

1           **TITLE X—AMENDMENTS TO**  
2                           **OTHER LAWS**  
3           **PART A—MCKINNEY-VENTO HOMELESS**  
4                           **ASSISTANCE ACT**

5 **SEC. 1011. YOUTHS.**

6           Subtitle B of title VII of the McKinney-Vento Home-  
7 less Assistance Act (42 U.S.C. 11431 et seq.) is amend-  
8 ed—

9                   (1) in the subtitle heading, by striking  
10           **“Youths”** and inserting **“Youth”**; and

11                   (2) in the section headings for sections 722 and  
12           723, by striking **“YOUTHS”** and inserting  
13           **“YOUTH”**.

14 **SEC. 1012. STATEMENT OF POLICY.**

15           Section 721(2) of the McKinney-Vento Homeless As-  
16 sistance Act (42 U.S.C. 11431(2)) is amended—

17                   (1) by striking “State that has a compulsory  
18           residency requirement” and all that follows through  
19           “or other” and inserting “State where compulsory  
20           residency (or other) requirements,”;

21                   (2) by striking “that may” and inserting  
22           “may”; and

1           (3) by striking “the State will review and un-  
2           dertake steps to revise such laws” and inserting “the  
3           State educational agency will review and undertake  
4           steps to revise such requirements, laws”.

5 **SEC. 1013. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR**  
6                   **THE EDUCATION OF HOMELESS CHILDREN**  
7                   **AND YOUTH.**

8           Section 722 of the McKinney-Vento Homeless Assist-  
9           ance Act (42 U.S.C. 11432) is amended—

10           (1) in subsection (c)(1)(A)—

11                   (A) in clause (i), by striking “\$150,000”  
12                   and inserting “\$250,000”; and

13                   (B) in clause (iii), by striking “2001” and  
14                   inserting **["2008";]**

15           (2) in subsection (d)—

16                   (A) in paragraph (2)—

17                           (i) by striking “homeless children, in-  
18                           cluding preschool-aged homeless children,  
19                           and youths” and inserting “homeless chil-  
20                           dren and youth (including public preschool-  
21                           aged homeless children)”; and

22                           (ii) by inserting “public” before “pre-  
23                           school programs”;

24                   (B) in paragraph (3)—

1 (i) by striking “Youths” and inserting  
2 “Youth”; and

3 (ii) by inserting “, that has sufficient  
4 authority and knowledge to carry out the  
5 duties described in subsection (f),” before  
6 “in the State”; and

7 (C) in paragraph (5), by striking “to  
8 heighten their awareness of, and capacity to re-  
9 spond to,” and inserting “, or activities for  
10 school personnel and local educational agency li-  
11 aisons designated under subsection  
12 (g)(1)(K)(ii), to improve their awareness of,  
13 and capacity to respond to,”;  
14 (3) in subsection (e)—

15 (A) by striking paragraphs (1) and (2) and  
16 inserting the following:

17 “(1) MINIMUM DISBURSEMENTS BY STATES.—  
18 From the sums made available each year to carry  
19 out this subtitle, a State educational agency—

20 “(A) may not use more than 20 percent of  
21 the State’s allotment under subsection (c)(1) of  
22 such sums or \$85,000 of that allotment, which-  
23 ever is greater, for State-level activities; and

24 “(B) shall distribute the remainder of the  
25 allotment in subgrants to local educational

1 agencies for the purposes of carrying out sec-  
2 tion 723.

3 “(2) USE BY STATE EDUCATIONAL AGENCY.—

4 A State educational agency may use funds made  
5 available for State-level activities under paragraph  
6 (1)(A) to conduct activities under subsection (f) di-  
7 rectly or through grants or contracts.”; and

8 (B) in paragraph (3)—

9 (i) in subparagraph (B), by striking  
10 “paragraphs (1)(J)(i)” and inserting  
11 “paragraphs (1)(K)(i)”;

12 (ii) in subparagraphs (C)(i)(IV) and  
13 (F)(ii), by striking “Youths” and inserting  
14 “Youth”; and

15 (iii) in subparagraph (G)—

16 (I) by striking clause (ii) and in-  
17 serting the following:

18 “(ii) **【**Orange County, California;  
19 and**】**”;

