

106TH CONGRESS  
1ST SESSION

# H. R. 2888

To provide funds to assist homeless children and youth.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 1999

Mrs. BIGGERT (for herself, Mr. OSE, Ms. SLAUGHTER, and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on Banking and Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide funds to assist homeless children and youth.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This title may be cited as the “Stewart B. McKinney  
5 Homeless Education Assistance Improvements Act of  
6 1999”.

7       **SEC. 2. FINDINGS.**

8       Congress makes the following findings:

9               (1) An estimated 1,000,000 children in the  
10       United States will experience homelessness this year.

1           (2) Homelessness has a devastating impact on  
2           the educational opportunities of children and youth;  
3           homeless children go hungry at more than twice the  
4           rate of other children; have 4 times the rate of de-  
5           layed development; and are twice as likely to repeat  
6           a grade.

7           (3) Despite steady progress in school enroll-  
8           ment and attendance resulting from the passage in  
9           1987 of the Stewart B. McKinney Homeless Assist-  
10          ance Act, homeless students still face numerous bar-  
11          riers to education, including residency, guardianship  
12          and registration requirements, as well as delays in  
13          the transfer of school records, and inadequate trans-  
14          portation service.

15          (4) School is one of the few secure factors in  
16          the lives of homeless children and youth, providing  
17          stability, structure, and accomplishment during a  
18          time of great upheaval.

19          (5) Homeless children and youth need to re-  
20          main in school so that they acquire the skills nec-  
21          essary to escape poverty and lead productive, healthy  
22          lives as adults.

23          (6) In the 12 years since the passage of the  
24          McKinney Act, educators and service providers have

1 learned much about policies and practices which help  
2 remove the barriers described.

3 **SEC. 903. PURPOSE.**

4 The purpose of this title is to reauthorize and  
5 strengthen subtitle B of title VII of the Stewart B. McKin-  
6 ney Homeless Assistance Act by amending it—

7 (1) to include innovative practices, such as  
8 those enacted in Illinois, proven to be effective in  
9 helping homeless children and youth enroll, attend,  
10 and succeed in school; and

11 (2) to help ensure that such individuals receive  
12 a quality education and secure their chance for a  
13 brighter future.

14 Subtitle B of the Stewart B. McKinney Homeless  
15 Education Assistance Improvements Act of 1999 is  
16 amended to read as follows:

17 **“Subtitle B—Education for**  
18 **Homeless Children and Youth**

19 **“SEC. 721. STATEMENT OF POLICY.**

20 “It is the policy of Congress that—

21 “(1) each State educational agency shall ensure  
22 that each child of a homeless individual and each  
23 homeless youth has equal access to the same free,  
24 appropriate public education, including a public pre-

1 school education, as provided to other children and  
2 youth;

3 “(2) in any State that has a compulsory resi-  
4 dency requirement as a component of the State’s  
5 compulsory school attendance laws or other laws,  
6 regulations, practices, or policies that may act as a  
7 barrier to the enrollment, attendance, or success in  
8 school of homeless children and youth, the State  
9 shall review and undertake steps to revise such laws,  
10 regulations, practices, or policies to ensure that  
11 homeless children and youth are afforded the same  
12 free, appropriate public education as provided to  
13 other children and youth;

14 “(3) homelessness alone is not sufficient reason  
15 to separate students from the mainstream school en-  
16 vironment; and

17 “(4) homeless children and youth should have  
18 access to the education and other services that such  
19 children and youth need to ensure that such children  
20 and youth have an opportunity to meet the same  
21 challenging State student performance standards to  
22 which all students are held.

1   **“SEC. 722. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR**  
2                           **THE EDUCATION OF HOMELESS CHILDREN**  
3                           **AND YOUTH.**

4           “(a) GENERAL AUTHORITY.—The Secretary is au-  
5   thorized to make grants to States in accordance with the  
6   provisions of this section to enable such States to carry  
7   out the activities described in subsections (d), (e), (f), and  
8   (g).

9           “(b) APPLICATION.—No State may receive a grant  
10   under this section unless the State educational agency  
11   submits an application to the Secretary at such time, in  
12   such manner, and containing or accompanied by such in-  
13   formation as the Secretary may reasonably require.

14          “(c) ALLOCATION AND RESERVATIONS.—

15               “(1) IN GENERAL.—Subject to paragraph (2)  
16           and section 724(c), from the amounts appropriated  
17           for each fiscal year under section 726, the Secretary  
18           is authorized to allot to each State an amount that  
19           bears the same ratio to the amount appropriated for  
20           such year under section 726 as the amount allocated  
21           under section 1122 of the Elementary and Sec-  
22           ondary Education Act of 1965 to the State for that  
23           year bears to the total amount allocated under sec-  
24           tion 1122 to all States for that year, except that no  
25           State shall receive less than \$100,000.

