN
ONE LOCAL EDUCATIONAL AGENCY.—
If the child’s or youth’s living ar-
rangements in the area served by the
local educational agency of origin ter-
minate and the child or youth, though
continuing the child’s or youth’s edu-
cation in the school of origin, begins
living in an area served by another
local educational agency, the local
educational agency of origin and the
local educational agency for the area
in which the child or youth is living
shall share equally the cost and re-
sponsibility for providing transpor-
tation to and from the school of origin
unless the agencies agree upon an-
other method to apportion cost and
responsibility, or the State educational
agency has devised another method to
apportion cost and responsibility
among local educational agencies.
“(iv) **School success.**—The State educational agency and local educational agencies will adopt policies and practices to promote school success for homeless children and youths, including by—

“(I) ensuring that homeless children and youths have opportunities to meet the same challenging State student academic achievement standards to which other students are held;

“(II) ensuring that homeless children and youths are able to participate fully in all classes and school activities, including extracurricular activities, athletic activities for which they meet skill level requirements, before and after school programs, summer school programs, field trips, classes, tests, and activities with fees, services provided under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and similar State and local programs, and other activities made available to nonhomeless students; and
“(III) ensuring that such policies and practices remove barriers to participation related to fees, credit accrual policies, lack of guardianship, lack of transportation, enrollment and participation deadlines, and residency requirements.

“(2) Compliance.—

“(A) In general.—Each plan adopted under this subsection shall also describe how the State will ensure that local educational agencies in the State will comply with the requirements of paragraphs (3) through (7).

“(B) Coordination.—Such plan shall indicate what technical assistance the State will furnish to local educational agencies and how compliance efforts will be coordinated with the local educational agency liaisons designated under paragraph (1)(J)(ii).

“(3) Local educational agency requirements.—

“(A) In general.—The local educational agency serving each child or youth to be assisted under this subtitle shall, according to the child’s or youth’s best interest—
“(i) continue the child’s or youth’s education in the school of origin for the duration of homelessness—

“(I) in any case in which the child or youth becomes a homeless child or youth between academic years or during an academic year; and

“(II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or

“(ii) enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

“(B) SCHOOL STABILITY.—To promote the school stability of the child or youth, and in determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

“(i) presume that keeping the child or youth in the school of origin is in the child’s or youth’s best interest, except when doing so is contrary to the wishes of
the child’s or youth’s parent or guardian, or the unaccompanied youth;

“(ii) consider student-centered factors related to the child’s or youth’s best interest, giving priority to the wishes of the parent, guardian, or unaccompanied youth, including—

“(I) the harmful impact of school mobility on academic achievement and social and emotional well-being;

“(II) the age of the child or youth;

“(III) the impact any commute may have on the child’s or youth’s education;

“(IV) personal safety issues;

“(V) the child’s or youth’s need for special instruction, including special education and related services;

“(VI) the length of anticipated stay in a temporary shelter or other temporary location;

“(VII) the time remaining in the school year; and
“(VIII) the school placement of
family members;
“(iii) if, after conducting the best in-
terest determination described in clause
(ii), the local educational agency deter-
mines that it is not in the child’s or
youth’s best interest to attend the school of
origin or the school requested by the par-
ent, guardian, or unaccompanied youth,
provide the child’s or youth’s parent or
guardian or the unaccompanied youth with
a written explanation of the reasons for its
determination, in a manner and form un-
derstandable to such parent, guardian, or
youth, including information regarding the
right to appeal described in subparagraph
(E);
“(iv) in the case of an unaccompanied
youth, ensure that the liaison designated
under paragraph (1)(J)(ii) assists in place-
ment or enrollment decisions under this
subparagraph, gives priority to the views of
such unaccompanied youth, and provides
notice to such youth of the right to appeal
described in subparagraph (E); and

“(v) provide transportation pursuant to paragraphs (1)(J)(iii) and (4).

“(C) ENROLLMENT.—

“(i) IN GENERAL.—The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth—

“(I) is unable to produce records normally required for enrollment, including previous academic records, records of immunizations and health screenings and other required health records, proof of residency or guardianship, or other documentation;

“(II) has unpaid fines or fees from prior schools or is unable to pay fees in the school selected; or

“(III) has missed application or enrollment deadlines during any period of homelessness.

“(ii) RELEVANT ACADEMIC RECORDS.—The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.
“(iii) Relevant health records.—

If the child or youth needs to obtain immunizations or health screenings, or immunization or other required health records, the enrolling school shall immediately enroll the child or youth and refer the parent or guardian of the child or youth, or the unaccompanied youth, to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations or screenings, or immunization or other required health records in accordance with subparagraph (D).

“(iv) No liability.—Whenever the school selected enrolls an unaccompanied youth in accordance with this paragraph, no liability shall be imposed upon the school by reason of enrolling the youth without parent or guardian consent.

“(D) Records.—

“(i) In general.—Any record ordinarily kept by the school, including records of immunizations and health screenings and other required health records, aca-
demic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be—

“(I) maintained so that the records involved are available, in a timely fashion, when a homeless child or youth enters a new school or school district;

“(II) immediately sent to the enrolling school, even if the child or youth owes fees or fines or was not withdrawn from the previous school in conformance with local withdrawal procedures; and


“(ii) RELEASE.—School records needed for academic placement decisions shall be released immediately by the previous school by facsimile transmission or other available electronic means.
“(E) DISPUTES.—If a dispute arises over eligibility for services, school selection, enrollment in a school, or any other issue under this subtitle—

“(i) the child or youth involved shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;

“(ii) the parent, guardian, or unaccompanied youth involved shall be provided with written explanations of any decisions made by the school, the local educational agency, or the State educational agency involved, which shall include information about the right to appeal such decisions;

“(iii) the parent, guardian, or unaccompanied youth shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(C) as expeditiously as possible after receiving notice of such dispute; and
“(iv) in the case of an unaccompanied youth, the liaison shall ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of such dispute.