20 (II) in clause (iii), by striking “;  
21 and” and inserting a period; and

22 (III) by striking clause (iv);

23 (4) by striking subsection (f) and inserting the  
24 following:

1           “(f) FUNCTIONS OF THE OFFICE OF THE COORDI-  
2 NATOR.—The Coordinator for Education of Homeless  
3 Children and Youth established in each State shall—

4           “(1) gather and make publicly available reliable,  
5 valid, and comprehensive information on the nature  
6 and extent of the problems homeless children and  
7 youth have in gaining access to public preschool pro-  
8 grams and to public elementary schools and sec-  
9 ondary schools, the difficulties in identifying the spe-  
10 cial needs of such children and youth, any progress  
11 made by the State educational agency and local edu-  
12 cational agencies in the State in addressing such  
13 problems and difficulties, and the success of the pro-  
14 grams under this subtitle in allowing homeless chil-  
15 dren and youth to enroll in, attend, and succeed in,  
16 school;

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

19           “(3) facilitate coordination between the State  
20 educational agency, the State social services agency,  
21 and other agencies (including agencies providing  
22 mental health services) to provide services to home-  
23 less children and youth (including public preschool-  
24 aged homeless children), and to families of such chil-  
25 dren and youth;

1           “(4) collect data and information for and trans-  
2           mit to the Secretary, at such time and in such man-  
3           ner as the Secretary may require, a report con-  
4           taining such data and information as the Secretary  
5           determines is necessary to fulfill the Secretary’s obli-  
6           gation pursuant to section 724(h), and to assess the  
7           educational needs of homeless children and youth,  
8           including unaccompanied youth, within the State, in-  
9           cluding data and information described in section  
10          724(h);

11          “(5) improve the provision of comprehensive  
12          education and related services to homeless children  
13          and youth and their families, and minimize edu-  
14          cational disruption, through coordination of activities  
15          and collaboration with—

16                 “(A) teachers, including special education  
17                 teachers, child development specialists and per-  
18                 sonnel, public preschool personnel, and per-  
19                 sonnel participating in programs receiving  
20                 funds under titles I, III, and IV of the Elemen-  
21                 tary and Secondary Education Act of 1965 (20  
22                 U.S.C. 6301 et seq., 6801 et seq., and 7101 et  
23                 seq.) and similar State programs;

24                 “(B) providers of services to homeless chil-  
25                 dren and youth, and their families, including

1 public and private child welfare and social serv-  
2 ice agencies, law enforcement entities, juvenile  
3 and family courts, agencies providing mental  
4 health services, domestic violence agencies, child  
5 care providers, runaway and homeless youth  
6 centers, and providers of services and programs  
7 funded under the Runaway and Homeless  
8 Youth Act (42 U.S.C. 5701 et seq.);

9 “(C) providers of emergency, transitional,  
10 and permanent housing to homeless children  
11 and youth, and their families, including public  
12 housing agencies, shelter operators, entities op-  
13 erating transitional housing facilities, and enti-  
14 ties providing transitional living programs for  
15 homeless youth;

16 “(D) local educational agency liaisons for  
17 homeless children and youth designated under  
18 subsection (g)(1)(K)(ii); and

19 “(E) community organizations and groups  
20 representing homeless children and youth and  
21 their families;

22 “(6) provide technical assistance to and conduct  
23 monitoring of local educational agencies in coordina-  
24 tion with local educational agency liaisons designated  
25 under subsection (g)(1)(K)(ii), to ensure that local

1 educational agencies comply with the requirements  
2 of subsection (e)(3) and paragraphs (3) through  
3 **[(8)]** of subsection (g); and

4 “(7) make opportunities available for teachers  
5 and local educational agency liaisons designated  
6 under subsection (g)(1)(K)(ii) to participate in ongo-  
7 ing and relevant professional development programs  
8 and activities.”; and

9 (5) in subsection (g)—

10 (A) in paragraph (1)—

11 (i) in the matter preceding subpara-  
12 graph (A), by inserting “and implement”  
13 after “to the Secretary”;

14 (ii) by striking subparagraph (C);

15 (iii) by redesignating subparagraph  
16 (B) as subparagraph (C);