1           “(2) RESERVATION.—(A) The Secretary shall  
2       reserve 0.1 percent of the amount appropriated for  
3       each fiscal year under section 726 to be allocated by  
4       the Secretary among the Virgin Islands, Guam,  
5       American Samoa, and the Commonwealth of the  
6       Northern Mariana Islands, according to their respec-  
7       tive need for assistance under this subtitle (as the  
8       subtitle was then in effect), as determined by the  
9       Secretary.

10           “(B)(i) The Secretary is authorized to transfer  
11       one percent of the amount appropriated for each fis-  
12       cal year under section 726 to the Department of the  
13       Interior for programs for Indian students served by  
14       schools funded by the Secretary of the Interior, as  
15       determined under the Indian Self-Determination and  
16       Education Assistance Act, that are consistent with  
17       the purposes of this Act.

18           “(ii) The Secretary and the Secretary of the In-  
19       terior shall enter into an agreement, consistent with  
20       the requirements of this part, for the distribution  
21       and use of the funds described in clause (i) under  
22       terms that the Secretary determines best meet the  
23       purposes of the programs described in such clause.  
24       Such agreement shall set forth the plans of the Sec-  
25       retary of the Interior for the use of the amounts

1 transferred, including appropriate goals, objectives,  
2 and milestones.

3 “(3) DEFINITION.—As used in this subsection,  
4 the term “State” shall not include the Virgin Is-  
5 lands, Guam, American Samoa, and the Common-  
6 wealth of the Northern Mariana Islands.

7 “(d) ACTIVITIES.—Grants under this section shall be  
8 used—

9 “(1) to carry out the policies set forth in sec-  
10 tion 721 in the State;

11 “(2) to provide activities for, and services to,  
12 homeless children, including preschool-aged children,  
13 and homeless youth that enable such children and  
14 youth to enroll in, attend, and succeed in school, or,  
15 if appropriate, in preschool programs;

16 “(3) to establish or designate an Office of Coordi-  
17 nator of Education of Homeless Children and  
18 Youth in the State educational agency in accordance  
19 with subsection (f);

20 “(4) to prepare and carry out the State plan  
21 described in subsection (g); and

22 “(5) to develop and implement professional de-  
23 velopment programs for school personnel to heighten  
24 their awareness of, and capacity to respond to, spe-

1       cific problems in the education of homeless children  
2       and youth.

3       “(e) STATE AND LOCAL GRANTS.—

4               “(1) IN GENERAL.—(A) Subject to subpara-  
5       graph (B), if the amount allotted to the State edu-  
6       cational agency for any fiscal year under this sub-  
7       title exceeds the amount such agency received for  
8       fiscal year 1990 under this subtitle (as the subtitle  
9       was then in effect), such agency shall provide grants  
10      to local educational agencies for purposes of section  
11      723.

12              “(B) The State educational agency may reserve  
13      not more than the greater of 5 percent of the  
14      amount such agency receives under this subtitle for  
15      any fiscal year, or the amount such agency received  
16      under this subtitle for fiscal year 1990, to conduct  
17      activities under subsection (f) directly or through  
18      grants or contracts.

19              “(2) SPECIAL RULE.—If the amount allotted to  
20      a State educational agency for any fiscal year under  
21      this subtitle is less than the amount such agency re-  
22      ceived for fiscal year 1990 under this subtitle, such  
23      agency, at such agency’s discretion, may provide  
24      grants to local educational agencies in accordance  
25      with section 723 or may conduct activities under



1 subsection (f) directly or through grants or con-  
2 tracts.

3 “(3) PROHIBITION ON SEGREGATING HOMELESS  
4 STUDENTS.—In providing a free public education to  
5 a homeless child or youth, no State receiving funds  
6 under this subtitle shall segregate such child or  
7 youth, either in a separate school, or in a separate  
8 program within a school, based on such child or  
9 youth’s status as homeless, except as provided in  
10 section 723(a)(2)(B)(ii).