“(F) PLACEMENT CHOICE.—The choice regarding placement shall be made regardless of whether the child or youth involved lives with the homeless parents or has been temporarily placed elsewhere.

“(G) CONTACT INFORMATION.—Nothing in this subtitle shall prohibit a local educational agency from requiring a parent or guardian of a homeless child to submit contact information.

“(H) PRIVACY.—Information about a homeless child’s or youth’s living situation shall be treated as a student education record under section 444 of the General Education Provisions Act (20 U.S.C. 1232g) and shall not be released to housing providers, employers, law enforcement personnel, or other persons or agencies not authorized to have such information under section 99.31 of title 34, Code of Federal Regulations, paying particular attention to preventing disruption of the living situa-
tion of the child or youth and to supporting the
safety of such children and youths who are sur-
vivors of domestic violence and unaccompanied
youths.

“(I) ACADEMIC ACHIEVEMENT.—The
school selected in accordance with this para-
graph shall ensure that homeless children and
youths have opportunities to meet the same
challenging State student academic achievement
standards to which other students are held, in-
cluding implementing the policies and practices
required by paragraph (1)(J)(iv).

“(J) SCHOOL OF ORIGIN DEFINED.—In
this paragraph:

“(i) IN GENERAL.—The term ‘school
of origin’ means the school that a child or
youth attended when permanently housed
or the school in which the child or youth
was last enrolled.

“(ii) RECEIVING SCHOOL.—When the
child or youth completes the final grade
level served by the school of origin, as de-
scribed in clause (i), the term ‘school of or-
igin’ shall include the designated receiving
school at the next grade level for all feeder schools.

“(4) COMPARABLE SERVICES.—In addition to receiving services provided for homeless children and youths under this subtitle or other Federal, State, or local laws, regulations, policies, or practices, each homeless child or youth to be assisted under this subtitle also shall be provided services comparable to services offered to other students in the school selected under paragraph (3), including the following:

“(A) Transportation services.

“(B) Educational services for which the child or youth meets the eligibility criteria, including services provided under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) or services of similar State or local programs, charter schools, magnet schools, educational programs for children with disabilities, and educational programs for students with limited English proficiency.

“(C) Programs in vocational and technical education.

“(D) Programs for gifted and talented students.

“(E) School nutrition programs.
“(5) COORDINATION.—

“(A) IN GENERAL.—Each local educational agency shall coordinate—

“(i) the provision of services under this subtitle with the services of local social services agencies and other agencies or entities providing services to homeless children and youths and their families, including services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) or provided by other agencies serving unaccompanied youths, public and private child welfare agencies, Head Start centers and local entities administering State-funded preschool programs, and agencies providing mental health services;

“(ii) transportation, transfer of school records, and other interdistrict activities, with other local educational agencies;

“(iii) the provision of services under this subtitle with the provision of other education programs, including programs provided under titles I, III, and IV of the Elementary and Secondary Education Act
of 1965 (20 U.S.C. 6301 et seq., 6801 et seq., and 7101 et seq.) and similar State and local programs, programs in vocational and technical education, truancy and dropout prevention programs, before and after school programs, summer school programs, programs provided for students with disabilities, students with limited English proficiency, and gifted and talented students, and local educational agency transportation services; and

“(iv) activities, planning, and initiatives with State and local agencies and organizations providing emergency, transitional, and permanent housing and other services to homeless families and unaccompanied youths, including developing and implementing strategies to minimize educational disruption for children and youths who become homeless.

“(B) COORDINATION PURPOSE.—The coordination required under subparagraph (A) shall be designed to—

“(i) ensure that all homeless children and youths are promptly identified;
“(ii) ensure that homeless children and youths have access to and are in reasonable proximity to available education and related support services;

“(iii) decrease school mobility and ensure that agencies placing homeless children and youth in housing and agencies providing housing and other services consider the proximity of housing and services to a child or youth’s school of origin (as defined in paragraph (3)(J)); and

“(iv) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

“(C) HOMELESS CHILDREN AND YOUTHS WITH DISABILITIES.—

“(i) IN GENERAL.—For children and youth who are to be assisted both under this subtitle, and under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) or section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), each local educational agency shall coordi-
nate the provision of services under this subtitle with the provision of programs for children with disabilities served by that local educational agency and other involved local educational agencies.

“(ii) Cost and responsibility for individuals with disabilities.—Such coordination shall include the following:

“(I) Transportation.—Each local educational agency shall adopt policies and practices to apportion the cost and responsibility for providing transportation to children and youths entitled to transportation services under both paragraph (1)(J)(iii) and the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) or section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

“(II) Public or private educational program.—

“(aa) In general.—Except as provided in item (bb), if a local educational agency has placed a child or youth in a pri-
vate educational program, or in a
public educational program out-
side the area served by that local
educational agency, under section
614(d)(1)(A) of the Individuals
with Disabilities Education Act
(20 U.S.C. 1414(d)(1)(A)), and
though moving to an area served
by another local educational
agency, the homeless child or
youth is to remain in that edu-
cational program as the child’s or
youth’s school of origin (as de-
defined in paragraph (3)(J)) under
subparagraphs (A) and (B) of
paragraph (3), the local edu-
cational agency that made the
placement shall continue pay-
ments for the placement.

“(bb) EXCEPTION.—Item
(aa) shall apply unless the local
educational agency that made the
placement and the local edu-
cational agency in the area where
the student is temporarily resid-
ing agree upon another method to apportion the cost, or the State educational agency involved has devised another method to apportion cost and responsibility among local educational agencies.

