



STATE OF NEW JERSEY

DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: September 21, 2022
To: Local Educational Agency Leads
Route To: District Registrars, District Homeless Liaisons, Principals, School Nurses, All District Staff with Enrollment Responsibilities
From: Kathy Ehling, Assistant Commissioner
Division of Educational Services

Reminder: Enrollment of Children and Youths Experiencing Homelessness

Annually, the New Jersey Department of Education (NJDOE) provides guidance to assist school districts with fulfilling federal and state requirements regarding the enrollment of students who are experiencing homelessness, including unaccompanied youth. The McKinney-Vento Homeless Assistance Act (McKinney-Vento) requires state and local educational agencies (LEAs) to remove barriers to school enrollment for homeless children and youths ([42 U.S.C. §11432\(g\)\(1\)\(I\)](#)). New Jersey school districts must review this memo and undertake steps to revise practices and/or policies that may act as barriers to the identification, enrollment, attendance, or success of students experiencing homelessness.

A child or youth may be eligible for protections and supports if they meet the Act's definition of homelessness. The Act defines "homeless children and youths" as "individuals who lack a fixed, regular, and adequate nighttime residence." This includes children and youth who share housing with other persons due to the loss of housing, economic hardship, or a similar reason (sometimes referred to as "doubled-up"). The Act requires schools to immediately enroll homeless children, including unaccompanied children and youths, who are awaiting immigration proceedings while residing in local communities with a family member, or other appropriate adult sponsor.

Children and youths experiencing homelessness often do not have the documents ordinarily required for school enrollment (i.e., proof of residency, school/immunization records, and/or birth certificates). Many students, especially those living in "doubled-up" situations (i.e., shared living arrangements, some of which may be considered homeless), may not be able to provide proof of residency. Though proof of residency affidavits may be intended to ensure that only eligible students are able to enroll in a district school, the use of such forms as a requirement for enrollment, or continued enrollment, constitutes an educational barrier for students who do not reside in permanent living situations. The right to enroll immediately in school, even without documents normally required for enrollment, is one of the core protections of McKinney-Vento ([42 U.S.C. §11432\(g\)\(3\)\(C\)](#)). Additionally, proof of guardianship is not necessary to immediately enroll an unaccompanied child or youth.

Proof of Residency in the School District

Under state law, school officials may request proof that the adult enrolling the child lives within the boundaries of the school district. School districts typically accept a variety of documents for this purpose, such as copies of phone and water bills, lease agreements, affidavits, or other documents. A school district's requirements to establish residency must be applied in the same way for all children, including unaccompanied youths. The district must immediately enroll or continue to enroll students while the district reviews the parent's and/or student's residency claims. A district cannot deny an unaccompanied child or youth enrollment because he or she cannot provide the required documents to establish residency.

If the district disputes a claim of homelessness, it must continue the student's enrollment for the duration of the dispute resolution process, as described at [N.J.A.C. 6A:17-2.7](#). The requirement for immediate enrollment also applies to unaccompanied homeless youth who lack proof of guardianship.

If you have questions or need clarification, please visit the NJDOE's McKinney-Vento Education for Homeless Children and Youth [webpage](#) or email McKinney.Vento@doe.nj.gov.

c: Members, State Board of Education
NJDOE Staff
Statewide Parent Advocacy Network
Garden State Coalition of Schools
NJ LEE Group