11 “(f) FUNCTIONS OF THE OFFICE OF COORDI-  
12 NATOR.—The Coordinator of Education of Homeless Chil-  
13 dren and Youth established in each State shall—

14 “(1) gather, to the extent possible, reliable,  
15 valid, and comprehensive information on the nature  
16 and extent of the problems homeless children and  
17 youth have in gaining access to public preschool pro-  
18 grams and to public elementary and secondary  
19 schools, the difficulties in identifying the special  
20 needs of such children and youth, any progress made  
21 by the State educational agency and local edu-  
22 cational agencies in the State in addressing such  
23 problems and difficulties, and the success of the pro-  
24 gram under this subtitle in allowing homeless chil-

1       dren and youth to enroll in, attend, and succeed in,  
2       school;

3               “(2) develop and carry out the State plan de-  
4       scribed in subsection (g);

5               “(3) collect and transmit to the Secretary, in-  
6       formation gathered pursuant to paragraphs (1) and  
7       (2) at such time and in such manner as the Sec-  
8       retary may require.

9               “(4) facilitate coordination between the State  
10      educational agency, the State social services agency,  
11      and other agencies providing services to homeless  
12      children and youth, including homeless children and  
13      youth who are preschool age, and families of such  
14      children and youth; and

15              “(5) in order to improve the provision of com-  
16      prehensive education and related services to home-  
17      less children and youth and their families, shall co-  
18      ordinate and collaborate with—

19                      “(A) educators, including child develop-  
20                      ment and preschool program personnel;

21                      “(B) providers of services to homeless and  
22                      runaway children and youth and homeless fami-  
23                      lies (including domestic violence agencies, shel-  
24                      ter operators, transitional housing facilities,

1 runaway and homeless youth centers, and tran-  
2 sitional living programs for homeless youth);

3 “(C) local educational agency liaisons for  
4 homeless children and youth; and

5 “(D) community organizations and groups  
6 representing homeless children and youth and  
7 their families.

8 “(g) STATE PLAN.—

9 “(1) IN GENERAL.—Each State shall submit to  
10 the Secretary a plan to provide for the education of  
11 homeless children and youth within the State, which  
12 plan shall describe how such children and youth are  
13 or will be given the opportunity to meet the same  
14 challenging State student performance standards all  
15 students are expected to meet, shall describe the  
16 procedures the State educational agency will use to  
17 identify such children and youth in the State and to  
18 assess their special needs, and shall—

19 “(A) describe procedures for the prompt  
20 resolution of disputes regarding the educational  
21 placement of homeless children and youth;

22 “(B) describe programs for school per-  
23 sonnel (including principals, attendance officers,  
24 teachers and enrollment personnel), to heighten

1 the awareness of such personnel of the specific  
2 needs of runaway and homeless youth;

3 “(C) describe procedures that ensure that  
4 homeless children and youth who meet the rel-  
5 evant eligibility criteria are able to participate  
6 in Federal, State, or local food programs;

7 “(D) describe procedures that ensure  
8 that—

9 “(i) homeless children have equal ac-  
10 cess to the same public preschool pro-  
11 grams, administered by the State agency,  
12 as provided to other children; and

13 “(ii) homeless children and youth who  
14 meet the relevant eligibility criteria are  
15 able to participate in Federal, State, or  
16 local before- and after-school care pro-  
17 grams;

18 “(E) address problems set forth in the re-  
19 port provided to the Secretary under subsection  
20 (f)(3);

21 “(F) address other problems with respect  
22 to the education of homeless children and  
23 youth, including problems caused by—

24 “(i) transportation issues; and

1 “(ii) enrollment delays that are caused  
2 by—

3 “(I) immunization requirements;

4 “(II) residency requirements;

5 “(III) lack of birth certificates,  
6 school records, or other documenta-  
7 tion; or

8 “(IV) guardianship issues;

9 “(G) demonstrate that the State edu-  
10 cational agency and local educational agencies  
11 in the State have developed, and shall review  
12 and revise, policies to remove barriers to the en-  
13 rollment and retention of homeless children and  
14 youth in schools in the State; and

15 “(H) contain assurances that—

16 “(i) State and local educational agen-  
17 cies will adopt policies and practices to en-  
18 sure that homeless children and youth are  
19 not segregated on the basis of their status  
20 as homeless or stigmatized; and

21 “(ii) local educational agencies shall  
22 designate an appropriate staff person, who  
23 may also be a coordinator for other Fed-  
24 eral programs, as a liaison for homeless  
25 children and youth.

1           “(2) COMPLIANCE.—Each plan adopted under  
2           this subsection shall also demonstrate how the State  
3           will ensure that local educational agencies in the  
4           State will comply with the requirements of para-  
5           graphs (3) through (9).