“(6) LOCAL EDUCATIONAL AGENCY LIAISON.—

“(A) DUTIES.—Each local educational agency liaison for homeless children and youths, designated under paragraph (1)(J)(ii), shall ensure that—

“(i) all homeless children and youths are identified by school personnel and through outreach and coordination activities with other entities and agencies, including through such measures as inquiries concerning housing status on school registration forms and on withdrawal or exit forms;

“(ii) homeless children and youths are immediately enrolled in, and have a full and equal opportunity to succeed in, schools of that local educational agency;

“(iii) homeless families, and homeless children and youths, have access to edu-
cation services for which such families, children, and youths are eligible, including services through Head Start, Early Head Start, early intervention, and Even Start programs, and preschool programs described in paragraph (7)(A);

“(iv) homeless families, and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;

“(v) homeless children and youths are immediately certified for free meals offered under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.);

“(vi) the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children, including early care and education opportunities, and are provided with meaningful opportunities
to participate in the education of their children;

“(vii) public notice of the educational rights of homeless children and youths is incorporated into documents related to residency requirements or enrollment, provided upon school enrollment and withdrawal, posted on the local educational agency’s website, and disseminated in locations frequented by parents or guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to parents and guardians of homeless children and youths and unaccompanied youths;

“(viii) disputes are resolved in accordance with paragraph (3)(E);

“(ix) the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, as described in paragraph (1)(J)(iii), and is assisted in ac-
cessing transportation to the school that is
selected under paragraph (3)(A);

"(x) school personnel are adequately
prepared to implement this subtitle and re-
ceive professional development, resource
materials, technical assistance, and other
support; and

"(xi) unaccompanied youths—

"(I) are enrolled in school;

"(II) have opportunities to meet
the same challenging State student
academic achievement standards to
which other students are held, includ-
ing through implementation of the
policies and practices required by sub-
paragraphs (F)(ii) and (J)(iv) of
paragraph (1); and

"(III) are informed of their sta-
tus as independent students under
section 480 of the Higher Education
Act of 1965 (20 U.S.C. 1087vv), in-
cluding through school counselors that
have received professional develop-
ment about unaccompanied youth,
and receive verification of such status
for purposes of the Free Application
for Federal Student Aid described in
section 483 of such Act (20 U.S.C.
1090).

“(B) NOTICE.—State Coordinators ap-
pointed under subsection (d)(3) and local edu-
cational agencies shall inform school personnel,
service providers, and advocates working with
homeless families and homeless children and
youths of the contact information and duties of
the local educational agency liaisons, including
publishing an annually updated list of the liai-
sons on the State educational agency’s website.

“(C) LOCAL AND STATE COORDINATION.—
The local educational agency liaisons shall, as a
part of their duties, coordinate and collaborate
with the State Coordinators and community
and school personnel responsible for the provi-
sion of education and related support services
to homeless children and youths. Such coordina-
tion shall include collecting and providing to the
State Coordinator the reliable, valid, and com-
prehensive data needed to meet the require-
ments of paragraphs (1) and (3) of subsection
(f).
“(D) Professional development.—The local educational agency liaisons shall participate in the professional development and other technical assistance activities provided by the State Coordinator pursuant to subsection (f)(5).

“(7) School readiness for homeless children.—

“(A) State and local educational agencies.—Each State educational agency and local educational agency shall ensure that entities carrying out preschool programs funded, administered, or overseen by the agency involved—

“(i) comply with paragraphs (3) and (4), except that in the absence of contrary State law or policy, such entities shall not be required to enroll a homeless child immediately in an early care and education program that is operating at full capacity when the child seeks to enroll;

“(ii) identify and prioritize homeless children for enrollment and increase their enrollment and attendance in early care and education programs, including through policies such as—
“(I) reserving spaces in preschool programs for homeless children;

“(II) conducting targeted out-reach to homeless children and their families;

“(III) waiving application deadlines;

“(IV) providing ongoing professional development for staff regarding the needs of homeless children and their families and strategies to serve the children and families; and

“(V) developing the capacity to serve all identified homeless children; and

“(iii) review the educational and related needs of homeless children and their families in such agency’s service area, in coordination with the liaison designated under paragraph (1)(J)(ii), and develop policies and practices to meet identified needs.

“(B) OTHER STATE AGENCIES.—In the case of State-funded early care and education programs that are not funded, administered, or
overseen by the State educational agency or a local educational agency, the State agency that funds, administers, or oversees such early care and education programs shall—

“(i) develop, review, and revise its policies and practices to remove barriers to the identification, enrollment, attendance, retention, and success of homeless children for or in early learning programs funded, administered, or overseen by the agency;

“(ii) ensure that the entities comply with the provisions of paragraph (3) and (4) except that such entities, with respect to such programs—

“(I) shall not be required to enroll a homeless child immediately in a preschool program that is operating at full capacity when the child seeks to enroll, in the absence of contrary State law or policy;

“(II) shall not be subject to the dispute resolution procedures of the State educational agency or local educational agencies, but shall ensure that all of the dispute resolution pro-
cedures available through such pro-
grams and the State agency that
funds, administers, or oversees such
programs are accessible to parents
and guardians of homeless children
and shall provide such parents and
guardians with a written explanation
of their dispute and appeal rights; and

“(III) shall not be subject to the
transportation requirements of para-
graphs (1)(J)(iii) or (3)(B)(v), but
shall remove barriers to transpor-
tation services for homeless children
and shall, to the maximum extent
practicable, arrange or provide trans-
portation for homeless children to at-
tend preschool programs, including
their preschool program of origin;

“(iii) identify and prioritize homeless
children for enrollment and increase their
enrollment and attendance in preschool
programs, including through policies such
as—

“(I) reserving spaces in preschool
programs for homeless children;
“(II) conducting targeted outreach to homeless children and their families;

“(III) waiving application deadlines;

“(IV) providing ongoing professional development for staff regarding the needs of homeless children and their families and strategies to serve the children and families; and

“(V) develop capacity to serve all identified homeless children; and

“(iv) review the educational and related needs of homeless children and their families in the State, in coordination with the Office of the Coordinator for Education of Homeless Children and Youths established under subsection (d)(3), and develop policies and practices to meet identified needs.