17 (iv) by inserting after subparagraph  
18 (A) the following:

19 “(B) A description of procedures for the  
20 prompt resolution of disputes arising under this  
21 subtitle, which **[procedures]** shall—

22 “(i) be developed in coordination and  
23 collaboration with local educational agency  
24 liaisons designated under subsection  
25 (g)(1)(K)(ii);



1           “(ii) be readily available and provided  
2           in a written format and, to the extent  
3           practicable, in a manner and form under-  
4           standable to [the parents and guardians of  
5           homeless children and youth, and unac-  
6           companied youth]; and

7           “(iii) take into account the edu-  
8           cational best interest of the homeless child  
9           or youth, or unaccompanied youth, in-  
10          volved;

11          “(iv) ensure that parents and guard-  
12          ians of homeless children and youth, and  
13          unaccompanied youth, who have exhausted  
14          the procedures available under this para-  
15          graph are able to appeal to the State edu-  
16          cational agency, which shall render final  
17          decisions.”;

18          (v) in subparagraph (D), by striking  
19          “school personnel (including principals”  
20          and inserting “school personnel, public  
21          preschool personnel and, as appropriate,  
22          local educational agency personnel (includ-  
23          ing local educational agency liaisons, prin-  
24          cipals”;

1 (vi) in subparagraph (F)(ii), by strik-  
2 ing “secondary education and support  
3 services” and inserting “and available sec-  
4 ondary education and support services, in-  
5 cluding receiving appropriate credit for  
6 completion of previous coursework con-  
7 sistent with State law and accreditation  
8 standards”;

9 (vii) in subparagraph (G), by striking  
10 “(f)(3)” and inserting “(f)(4)”;

11 (viii) in subparagraph (H)—

12 (I) in the matter preceding clause  
13 (i), by striking “problems resulting  
14 from enrollment delays” and inserting  
15 “enrollment problems”; and

16 (II) by striking clause (i) and in-  
17 serting the following:

18 “(i) requirements relating to immuni-  
19 zations or other health records, screening  
20 records, or other records;”;

21 (ix) in subparagraph (I), by striking  
22 “have developed,” and all that follows and  
23 inserting “review and revise their policies  
24 and practices to remove barriers to, and  
25 increase, the enrollment, attendance, reten-



1 duties described in paragraph  
2 (6)(A)” after “staff person”; and

3 (bb) by striking “the duties  
4 described in paragraph (6)(A);  
5 and” and inserting “those du-  
6 ties;”;

7 (II) by redesignating clause (iii)  
8 as clause (iv);

9 (III) by inserting after clause (ii)  
10 the following:

11 “(iii) the State and its local edu-  
12 cational agencies will adopt policies and  
13 practices to ensure that parents and  
14 guardians of homeless children and youth  
15 have opportunities to be involved in the  
16 educational experiences of the children and  
17 youth; and”;

18 (IV) in clause (iv), as redesi-  
19 gnated by subclause (II), by striking all  
20 that precedes subclause (I) and insert-  
21 ing the following:

22 “(iv) the State and its local edu-  
23 cational agencies will adopt policies and  
24 practices to ensure that transportation is  
25 provided in a timely manner, at the re-

1           quest of the parent or guardian involved  
2           (or in the case of an unaccompanied youth,  
3           the local educational agency liaison), to  
4           and from the school of origin, as deter-  
5           mined under paragraph (3)(A), in accord-  
6           ance with the following as applicable.”; and

7                   (xiii) by adding at the end the fol-  
8           lowing: **【**Note placement of the following  
9           language in the plan provision require-  
10          ments:**】**

11           “(L) In the case of a State with a school  
12          referred to in subsection (e)(3)(B), a descrip-  
13          tion of how such school will integrate homeless  
14          students into nonsegregated schools in the local  
15          educational agencies involved in a timely man-  
16          ner, to the extent practicable.”;

17                   (B) in paragraph (2)—

18                           (i) in subparagraph (A), by striking  
19                           “(3) through (7)” and inserting “(3)  
20                           through (8)”;

21                           (ii) in subparagraph (B), by striking  
22                           “paragraph (1)(J)(ii)” and inserting  
23                           “paragraph (1)(K)(ii)”;