6           “(3) LOCAL EDUCATIONAL AGENCY REQUIRE-  
7           MENTS.—

8           “(A) IN GENERAL.—Each local educational  
9           agency serving a homeless child or youth as-  
10          sisted under this subtitle shall, according to the  
11          child’s or youth’s best interest, either—

12               “(i) continue the child’s or youth’s  
13               education in the school of origin—

14                       “(I) for the duration of their  
15                       homelessness;

16                       “(II) if the child becomes perma-  
17                       nently housed, for the remainder of  
18                       the academic year; or

19                       “(III) in any case in which a  
20                       family becomes homeless between aca-  
21                       demic years, for the following aca-  
22                       demic year; or

23               “(ii) enroll the child or youth in any  
24               school that nonhomeless students who live  
25               in the attendance area in which the child

1           or youth is actually living are eligible to at-  
2           tend.

3           “(B) BEST INTEREST.—In determining the  
4           best interest of the child or youth under sub-  
5           paragraph (A), the local educational agency  
6           shall to the extent feasible, keep a homeless  
7           child or youth in the school of origin, except  
8           when doing so is contrary to the wishes of the  
9           child’s or youth’s parent or guardian.

10          “(C) ENROLLMENT.—(i) The school se-  
11          lected in accordance with this paragraph shall  
12          immediately enroll the homeless child or youth  
13          even if the child or youth is unable to produce  
14          records normally required for enrollment, such  
15          as previous academic records, medical records,  
16          proof of residency, or other documentation.

17          “(ii) The enrolling school shall immediately  
18          contact the school last attended by the child or  
19          youth to obtain relevant academic and other  
20          records. If the child or youth needs to obtain  
21          immunizations, the enrolling school shall  
22          promptly refer the child or youth to the appro-  
23          priate authorities for such immunizations.

24          “(D) RECORDS.—Any record ordinarily  
25          kept by the school, including immunization

1 records, academic records, birth certificates,  
2 guardianship records, and evaluations for spe-  
3 cial services or programs, of each homeless  
4 child or youth shall be maintained—

5 “(i) so that the records are available,  
6 in a timely fashion, when a child or youth  
7 enters a new local educational agency; and

8 “(ii) in a manner consistent with sec-  
9 tion 444 of the General Education Provi-  
10 sions Act.

11 “(E) ENROLLMENT DISPUTES.—If a dis-  
12 pute arises over selection or enrollment in a  
13 school—

14 “(i) the child or youth shall be admit-  
15 ted immediately to the school in which the  
16 parent or guardian seeks enrollment, pend-  
17 ing resolution of the dispute;

18 “(ii) the parent or guardian of the  
19 child or youth shall be provided with a  
20 written explanation of the school’s decision  
21 regarding school selection or enrollment,  
22 including rights of the parent or guardian  
23 to appeal the decision; and

24 “(iii) the child, youth, parent, or  
25 guardian shall be referred to the local liai-



1 son, who shall carry out the State’s grievance  
2 procedure as described in paragraph  
3 (1)(A) not later than 7 days after receiving  
4 notice of the dispute.

5 “(F) PLACEMENT CHOICE.—The choice re-  
6 garding placement shall be made regardless of  
7 whether the child or youth lives with the home-  
8 less parent or has been temporarily placed else-  
9 where by the parent.

10 “(G) DEFINITION.—For purposes of this  
11 paragraph, the term “school of origin” means  
12 the school that the child or youth attended  
13 when permanently housed, or the school in  
14 which the child or youth was last enrolled.

15 “(H) CONTACT INFORMATION.—Nothing  
16 in this subtitle shall prohibit a local educational  
17 agency from requiring a parent or guardian of  
18 a homeless child to submit contact information  
19 required by the local educational agency of a  
20 parent or guardian of a nonhomeless child.

21 “(4) COMPARABLE SERVICES.—Each homeless  
22 child or youth to be assisted under this subtitle shall  
23 be provided services comparable to services offered  
24 to other students in the school selected according to  
25 the provisions of paragraph (3), including—

1 “(A) transportation services;

2 “(B) educational services for which the  
3 child or youth meets the eligibility criteria, such  
4 as services provided under title I of the Elemen-  
5 tary and Secondary Education Act of 1965 (20  
6 U.S.C. 6301 et seq.) or similar State or local  
7 programs, educational programs for children  
8 with disabilities, and educational programs for  
9 students with limited-English proficiency;

10 “(C) programs in vocational education;

11 “(D) programs for gifted and talented stu-  
12 dents; and

13 “(E) school meals programs.