“(h) Prohibition on Segregating Homeless Children and Youths.—

“(1) In general.—In providing a free appropriate public education to a homeless child or youth, no State receiving funds under this subtitle shall
segregate such child or youth in a separate school, or in a separate program within a school, based on such child’s or youth’s status as homeless.

“(2) Transition from segregated schools in formerly covered counties.—To ensure a smooth, rapid, and complete transition for all homeless children and youths from segregated to nonsegregated schools or programs, in formerly covered counties, each local educational agency that serves such a covered county shall—

“(A) coordinate activities with those segregated schools and schools with segregated programs located in formerly covered counties, to identify each homeless child and youth enrolled in such schools and programs;

“(B) for each homeless child and youth so identified, determine if the child or youth has a school of origin (as defined in subsection (g)(3)(J)) and either—

“(i) immediately enroll the child or youth in the school of origin if it is in the child’s or youth’s best interest in accordance with this subtitle and consistent with the wishes of the parent, guardian, or unaccompanied youth involved, and provide
transportation to and from the school of origin; or

“(ii) immediately enroll the child or youth in any nonsegregated public school if enrollment in the school of origin is not in the child’s or youth’s best interest in accordance with this subtitle or is against the wishes of the parent, guardian, or unaccompanied youth;

“(C) provide the parent, guardian, or unaccompanied youth with information about the dispute resolution process available under this subtitle;

“(D) ensure that each homeless child or youth receives the full protections and services provided by this subtitle; and

“(E) implement other policies and practices necessary to ensure a smooth, rapid, and complete integration of the children and youths into the public schools of the local educational agency.

“(3) ROLE OF STATE EDUCATIONAL AGENCY IN TRANSITION.—The State educational agencies of California and Arizona shall provide technical assistance to the local educational agencies in the State
that serve formerly covered counties to ensure the requirements of paragraph (2) are met.

“(4) TRANSITION PERIOD.—Not later than the end of the academic year in which the Educational Success for Children and Youth Without Homes Act of 2013 is enacted, the transition referred to in paragraph (2) shall be complete.

“(i) NO DIMINISHMENT OF POWER.—Nothing in this subtitle shall be construed to diminish the rights of parents or guardians of homeless children or youth, or unaccompanied youth, otherwise provided under State law, policy, or practice, including laws or policies that authorize the best interest determination in subsection (g)(3) to be made solely by the parent, guardian, or youth involved.

“SEC. 723. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTHS.

“(a) GENERAL AUTHORITY.—

“(1) IN GENERAL.—The State educational agency shall, in accordance with section 722(e), and from amounts made available to such agency under section 727(a), make subgrants to local educational agencies for the purpose of facilitating the identification, enrollment, attendance, and success in school of homeless children and youths.
“(2) Services.—

“(A) In general.—Services under para-

graph (1)—

“(i) may be provided through pro-

grams on school grounds or at other facili-

ties; and

“(ii) shall, to the maximum extent

practicable, be provided through existing

programs and mechanisms that integrate

homeless children and youths with non-

homeless children and youths.

“(B) Services on school grounds.—If

services under paragraph (1) are provided to

homeless children and youths on school

grounds, the school involved may use funds

under this subtitle to provide the same services

to other children and youths who are deter-

mined by the local educational agency serving

the school to be at risk of failing in, or drop-

ping out of, school.

“(3) Requirement.—Services provided under

this section shall not replace the regular academic

program and shall be designed to expand upon or

improve services provided as part of the school’s reg-

ular academic program.
“(4) Duration of grants.—Subgrants awarded under this section shall be for terms of not to exceed 3 years.

“(b) Application.—A local educational agency that desires to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing or accompanied by such information as the State educational agency may reasonably require. Such application shall include the following:

“(1) An assessment of the educational and related needs of homeless children and youths in the area served by the local educational agency (which may be undertaken as part of a needs assessment for another disadvantaged group).

“(2) A description of the services and programs for which assistance is sought to address the needs identified in paragraph (1).

“(3) An assurance that the local educational agency’s combined fiscal effort per student, or the aggregate expenditures of that agency and the State with respect to the provision of free public education by such agency for the fiscal year preceding the fiscal year for which the subgrant determination is made, was not less than 90 percent of such com-
bined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made.

“(4) An assurance that the applicant complies with, or will use requested funds to comply with, paragraphs (3) through (7) of section 722(g).

“(5) A description of policies and procedures that the agency will implement to ensure that activities carried out by the agency will not isolate or stigmatize homeless children and youths.

“(6) An assurance that the local educational agency will collect and promptly provide data requested by the State Coordinator pursuant to paragraphs (1) and (3) of section 722(f).

“(7) A description of the policies and practices the local educational agency has implemented to remove barriers to the identification, enrollment, attendance, retention, and success in school of all homeless children and youths.

“(c) AWARDS.—

“(1) IN GENERAL.—The State educational agency shall, in accordance with the requirements of this subtitle and from amounts made available to it under section 722(a), make subgrants on a competitive basis to local educational agencies that submit
applications under subsection (b). Such subgrants shall be awarded on the basis of the need of such agencies for assistance under this subtitle and the quality of the applications submitted.

“(2) NEED.—

“(A) IN GENERAL.—In determining need under paragraph (1), the State educational agency may consider the number of homeless children and youths enrolled in preschool, elementary schools, and secondary schools within the area served by the local educational agency, and shall consider the needs of such children and youths and the ability of the local educational agency to meet such needs.

“(B) OTHER CONSIDERATIONS.—The State educational agency may also consider the following:

“(i) The extent to which the proposed use of funds will facilitate the identification, enrollment, attendance, retention, and educational success of homeless children and youths.

