



Getting to Graduation Series: **Full Participation in Extra-Curricular Activities for Students Experiencing Homelessness**

Several studies have found that students who participate in activity programs have higher grade-point averages, better attendance records, lower dropout rates and fewer discipline problems than students generally. They have lower rates of drug use and teen pregnancy. These benefits are amplified for disadvantaged students: a study in the Harvard Educational Review found that participation in extracurricular activities in high school appears to be one of the few interventions that benefit disadvantaged students as much or more than their more advantaged peers.¹ In fact, research even indicates that participation in high school activities is often a predictor of later success – in college, a career and later life outcomes.²

Extra-curricular activities are extremely important for students experiencing homelessness, whether on their own or with their family. Sports and clubs nurture youth's self-esteem and teach them critical skills and values such as teamwork, leadership, goal-setting, commitment and respect. Extra-curricular activities often open doors to college admission and scholarships. They offer a surrogate family for youth estranged from their parents. For students who lose their housing, extra-curricular activities offer an oasis of stability, predictability and normalcy in the midst of the chaos of homelessness.

Unfortunately, homelessness itself creates significant barriers to participation in athletics and other extra-curricular activities. One of the most common is related to mobility. As homelessness forces students to move from one temporary living situation to another, the student may be unable to meet the state high school athletic/activity association's residency or attendance requirements to participate in activities. For example:

- The McKinney-Vento Act allows a student who is homeless to remain in the same school, even if homelessness forces her into temporary housing outside district lines. However, as the student is no longer technically a district resident, the state high school athletic/activity association's residency requirements may ban her participation.

¹ All data from: National Federation of State High School Associations (2008). *The Case for High School Activities*, citing several different academic studies.

² National Federation of State High School Associations (2008).

- Alternately, a student who loses his housing may be forced to move into a shelter or other temporary housing far from his school, requiring him to enroll in a new school in the middle of a sport's season. Students who enroll mid-year often are ineligible to participate immediately in sports or other activities under the state high school athletic/activity association's policies.

Participation requirements that work well to limit unfair competition in ordinary circumstances do not address the reality of homelessness and add to homeless students' list of losses: home, school, and cherished athletic or other activity. Ultimately, these requirements may cause youth to lose opportunities for higher education or even to drop out of school.

The McKinney-Vento Act requires states and local educational agencies to eliminate these barriers and to ensure that students experiencing homelessness, who meet eligibility criteria such as academic and skill levels, can participate fully in athletic and other extra-curricular activities.

- The McKinney-Vento Act applies to athletic associations as "state actors."³ Therefore, state educational agencies, local educational agencies, and athletic associations must comply with the McKinney-Vento Act.
- The McKinney-Vento Act requires schools to enroll homeless students immediately⁴, and "enroll" is specifically defined as "attending classes and participating fully in school activities."⁵ Therefore, McKinney-Vento students must be allowed to participate in sports, extra-curricular activities, and other school activities immediately.
- The McKinney-Vento Act requires state and local educational agencies to "remove barriers to the enrollment and retention of homeless children and youths in schools."⁶ Therefore, barriers to participation in sports, extra-curricular activities, and all classes and school activities must be removed.
- The McKinney-Vento Act requires that states have in place procedures to ensure that "homeless children and youths who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities...."⁷ The statute specifically states that students must meet relevant eligibility criteria, such as maintaining a certain G.P.A., regular attendance, and the requisite skill level in the sport or activity.
- The McKinney-Vento Act includes a specific definition of "homeless" and requires that every local educational agency designate a liaison⁸, who is trained to understand and apply the

³ See, e.g., Brentwood Acad. v. Tennessee Secondary Sch. Athletic Ass'n., 531 U.S. 288, 297 (2001).

⁴ 42 U.S.C. §11432(g)(3)(C).

⁵ 42 U.S.C. §11434A(1).

⁶ 42 U.S.C. §§11432(g)(1)(I), 11432(g)(7).

⁷ 42 U.S.C. §11432(g)(1)(F)(iii).

⁸ 42 U.S.C. §11432(g)(1)(J)(ii).

definition and identify students who meets the definition.⁹ If a liaison determines that a student claiming to be homelessness does not in fact meet the definition of homeless, the liaison may take appropriate steps to prosecute the family for fraud, consistent with local and state policy. In addition, every state has a McKinney-Vento State Coordinator who must provide training on identification, ensure compliance with the McKinney-Vento Act, and assist in resolving disputes.¹⁰

Several states have incorporated the McKinney-Vento Act's requirements into their written state school athletics association's procedures. For example, the [Virginia High School League's rule](#) states:

Students who qualify under the McKinney Vento Homeless Education Act are eligible provided the school has on file all required documentation substantiating the student's status and provided the student is eligible in all other respects. (Rule 28A-7-2(15)).

The [Delaware Interscholastic Athletic Association's rules](#) state:

A student who is homeless as defined in the McKinney-Vento Act, 42 U.S.C. 11434a(2) shall be eligible to participate at the public school in which the student is enrolled. Rule 2.2.1.8

The period of ineligibility shall not apply if the transfer is the result of the student being homeless as defined in the McKinney-Vento Act, 42 U.S.C. 11434a(2). Rule 2.4.4.1.1

Delaware's rules also specify that the McKinney-Vento Act exception does not apply if the student or family moved for the primary reason of seeking a superior team, dissatisfaction with the previous team, following a coach, or avoiding disciplinary action.

In summary, policies to ensure fairness, equity and safety are extremely important. Yet, students who lose their housing should not have to lose their athletic and other activities as well. The McKinney-Vento Act includes safeguards to prevent against fraud. Clear high school athletic/activity association policies can ensure appropriate action in cases of fraud, compliance with federal law, and most importantly, fair opportunities for youth facing the tragedy of homelessness.

A template for school districts to provide athletic directors and associations with determinations of a youth's homeless status of foster care status may be downloaded in Microsoft Word format at <http://www.schoolhouseconnection.org/k-12/>.¹¹

⁹ 42 U.S.C. §11432(g)(6)(A)(i).

¹⁰ 42 U.S.C. §§11432(d)(3), (5); 42 U.S.C. §§11432(f)(5)-(6).

¹¹ Although students in foster care are not covered by the McKinney-Vento Act, some state policies provide similar protections and exemptions to allow foster youth to participate in extra-curricular activities.