14 “(5) COORDINATION.—

15 “(A) IN GENERAL.—Each local educational  
16 agency serving homeless children and youth  
17 that receives assistance under this subtitle shall  
18 coordinate the provision of services under this  
19 subtitle with local services agencies and other  
20 agencies or programs providing services to  
21 homeless children and youth and their families,  
22 including services and programs funded under  
23 the Runaway and Homeless Youth Act (42  
24 U.S.C. 5701 et seq.).

1           “(B) HOUSING ASSISTANCE.—If applica-  
2           ble, each State and local educational agency  
3           that receives assistance under this subtitle shall  
4           coordinate with State and local housing agen-  
5           cies responsible for developing the comprehen-  
6           sive housing affordability strategy described in  
7           section 105 of the Cranston-Gonzales National  
8           Affordable Housing Act (42 U.S.C. 12705) to  
9           minimize educational disruption for children  
10          and youth who become homeless.

11          “(C) COORDINATION PURPOSE.—The co-  
12          ordination required under subparagraphs (A)  
13          and (B) shall be designed to—

14               “(i) ensure that homeless children and  
15               youth have access to available education  
16               and related support services; and

17               “(ii) raise the awareness of school  
18               personnel and service providers of the ef-  
19               fects of short-term stays in a shelter and  
20               other challenges associated with homeless  
21               children and youth.

22          “(7) LIAISON.—

23               “(A) DUTIES.—Each local liaison for  
24               homeless children and youth, designated pursu-  
25               ant to paragraph (1)(H)(ii), shall ensure that—

1           “(i) homeless children and youth en-  
2           roll in, and have a full and equal oppor-  
3           tunity to succeed in, schools of that agen-  
4           cy;

5           “(ii) homeless families, children, and  
6           youth receive educational services for  
7           which such families, children, and youth  
8           are eligible, including Head Start and  
9           Even Start programs and preschool pro-  
10          grams administered by the local edu-  
11          cational agency, and referrals to health  
12          care services, dental services, mental health  
13          services, and other appropriate services;

14          “(iii) the parent or guardian of a  
15          homeless child or youth is informed of the  
16          education and related opportunities avail-  
17          able to their child and is provided with  
18          meaningful opportunities to participate in  
19          the education of the child or youth; and

20          “(iv) the educational rights of such  
21          children and youth are posted where such  
22          children and youth receive services under  
23          this Act (such as family shelters and soup  
24          kitchens).

1           “(B) NOTICE.—State coordinators, whose  
2           duties are described under subsection (d), and  
3           local educational agencies shall inform school  
4           personnel, service providers, and advocates  
5           working with homeless families of the duties of  
6           the liaisons.

7           “(C) LOCAL AND STATE COORDINATION.—  
8           Local educational agency liaisons for homeless  
9           children and youth shall, as a part of their du-  
10          ties, coordinate and collaborate with State coor-  
11          dinators and community and school personnel  
12          responsible for the provision of education and  
13          related services to homeless children and youth.

14          “(8) REVIEW AND REVISIONS.—Each State  
15          educational agency and local educational agency  
16          shall review and revise any policies that may act as  
17          barriers to the enrollment of homeless children and  
18          youth in schools selected in accordance with para-  
19          graph (3). In reviewing and revising such policies,  
20          consideration shall be given to issues concerning  
21          transportation, immunization, residency, birth cer-  
22          tificates, school records, and other documentation,  
23          and guardianship. Special attention shall be given to  
24          ensuring the enrollment and attendance of homeless

1 children and youth who are not currently attending  
2 school.

3 **“SEC. 723. LOCAL EDUCATIONAL AGENCY GRANTS FOR THE**  
4 **EDUCATION OF HOMELESS CHILDREN AND**  
5 **YOUTH.**

6 “(a) GENERAL AUTHORITY.—

7 “(1) IN GENERAL.—The State educational  
8 agency shall, in accordance with section 722(e) and  
9 from amounts made available to such agency under  
10 section 726, make grants to local educational agen-  
11 cies for the purpose of facilitating the enrollment,  
12 attendance, and success in school of homeless chil-  
13 dren and youth.

14 “(2) SERVICES.—

15 “(A) IN GENERAL.—Services under para-  
16 graph (1)—

17 “(i) may be provided through pro-  
18 grams on school grounds or at other facili-  
19 ties;

20 “(ii) shall, to the maximum extent  
21 practicable, be provided through existing  
22 programs and mechanisms that integrate  
23 homeless individuals with nonhomeless in-  
24 dividuals; and

1 “(iii) shall be designed to expand or  
2 improve services provided as part of a  
3 school’s regular academic program, but not  
4 replace that program.