24                   (C) in paragraph (3)—

25                           (i) in subparagraph (A)—

## 14

1 (I) in the matter preceding clause  
2 (i), by striking “best interest” and in-  
3 serting “educational best interest”;  
4 and

5 (II) in clause (ii), by inserting  
6 “immediately” before “enroll”;

7 (ii) by striking subparagraph (B) and  
8 inserting the following:

9 “(B) EDUCATIONAL BEST INTEREST.—In  
10 determining the educational best interest of the  
11 child or youth under subparagraph (A), and to  
12 promote the school stability of the child or  
13 youth, the local educational agency shall—

14 “(i) adopt policies and practices to en-  
15 sure that homeless children and youth are  
16 not stigmatized or segregated on the basis  
17 of their status as homeless, and to the ex-  
18 tent feasible, keep a homeless child or  
19 youth in the school of origin, except when  
20 doing so is contrary to the wishes of the  
21 child’s or youth’s parent or guardian;

22 “(ii) consider student-centered factors,  
23 including factors related to the impact of  
24 mobility on achievement, education, health,  
25 and safety of homeless children and youth,

1 in coordination with the homeless child's  
2 parent or guardian or the unaccompanied  
3 youth involved;

4 “(iii) provide the homeless child or  
5 youth's parent or guardian or the unac-  
6 companied youth with a written expla-  
7 nation, in coordination with the local edu-  
8 cational agency liaison, in a manner or  
9 form understandable to such parent,  
10 guardian, or youth, to the extent prac-  
11 ticable, including a statement regarding  
12 the right to appeal under subparagraph  
13 (E), if the local educational agency deter-  
14 mines that it is not in the child's or  
15 youth's best interest to attend the school of  
16 origin or the school requested by the par-  
17 ent, guardian, or youth;

18 “(iv) in the case of an unaccompanied  
19 youth, ensure that the local educational  
20 agency liaison assists in placement or en-  
21 rollment decisions under this subpara-  
22 graph, considers the views of such unac-  
23 companied youth, and provides notice to  
24 such youth of the right to appeal under  
25 subparagraph (E); and

1 “(v) provide transportation pursuant  
2 to paragraphs (1)(K)(iv) and (4).”;

3 (iii) by striking subparagraph (C) and  
4 inserting the following:

5 “(C) ENROLLMENT.—

6 “(i) IMMEDIATE ENROLLMENT.—The  
7 school selected in accordance with this  
8 paragraph shall immediately enroll the  
9 homeless child or youth, even if the child  
10 or youth—

11 “(I) is unable to produce records  
12 normally required for enrollment, in-  
13 cluding previous academic records,  
14 health records, proof of residency or  
15 guardianship, or other documentation;

16 “(II) has unpaid fines or fees  
17 from a prior school or is unable to pay  
18 such fines or fees; or

19 “(III) has missed application  
20 deadlines during any period of home-  
21 lessness.

22 “(ii) CONTACTING SCHOOL LAST AT-  
23 TENDED.—The enrolling school shall im-  
24 mediately contact the school last attended



1 by the child or youth, to obtain academic  
2 and other records.

3 “(iii) REFERRALS TO LIAISON.—If the  
4 child or youth needs to obtain immuniza-  
5 tions, immunization or other required  
6 health records, or screenings, the enrolling  
7 school shall immediately refer the parent  
8 or guardian of the child or youth, or the  
9 child or youth (if an unaccompanied youth)  
10 to the local educational agency liaison des-  
11 ignated under paragraph (1)(K)(ii), who  
12 shall assist in obtaining necessary immuni-  
13 zations, required health records, or  
14 screenings, in accordance with subpara-  
15 graph (D).