“(ii) The extent to which the application reflects coordination with other local
and State agencies that serve homeless children and youths.

“(iii) The extent to which the applicant exhibits in the application and in current practice (as of the date of submission of the application) a commitment to education for all homeless children and youths.

“(iv) Such other criteria as the State agency determines to be appropriate.

“(3) QUALITY.—In determining the quality of applications under paragraph (1), the State educational agency shall consider each of the following:

“(A) The applicant’s needs assessment under subsection (b)(2) and the likelihood that the program presented in the application will meet such needs.

“(B) The types, intensity, and coordination of the services to be provided under the program.

“(C) The extent to which the applicant will promote meaningful involvement of parents or guardians of homeless children or youths in the education of their children.
“(D) The extent to which homeless children and youths will be integrated into the regular education program involved.

“(E) The quality of the applicant’s evaluation plan for the program.

“(F) The extent to which services provided under this subtitle will be coordinated with other services available to homeless children and youths and their families, including housing and child welfare services and services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), and similar State and local programs.

“(G) The extent to which the local educational agency will use the subgrant to leverage resources, including by maximizing nonsubgrant funding for the position of the liaison described in section 722(g)(1)(J)(ii) and the provision of transportation.

“(H) The local educational agency’s use of funds to serve homeless children and youths under section 1113(c)(3) of title I of the Ele-
mentary and Secondary Education Act of 1965
(20 U.S.C. 6313(c)(3)).

“(I) The extent to which the applicant’s
program meets such other measures as the
State educational agency considers to be indica-
tive of a high-quality program, including the
extent to which the local educational agency will
provide services to unaccompanied youth and
preschool-aged children.

“(J) The extent to which the application
describes how the applicant will meet the re-
quirements of section 722(g)(3).

“(d) AUTHORIZED ACTIVITIES.—A local educational
agency may use funds awarded under this section for ac-
tivities that carry out the purpose of this subtitle, includ-
ing the following:

“(1) The provision of tutoring, supplemental in-
struction, and enriched educational services that are
linked to the achievement of the same challenging
State academic content standards and challenging
State student academic achievement standards as
the State establishes for other children and youths.

“(2) The provision of expedited evaluations of
the strengths, needs, and eligibility of homeless chil-
dren and youths, including needs and eligibility for
programs and services (including educational programs for gifted and talented students, children with disabilities, and students with limited English proficiency, charter school programs, magnet school programs, and programs in vocational and technical education, and school nutrition programs).

“(3) Professional development and other activities for educators and pupil services personnel that are designed to heighten the understanding and sensitivity of such educators and personnel to the needs of homeless children and youths, the rights of such children and youths under this subtitle, and the specific educational needs of runaway and homeless youths.

“(4) The provision of referral services to homeless children and youths for medical, dental, mental, and other health services.

“(5) The provision of assistance to defray the cost of transportation under paragraphs (1)(J)(iii) and (4)(A) of section 722(g), and transportation to preschool programs, not otherwise provided through Federal, State, or local funding.

“(6) The provision of developmentally appropriate early childhood development programs, not
otherwise provided through Federal, State, or local funding.

“(7) The provision of services and assistance to attract, engage, and retain homeless children and youths, particularly homeless children and youths who are not enrolled in school, in public school programs and services provided to nonhomeless children and youths.

“(8) The provision for homeless children and youths of before- and after-school, mentoring, and summer programs in which a teacher or other qualified individual provides tutoring, homework assistance, and supervision of educational activities.

“(9) If necessary, the payment of fees and other costs associated with tracking, obtaining, and transferring records necessary to facilitate the appropriate placement of homeless children and youths in school or preschool programs, including birth certificates, immunization or other required health records, academic records, guardianship records, and evaluations for special programs or services.

“(10) The provision of education and training to the parents of homeless children and youths about the rights of, and resources available to, such children and youths, and other activities designed to in-
crease the meaningful involvement of parents or guardians of homeless children or youths in the education of their children.

“(11) The development of coordination of activities between schools and agencies providing services to homeless children and youths, as described in section 722(g)(5).

“(12) The provision of pupil services (including counseling) and referrals for such services.

“(13) Activities to address the particular needs of homeless children and youths that may arise from domestic violence and parental mental health or substance abuse problems.

“(14) The adaptation of space and purchase of supplies for any nonschool facilities made available under subsection (a)(2) to provide services under this subsection.

“(15) The provision of school supplies, including supplies to be distributed at shelters or temporary housing facilities, or other appropriate locations.

“(16) The provision of assistance to defray the cost of the position of liaison designated pursuant to section 722(g)(1)(J)(ii), not otherwise provided through Federal, State, or local funding.
“(17) The provision of other extraordinary or emergency assistance needed to enable homeless children and youths to enroll, attend, and succeed in school or preschool programs.

SEC. 724. SECRETARIAL RESPONSIBILITIES.

“(a) REVIEW OF STATE PLANS.—In reviewing the State plan submitted by a State educational agency under section 722(g), the Secretary shall use a peer review process and shall evaluate whether State laws, policies, and practices described in such plan adequately address the problems of all homeless children and youths relating to access to education and placement as described in such plan.

“(b) TECHNICAL ASSISTANCE.—The Secretary shall provide support and technical assistance to State educational agencies to assist such agencies in carrying out their responsibilities under this subtitle, and shall establish or designate a Federal Office of the Coordinator for Education of Homeless Children and Youths that has sufficient capacity, resources, and support to carry out the responsibilities described in this subtitle.

“(c) NOTICE.—

“(1) IN GENERAL.—The Secretary shall, before the next school year that begins after the date of enactment of the Educational Success for Children and
Youth Without Homes Act of 2013, develop and disseminate a public notice of the educational rights of homeless children and youths. The notice shall include information regarding the definition of homeless children and youths in section 726.