5 “(B) SERVICES ON SCHOOL GROUNDS.—If  
6 services under paragraph (1) are provided on  
7 school grounds, schools—

8 “(i) may use funds under this subtitle  
9 to provide the same services to other chil-  
10 dren and youth who are determined by the  
11 local educational agency to be at risk of  
12 failing in, or dropping out of, schools, sub-  
13 ject to the requirements of clause (ii); and

14 “(ii) shall not provide services in set-  
15 tings within a school that segregates home-  
16 less children and youth from other children  
17 and youth, except as is necessary for short  
18 periods of time—

19 “(I) for health and safety emer-  
20 gencies; or

21 “(II) to provide temporary, spe-  
22 cial, supplementary services to meet  
23 the unique needs of homeless children  
24 and youth.

1           “(3) REQUIREMENT.—Services provided under  
2           this section shall not replace the regular academic  
3           program and shall be designed to expand upon or  
4           improve services provided as part of the school’s reg-  
5           ular academic program.

6           “(b) APPLICATION.—A local educational agency that  
7           desires to receive a grant under this section shall submit  
8           an application to the State educational agency at such  
9           time, in such manner, and containing or accompanied by  
10          such information as the State educational agency may rea-  
11          sonably require according to guidelines issued by the Sec-  
12          retary. Each such application shall include—

13               “(1) an assessment of the educational and re-  
14               lated needs of homeless children and youth in such  
15               agency (which may be undertaken as a part of needs  
16               assessments for other disadvantaged groups);

17               “(2) a description of the services and programs  
18               for which assistance is sought and the problems to  
19               be addressed through the provision of such services  
20               and programs;

21               “(3) an assurance that the local educational  
22               agency’s combined fiscal effort per student or the  
23               aggregate expenditures of that agency and the State  
24               with respect to the provision of free public education  
25               by such agency for the fiscal year preceding the fis-



1 cal year for which the determination is made was  
2 not less than 90 percent of such combined fiscal ef-  
3 fort or aggregate expenditures for the second fiscal  
4 year preceding the fiscal year for which the deter-  
5 mination is made;

6 “(4) an assurance that the applicant complies  
7 with, or will use requested funds to come into com-  
8 pliance with, paragraphs (3) through (8) of section  
9 722(g); and

10 “(5) a description of policies and procedures  
11 that the agency will implement to ensure that activi-  
12 ties carried out by the agency will not isolate or stig-  
13 matize homeless children and youth.

14 “(c) AWARDS.—

15 “(1) IN GENERAL.—The State educational  
16 agency shall, in accordance with the requirements of  
17 this subtitle and from amounts made available to it  
18 under section 726, make competitive subgrants to  
19 local educational agencies that submit applications  
20 under subsection (b). Such subgrants shall be  
21 awarded on the basis of the need of such agencies  
22 for assistance under this subtitle and the quality of  
23 the applications submitted.

24 “(2) NEED.—In determining need under para-  
25 graph (1), the State educational agency may con-

1       sider the number of homeless children and youth en-  
2       rolled in preschool, elementary, and secondary  
3       schools within the area served by the agency, and  
4       shall consider the needs of such children and youth  
5       and the ability of the agency to meet such needs.  
6       Such agency may also consider—

7               “(A) the extent to which the proposed use  
8               of funds would facilitate the enrollment, reten-  
9               tion, and educational success of homeless chil-  
10              dren and youth;

11             “(B) the extent to which the application  
12             reflects coordination with other local and State  
13             agencies that serve homeless children and  
14             youth, and meets the requirements of section  
15             722(g)(3);

16             “(C) the extent to which the applicant ex-  
17             hibits in the application and in current practice  
18             a commitment to education for all homeless  
19             children and youth; and

20             “(D) such other criteria as the State agen-  
21             cy determines appropriate.

22             “(3) QUALITY.—In determining the quality of  
23             applications under paragraph (1), the State edu-  
24             cational agency shall consider—

1           “(A) the applicant’s needs assessment  
2           under subsection (b)(1) and the likelihood that  
3           the program presented in the application will  
4           meet such needs;

5           “(B) the types, intensity, and coordination  
6           of the services to be provided under the pro-  
7           gram;

8           “(C) the involvement of parents or guard-  
9           ians;

10          “(D) the extent to which homeless children  
11          and youth will be integrated within the regular  
12          education program;

13          “(E) the quality of the applicant’s evalua-  
14          tion plan for the program;

15          “(F) the extent to which services provided  
16          under this subtitle will be coordinated with  
17          other available services; and

18          “(G) such other measures as the State  
19          educational agency considers indicative of a  
20          high-quality program.

