"Awaiting Foster Care Placement"
Education of Homeless Children and Youth
Arizona Guidance

The term “homeless children and youth” as defined in the McKinney-Vento Homeless Education Assistance Act of 2001, Public Law 107-110, Title X, Part C, Sub-Title B, Section 725 (2)(B) includes:

“(i) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.” (emphasis added)

Effective January 1, 2012, services under the McKinney-Vento Act for children and youth in foster care shall be comprised of two parts; 1) meeting the “awaiting foster care placement” status; and 2) a determination of “best interest” by the local educational agency homeless liaison.

For children who have been in foster care:

Children who are already in foster care are not considered homeless. (G-10, McKinney-Vento Non-Regulatory Guidance July 2004)

For children who are in the custody of Child Protective Services:

A child/youth may be eligible for McKinney-Vento services, for the remainder of the school year, from the time that they are initially removed from the child’s home and placed in foster/kinship care by Child Protective Services (CPS). (If the child is placed during the last school quarter of the school year, eligibility may continue through the new school year, if feasible and in the child’s best interest.)

A child/youth temporarily residing in group care (group home or shelter) placed by CPS after initial removal from the child’s home while awaiting placement in foster care, may be eligible.

Transportation to an eligible child/youths school of origin may be approved by the Local Educational Agency Homeless Liaison if it is feasible and in the child’s best interest.
The situation for each child is unique and should be discussed with the Local Educational Agency Homeless Liaison. It is very important to notify the Local Educational Agency Homeless Liaison as soon as a child is taken into protective custody even if transportation services are not being requested.

When McKinney-Vento does not apply, inquiries into maintaining the child's school placement should be addressed through the individual school district's open enrollment/boundary exception process.

Collaboration with CPS Specialists (caseworkers) and managers is vital to ensuring educational continuity for students in care. CPS may have other resources available to maintain educational continuity for students who remain in care beyond the school year when initially removed. The assigned CPS Specialist may request the student remain in the school of origin, with transportation provided by a foster parent or through some other source.