“(2) DISSEMINATION.—The Secretary shall disseminate the notice nationally. The Secretary also shall disseminate such notice to heads of other Department of Education offices, including those responsible for special education programs, higher education, and programs under parts A, B, C, D, G, and H of title I, title III, title IV, and part B of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq., 6361 et seq., 6391 et seq., 6421 et seq., 6531 et seq., 6551 et seq., 6801 et seq., 7102 et seq., and 7221 et seq.). The Secretary shall also disseminate such notice to heads of other Federal agencies, and grant recipients and other entities carrying out federally funded programs, including Head Start program grantees, grant recipients under the Health Care for the Homeless program of the Health Resources and Services Administration of the Department of Health and Human Services, grant recipients under the Emergency Food and Shelter National Board
Program of the Federal Emergency Management Agency, grant recipients under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.), grant recipients under the John H. Chafee Foster Care Independence program, grant recipients under homeless assistance programs administered by the Department of Housing and Urban Development, and recipients of Federal funding for programs carried out by the Administration on Children, Youth and Families of the Department of Health and Human Services.

“(d) EVALUATION AND DISSEMINATION.—

“(1) IN GENERAL.—The Secretary shall conduct evaluation, dissemination, and technical assistance activities for programs that are designed to meet the educational needs of homeless preschool, elementary school, and secondary school students, and may use funds appropriated under section 727(a) to award grants to, or enter into contracts or cooperative agreements with, eligible entities to enable the eligible entities to carry out such activities.

“(2) PRIORITIES.—The Secretary, in awarding such grant, or entering into such contract or cooperative agreement, may, without regard to the rule-making procedures under section 553 of title 5,
United States Code, limit competitions to, or otherwise give priority to, entities with—

“(A) demonstrated experience in dissemination and technical assistance activities, including using the Internet and other state-of-the-art technology for efficient and cost-effective dissemination of information and technical assistance;

“(B) demonstrated experience in the areas of homelessness, serving at-risk youth, and education; and

“(C) established networks, and a history of collaboration, among State educational agencies, local educational agencies, and national organizations that provide services to homeless children and youths, and homeless families.

“(e) Submission and Distribution.—The Secretary shall require applications for grants under section 722 to be submitted to the Secretary not later than the expiration of the 120-day period beginning on the date that funds are available for purposes of making such grants and shall make such grants not later than the expiration of the 180-day period beginning on such date.

“(f) Determination by Secretary.—The Secretary, based on the information received from the States
and information gathered by the Secretary under subsection (h), shall determine the extent to which State educational agencies are ensuring that each homeless child or youth has access to a free appropriate public education, as described in section 721(1). The Secretary shall provide support and technical assistance to State educational agencies in areas in which barriers to a free appropriate public education persist.

“(g) PUBLICATION.—The Secretary shall develop, issue, and publish in the Federal Register, not later than 90 days after the date of enactment of the Educational Success for Children and Youth Without Homes Act of 2013, a summary of the changes enacted by that Act and related strategies, which summary shall include—

“(1) strategies by which a State can assist local educational agencies to implement the provisions amended by the Act;

“(2) strategies by which a State can review and revise State policies and procedures that may present barriers to the identification, enrollment, attendance, and success of homeless children and youths in school; and

“(3) strategies by which entities carrying out preschool programs can implement requirements of section 722(g)(7).
“(h) INFORMATION.—

“(1) IN GENERAL.—From funds appropriated under section 727(a), the Secretary shall, directly or through grants, contracts, or cooperative agreements, periodically but no less frequently than every 2 years, collect and disseminate publicly data and information regarding—

“(A) the number of homeless children and youths in all areas served by local educational agencies, including homeless children enrolled in preschool programs described in section 722(g)(7)(A) and the type of living situation in which such children and youth are living when identified;

“(B) the education and related support services such children and youths receive;

“(C) the extent to which the needs of homeless children and youths are being met;

“(D) the academic progress being made by homeless children and youths, including the percent or number of homeless children and youths participating in State assessments; and

“(E) such other data and information as the Secretary determines to be necessary and relevant to carry out this subtitle.
“(2) COORDINATION.—The Secretary shall co-
ordinate such collection and dissemination with
other agencies and entities that receive assistance
and administer programs under this subtitle.
“(i) REPORT.—Not later than 4 years after the date
of enactment of the Educational Success for Children and
Youth Without Homes Act of 2013, the Secretary shall
prepare and submit to the President and the Committee
on Education and Labor of the House of Representatives
and the Committee on Health, Education, Labor, and
Pensions of the Senate a report on the status of the provi-
sion of education and related support services to homeless
children and youths, which shall include information on—
“(1) the education of homeless children and
youths; and
“(2) the actions of the Secretary and the effec-
tiveness of the programs supported under this sub-
title.
“SEC. 725. EMERGENCY DISASTER GRANTS.
“(a) IN GENERAL.—The Secretary shall distribute
emergency disaster grants to eligible local educational
agencies described in subsection (b), directly or through
the Office of the Coordinator for Education of Homeless
Children and Youths in the State educational agency, in
order to increase the capacity for such local educational agencies to respond to major disasters.

“(b) Eligibility; Application.—

“(1) Eligibility.—

“(A) Local educational agency eligibility.—A local educational agency shall be eligible to receive emergency disaster grant funds under this section, based on demonstrated need, if such local educational agency’s enrollment of homeless children and youth has increased as a result of hurricanes, floods, and other natural disasters for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5170 et seq.).

“(B) State eligibility.—A State, through the Office of the Coordinator for Education of Homeless Children and Youths in the State educational agency, shall be eligible to receive emergency disaster grant funds under this section if there are one or more eligible local educational agencies, as described in subparagraph (A), located within the State.