21          “(4) DURATION OF GRANTS.—Grants awarded  
22          under this section shall be for terms not to exceed  
23          three years.

24          “(d) AUTHORIZED ACTIVITIES.—A local educational  
25          agency may use funds awarded under this section for ac-

1 tivities to carry out the purpose of this subtitle,  
2 including—

3 “(1) the provision of tutoring, supplemental in-  
4 struction, and enriched educational services that are  
5 linked to the achievement of the same challenging  
6 State student performance standards the State es-  
7 tablishes for other children or youth;

8 “(2) the provision of expedited evaluations of  
9 the strengths and needs of homeless children and  
10 youth, including needs and eligibility for programs  
11 and services (such as educational programs for gift-  
12 ed and talented students, children with disabilities,  
13 and students with limited-English proficiency, serv-  
14 ices provided under title I of the Elementary and  
15 Secondary Education Act of 1965 or similar State  
16 or local programs, programs in vocational education,  
17 and school meals programs);

18 “(3) professional development and other activi-  
19 ties for educators and pupil services personnel that  
20 are designed to heighten the understanding and sen-  
21 sitivity of such personnel to the needs of homeless  
22 children and youth, the rights of such children and  
23 youth under this Act, and the specific educational  
24 needs of runaway and homeless youth;

1           “(4) the provision of referral services to home-  
2           less children and youth for medical, dental, mental,  
3           and other health services;

4           “(5) the provision of assistance to defray the  
5           excess cost of transportation for students pursuant  
6           to section 722(g)(4)(A), not otherwise provided  
7           through Federal, State, or local funding, where nec-  
8           essary to enable students to attend the school se-  
9           lected under section 722(g)(3);

10          “(6) the provision of developmentally appro-  
11          priate early childhood education programs, not oth-  
12          erwise provided through Federal, State, or local  
13          funding, for preschool-aged children;

14          “(7) the provision of before- and after-school,  
15          mentoring, and summer programs for homeless chil-  
16          dren and youth in which a teacher or other qualified  
17          individual provides tutoring, homework assistance,  
18          and supervision of educational activities;

19          “(8) if necessary, the payment of fees and other  
20          costs associated with tracking, obtaining, and trans-  
21          ferring records necessary to enroll homeless children  
22          and youth in school, including birth certificates, im-  
23          munization records, academic records, guardianship  
24          records, and evaluations for special programs or  
25          services;

1           “(9) the provision of education and training to  
2           the parents of homeless children and youth about  
3           the rights of, and resources available to, such chil-  
4           dren and youth;

5           “(10) the development of coordination between  
6           schools and agencies providing services to homeless  
7           children and youth, including programs funded  
8           under the Runaway and Homeless Youth Act;

9           “(11) the provision of pupil services (including  
10          violence prevention counseling) and referrals for  
11          such services;

12          “(12) activities to address the particular needs  
13          of homeless children and youth that may arise from  
14          domestic violence;

15          “(13) the adaptation of space and purchase of  
16          supplies for nonschool facilities made available under  
17          subsection (a)(2) to provide services under this sub-  
18          section;

19          “(14) the provision of school supplies, including  
20          those supplies to be distributed at shelters or tem-  
21          porary housing facilities, or other appropriate loca-  
22          tions; and

23          “(15) the provision of other extraordinary or  
24          emergency assistance needed to enable homeless chil-  
25          dren and youth to attend school.

1   **“SEC. 724. SECRETARIAL RESPONSIBILITIES.**

2           “(a) REVIEW OF PLANS.—In reviewing the State  
3 plan submitted by a State educational agency under sec-  
4 tion 722(g), the Secretary shall use a peer review process  
5 and shall evaluate whether State laws, policies, and prac-  
6 tices described in such plans adequately address the prob-  
7 lems of homeless children and youth relating to access to  
8 education and placement as described in such plans.

9           “(b) TECHNICAL ASSISTANCE.—The Secretary shall  
10 provide support and technical assistance to the State edu-  
11 cational agencies to assist such agencies to carry out their  
12 responsibilities under this subtitle.

13           “(c) NOTICE.—The Secretary shall, before the next  
14 school year that begins after the date of the enactment  
15 of the Stewart B. McKinney Homeless Education Assist-  
16 ance Improvements Act of 1999, create and disseminate  
17 nationwide a public notice of the educational rights of  
18 homeless children and youth.