“(2) Application.—In order for an eligible State or an eligible local educational agency, as the
case may be, to receive a grant under subsection (a),
the State educational agency, in consultation with
other relevant State agencies, or local educational
agency shall submit an application to the Secretary
at such time, in such manner, and containing or ac-
companied by such information as the Secretary may
reasonably require.

“(c) DISTRIBUTION OF GRANTS.—The Secretary
shall distribute emergency disaster grant funds—

“(1) based on demonstrated need, to State edu-
cational agencies or local educational agencies for
local educational agencies whose enrollment of home-
less children and youths has increased as a result of
hurricanes, floods, or other natural disasters for
which the President has declared a major disaster
under title IV of the Robert T. Stafford Disaster
Relief and Emergency Assistance Act (42 U.S.C.
5170 et seq.);

“(2) expeditiously, and in no case later than 75
days after such funds are appropriated to the Sec-
retary; and

“(3) in a manner that enables local educational
agencies to use such funds for the immediate needs
of disaster response and ongoing disaster recovery.
“(d) AMOUNT OF GRANTS.—The Secretary shall dis-
tribute grants under this section in amounts determined
by the Secretary and related to the increase in enrollment
of homeless children and youths as a result of a major
disaster.

“(e) USES OF FUNDS.—Local educational agencies
shall use emergency disaster grant funds under this sec-
tion to carry out the activities described in section 723(d).

“SEC. 726. DEFINITIONS.

“In this subtitle:

“(1) ENROLL; ENROLLMENT.—The terms ‘en-
roll’ and ‘enrollment’ include attending classes and
participating fully in school activities.

“(2) FORMERLY COVERED COUNTIES.—The
term ‘formerly covered counties’ means, with respect
to California, San Joaquin County, Orange County,
and San Diego County, and with respect to Arizona,
Maricopa County.

“(3) HOMELESS CHILDREN AND YOUTHS.—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—
“(I) are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

“(II) are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

“(III) are living in emergency or transitional shelters;

“(IV) are abandoned in hospitals; or

“(V) are awaiting foster care placement;

“(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 (20 U.S.C. 6399)) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

“(4) INCLUDE; INCLUDING.—The terms ‘include’ and ‘including’ mean that the items named are not all of the possible items that are covered, whether like or unlike the items named.

“(5) LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY.—The terms ‘local educational agency’ and ‘State educational agency’ have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(6) SECRETARY.—The term ‘Secretary’ means the Secretary of Education.

“(7) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(8) UNACCOMPAINED YOUTH.—The term ‘unaccompanied youth’ means a homeless child or youth
not in the physical custody of a parent or legal guardian.

“SEC. 727. AUTHORIZATION OF APPROPRIATIONS.

“(a) In General.—For the purpose of carrying out this subtitle, other than section 725, there are authorized to be appropriated to the Secretary $300,000,000 for fiscal year 2014 and such sums as may be necessary for each of fiscal years 2015 through 2020.

“(b) Emergency Disaster Grants.—In addition to sums authorized under subsection (a), there are authorized to be appropriated to the Secretary to carry out section 725 such additional sums as may be necessary.”.

SEC. 3. CONFORMING AMENDMENTS.

The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(1) in section 1111 (20 U.S.C. 6311)—

(A) in subsection (b)(2), by adding at the end the following:

“(L) Accountability for Homeless Children and Youths.—The accountability provisions under this Act shall ensure that homeless children and youths (as defined in section 726 of the McKinney-Vento Homeless Assistance Act), are included in academic assessment, reporting, and accountability systems,
consistent with paragraph (3)(C)(xi). Notwithstanding the requirements of subsection (i), the
State is not required to disaggregate the assessment results of homeless children and youths as
a separate category under subparagraph (C)(v).”; and
(B) in subsection (c)—
    (i) in paragraph (13), by striking “and” after the semicolon;
    (ii) in paragraph (14), by striking the period at the end and inserting “; and”; and
    (iii) by adding at the end the following:
“(15) the State will ensure that the requirements of subtitle B of title VII of the McKinney-
Vento Homeless Assistance Act are satisfied.”;
(2) in section 1112 (20 U.S.C. 6312)—
    (A) by striking subsection (b)(1)(O) and inserting the following:
“(O) a description of—
“(i) how the local educational agency will ensure the enrollment, attendance, and
success of homeless children and youths;
“(ii) the services the local educational agency will provide homeless children and youths, including services provided with funds reserved under section 1113(c)(3);

“(iii) the amount of funds reserved under section 1113(c)(3);

“(iv) the needs assessment conducted to determine the amount of funds reserved under section 1113(c)(3);

“(v) how the amount of funds reserved under section 1113(c)(3) was determined and the amount of funds’ relation to the needs assessment;

“(vi) the collaborative role of the liaison designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act in determining the amount of funds reserved and the services provided; and

“(vii) the services the local educational agency provided homeless children and youths in the previous academic year, including services provided with funds reserved under section 1113(c)(3), an explanation of any discrepancy between the an-
anticipated and actual use of funds, and an
explanation of any unspent reserved
funds;”; and

(B) in subsection (e)(1)—

(i) in subparagraph (N), by striking
“and” after the semicolon;

(ii) in subparagraph (O), by striking
the period at the end and inserting “;
and”; and

(iii) by adding at the end the fol-
lowing new subparagraph:
“(P) comply with the requirements of sub-
title B of title VII of the McKinney-Vento
Homeless Assistance Act that relate to the local
educational agency.”;

(3) by striking section 1113(c)(3) (20 U.S.C.
6313(c)(3)) and inserting the following:
“(3) Reservation.—
“(A) In general.—
“(i) Funds for homeless chil-
dren and youths.—A local educational
agency shall reserve funds under this part
to assist homeless children and youths who
are attending schools receiving assistance
under section 1114 or 1115, or schools not
receiving assistance under this part, in satisfying the State’s academic achievement standards.

“(ii) Homeless children and youths.—In this paragraph, the term ‘homeless children and youths’ has the meaning given the term in section 726 of the McKinney-Vento Homeless Assistance Act.

“(B) Use of Funds.—Notwithstanding the requirements of subsections (b) and (c) of section 1120A, funds reserved under subparagraph (A) may be used to provide homeless children and youths with services not ordinarily provided to other students under this part, including—

“(i) providing funding for the liaison designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act;

“(ii) providing transportation pursuant to section 722(g)(1)(J)(iii) of such Act;
“(iii) providing services to preschool-aged homeless children and homeless secondary school students;

“(iv) providing support services to homeless children and youths in shelters and other locations where they may live; and

“(v) removing barriers to homeless children and youths’ enrollment, attendance, retention, and success in school.

“(C) AMOUNT RESERVED.—The amount of funds reserved under subparagraph (A) shall be determined collaboratively with the liaison designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act and based upon an assessment of the needs of homeless children and youths in the local educational agency, including consideration of the following:

“(i) The percentage of students determined by the local educational agency to be from a low-income family using the measures described in subsection (a)(5).

“(ii) Available data related to child, youth, and family homelessness in the local
educational agency, including data reported to the Department of Housing and Urban Development, data reported to the Department of Health and Human Services under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.), and data reported by Head Start, Early Head Start, and other preschool programs in the local educational agency.

“(iii) Information related to child, youth, and family homelessness in the local educational agency obtained through the coordination and collaboration required under subsections (f)(4) and (g)(5) of section 722 of the McKinney-Vento Homeless Assistance Act.

“(iv) The number of homeless children and youths reported by the local educational agency to the State educational agency under section 722(f)(3) of the McKinney-Vento Homeless Assistance Act for the previous school year.

“(v) Gaps in identification of homeless children and youths in the local educational agency, as described by the liaison
designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act.

“(vi) Transportation and other needs of homeless children and youths, as described by the liaison designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act.

“(vii) Strategies to improve or maintain academic achievement and high school graduation rates for homeless children and youths in the local educational agency.

“(D) Integration.—The services provided to homeless children and youths shall, to the maximum extent practicable, integrate homeless children and youths with non-homeless children and youths.

“(E) Comparable services.—A local educational agency shall reserve such funds as are necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve—

“(i) children in local institutions for neglected children; and
“(ii) if appropriate, children in local
institutions for delinquent children, and
neglected or delinquent children in commu-
nity day school programs.”;

(4) in section 1114(b)(1)(A) (20 U.S.C.
6314(b)(1)(A)), by inserting “and homeless children
and youths as defined in section 726 of the McKin-
ney-Vento Homeless Assistance Act” before “that is
based on information”;

(5) by striking section 1115(b)(2)(E) (20
U.S.C. 6315(b)(2)(E)) and inserting the following:
“(E) HOMELESS CHILDREN AND
YOUTHS.—A child or youth who is homeless, as
defined in section 726 of the McKinney-Vento
Homeless Assistance Act, and attending any
school served by the local educational agency is
eligible for services under this part.”;

(6) in section 1118(a)(2)(E) (20 U.S.C.
6318(a)(2)(E)), by inserting “are homeless,” before
“are disabled”;

(7) in section 1118(f) (20 U.S.C. 6318(f)), by
inserting “parents of homeless children,” before
“and parents of migratory children”;

(8) by striking section 1821(1) (20 U.S.C.
6561(1)) and inserting the following:
“(1) LOW-INCOME STUDENT.—The term ‘low-income student’ means a student who is determined by a local educational agency to be from a low-income family using the measures described in section 1113(a)(5), or a student who is a homeless child or youth, as defined in section 726 of the McKinney-Vento Homeless Assistance Act.”;

(9) in section 1822(b)(1) (20 U.S.C. 6561a(b)(1))—

(A) by amending subparagraph (H) to read as follows:

“(H) counseling and mentoring for at-risk students, including students who are homeless children and youths, as defined in section 726 of the McKinney-Vento Homeless Assistance Act;”;

(B) in subparagraph (I), by striking “and” after the semicolon;

(C) in subparagraph (J), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(K) outreach activities to locate and identify at-risk students, including homeless children and youths, as defined in section 726 of
the McKinney-Vento Homeless Assistance Act.”;

(10) in section 1823(b)(1) (20 U.S.C. 6561b(b)(1))—

(A) in subparagraph (F), by striking “and” after the semicolon;

(B) in subparagraph (G), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(H) describe how the strategies and activities will include outreach and services to homeless children and youths, as defined in section 726 of the McKinney-Vento Homeless Assistance Act.”;

(11) in section 1825(1) (20 U.S.C. 6561d(1))—

(A) in subparagraph (A), by inserting “, including homeless children and youths, as defined in section 726 of the McKinney-Vento Homeless Assistance Act” after “at-risk students”; and

(B) in subparagraph (B), by inserting “, homeless children and youths (as defined in section 726 of the McKinney-Vento Homeless As-
sistance Act),” after “racial and ethnic minorities”; (12) in section 4203(a) (20 U.S.C. 7173(a))—
(A) in paragraph (10), by inserting “, including homeless children and youths (as defined in section 726 of the McKinney-Vento Homeless Assistance Act),” after “participating students”;
(B) in paragraph (13)(B), by striking “and” after the semicolon;
(C) in paragraph (14), by striking the period at the end and inserting “; and”; and
(D) by adding at the end the following:
“(15) contains an assurance that the State educational agency will require eligible entities to describe in the entities’ applications under section 4204(b) how such entities will ensure the participation, attendance, and success of eligible homeless children and youths (as defined in section 726 of the McKinney-Vento Homeless Assistance Act), paying particular attention to the needs of unaccompanied youths.”; and
(13) in section 5203(b)(3)(L) (20 U.S.C. 7221b(b)(3)(L)), by inserting before the semicolon at the end the following: “, and the local educational
agency requirements under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act”.