19           “(d) GUIDELINES.—The Secretary shall develop,  
20 issue, and publish in the Federal Register, not later than  
21 60 days after the date of enactment of the Stewart B.  
22 McKinney Homeless Education Assistance Improvements  
23 Act of 1999, guidelines to States regarding the following:

24                   “(1) ENROLLMENT.—Such guidelines shall re-  
25 view successful ways in which a State may assist  
26 local educational agencies to immediately enroll

1 homeless students. The enrollment guidelines issued  
2 by the Secretary shall—

3 “(A) clarify that enrollment includes a  
4 homeless child’s right to actually attend school;  
5 and

6 “(B) explain existing requirements that  
7 States review their immunization and medical  
8 or school records and to make such revisions as  
9 appropriate and necessary in order to enroll  
10 homeless students in school more quickly.

11 “(2) TRANSPORTATION.—The guidelines shall  
12 also address the transportation needs of homeless  
13 students. The transportation guidelines issued by  
14 the Secretary shall—

15 “(A) explicitly state that the goal of the  
16 transportation provisions contained in this Act  
17 is to provide educational stability by reducing  
18 mobility and ensuring an effective learning envi-  
19 ronment for homeless children; and

20 “(B) encourage States to address transpor-  
21 tation barriers for homeless students by enact-  
22 ing legislation similar to the Illinois law relating  
23 to homeless children.

24 “(e) EVALUATION AND DISSEMINATION.—The Sec-  
25 retary shall conduct evaluation and dissemination activi-



1 ties of programs designed to meet the educational needs  
2 of homeless elementary and secondary school students,  
3 and may use funds appropriated under section 726 to con-  
4 duct such activities.

5 “(f) SUBMISSION AND DISTRIBUTION.—The Sec-  
6 retary shall require applications for grants under this sub-  
7 title to be submitted to the Secretary not later than the  
8 expiration of the 60-day period beginning on the date that  
9 funds are available for purposes of making such grants  
10 and shall make such grants not later than the expiration  
11 of the 120-day period beginning on such date.

12 “(g) DETERMINATION BY SECRETARY.—The Sec-  
13 retary, based on the information received from the States  
14 and information gathered by the Secretary under sub-  
15 section (f), shall determine the extent to which State edu-  
16 cational agencies are ensuring that each homeless child  
17 and homeless youth has access to a free appropriate public  
18 education as described in section 721(1).

19 “(f) INFORMATION.—

20 “(1) IN GENERAL.—From funds appropriated  
21 under section 726, the Secretary shall, either di-  
22 rectly or through grants, contracts, or cooperative  
23 agreements, periodically collect and disseminate data  
24 and information regarding—

1           “(A) the number and location of homeless  
2 children and youth;

3           “(B) the education and related services  
4 such children and youth receive;

5           “(C) the extent to which such needs are  
6 being met; and

7           “(D) such other data and information as  
8 the Secretary deems necessary and relevant to  
9 carry out this subtitle.

10          “(2) The Secretary shall coordinate such collec-  
11 tion and dissemination with other agencies and enti-  
12 ties that receive assistance and administer programs  
13 under this subtitle.

14          “(g) REPORT.—Not later than 4 years after the date  
15 of the enactment of the Stewart B. McKinney Homeless  
16 Education Assistance Improvement Act of 1999, the Sec-  
17 retary shall prepare and submit to the President and ap-  
18 propriate committees of the House of Representatives and  
19 the Senate a report on the status of education of homeless  
20 youth and children, which shall include information on—

21           “(1) the education of homeless children and  
22 youth; and

23           “(2) the actions of the Department and the ef-  
24 fectiveness of the programs supported under this  
25 subtitle.

1 **“SEC. 725. DEFINITIONS.**

2 “For the purpose of this subtitle, unless otherwise  
3 stated—

4 “(1) the terms ‘local educational agency’ and  
5 ‘State educational agency’ have the same meaning  
6 given such terms in section 14101 of the Elementary  
7 and Secondary Education Act of 1965 (20 U.S.C.  
8 8801 et seq.).

9 “(2) the term ‘Secretary’ means the Secretary  
10 of Education; and

11 “(3) the term ‘State’ means each of the 50  
12 States, the District of Columbia, and the Common-  
13 wealth of Puerto Rico.

14 **“SEC. 726. AUTHORIZATION OF APPROPRIATIONS.**

15 “For the purpose of carrying out this subtitle, there  
16 are authorized to be appropriated \$50,000,000 for fiscal  
17 year 2000 and such sums as may be necessary for each  
18 of the fiscal years 2001 through 2004.”.

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