16 “(iv) NO LIABILITY FOR ENROLL-  
17 MENT.—Whenever the school selected en-  
18 rolls an unaccompanied youth in accord-  
19 ance with this paragraph, no liability shall  
20 be imposed upon the school or school per-  
21 sonnel by reason of enrolling the youth  
22 without the consent of a parent or guard-  
23 ian.”;

24 (iv) by striking subparagraph (D) and  
25 inserting the following:

1           “(D) RECORDS.—Any record ordinarily  
2 kept by the school, including immunization or  
3 other health records, [screening records,  
4 records relating to other requirements,] aca-  
5 demic records, birth certificates, guardianship  
6 records, and evaluations for special services or  
7 programs, regarding each homeless child or  
8 youth shall be maintained—

9           “(i) so that the records are available,  
10 in a timely manner, when a child or youth  
11 enters a new school or school district; and

12           “(ii) in a manner consistent with sec-  
13 tion 444 of the General Education Provi-  
14 sions Act (20 U.S.C. 1232g).”; and

15           (v) in subparagraph (E)—

16           (I) by striking all that precedes  
17 clause (i) and inserting the following:

18           “(E) DISPUTES.—If a dispute arises over  
19 eligibility for enrollment, school selection, or  
20 services in a public school or public preschool  
21 program, or any other issue relating to services  
22 under this subtitle—”;

23           (II) in clause (i)—

24           (aa) by inserting before “the  
25 child” the following: “in the case

19

1 of a dispute relating to eligibility  
2 for enrollment or school selec-  
3 tion,”; and

4 (bb) by striking “admitted  
5 to” and inserting “enrolled in”;

6 (III) by striking clause (ii) and  
7 inserting the following:

8 “(ii) the parent, guardian, or unac-  
9 companied youth shall be provided with a  
10 written explanation of a decision regarding  
11 eligibility for enrollment, school selection,  
12 or services, made by the school or the local  
13 educational agency, which shall include in-  
14 formation about the right to appeal the de-  
15 cision; and”;

16 (IV) in clause (iii)—

17 (aa) by striking “paragraph  
18 (1)(J)(ii)” and inserting “para-  
19 graph (1)(K)(ii)”;

20 (bb) by striking “paragraph  
21 (1)(C) as expeditiously as pos-  
22 sible after receiving notice of the  
23 dispute; and” and inserting  
24 “paragraph (1)(B) in a timely

1 manner after receiving notice of  
2 the dispute.”; and  
3 (V) by striking clause (iv);  
4 (vi) by striking subparagraph (G) and  
5 inserting the following:

6 **【“(G) PRIVACY.—Information about a**  
7 **homeless child’s or youth’s living situation shall**  
8 **be treated as a student education record under**  
9 **section 444 of the General Education Provi-**  
10 **sions Act (20 U.S.C. 1232g).”;** and**】**

11 (vii) by adding at the end the fol-  
12 lowing:

13 **“(I) SCHOOL OF ORIGIN DEFINED.—**

14 **“(i) IN GENERAL.—In this paragraph,**  
15 **the term ‘school of origin’ means the**  
16 **school that a child or youth attended when**  
17 **permanently housed or the school in which**  
18 **the child or youth was last enrolled.**

19 **“(ii) CHILD OR YOUTH THAT COM-**  
20 **PLETES A FINAL GRADE LEVEL.—In the**  
21 **case of a child or youth that completes a**  
22 **final grade level served by a school de-**  
23 **scribed in clause (i), the term ‘school of or-**  
24 **igin’ includes the designated receiving**  
25 **school serving the next grade level 【for**

1 which the school described in clause (i) is] a feeder school.”;

2 (D) in paragraph (4)—

3 (i) in subparagraph (C), by striking “vocational” and inserting “career”;

4 (ii) in subparagraph (D), by striking “and talented” and inserting “or talented”; and

5 (iii) by adding at the end the following:

6 “(F) Health and counseling services as appropriate.”;

7 (E) in paragraph (5)—

8 (i) in subparagraph (A)—

9 (I) in clause (i), by striking “agencies and other agencies” and inserting “agencies, education programs, and other agencies”; and

10 (II) in clause (ii), by striking “such as transportation or” and inserting “including transportation and”; and

11 (ii) in subparagraph (C)—

12 (I) in clause (i), by striking “and” at the end; and

1 (II) by striking clause (ii) and in-  
2 sserting the following:

3 “(ii) raise the awareness of school  
4 personnel and service providers of the ben-  
5 efits of stable housing, and of the effects  
6 of short-term stays in a shelter, loss of  
7 housing, and other challenges associated  
8 with homelessness; and

9 “(iii) decrease the school mobility, and  
10 time and length of commute to and from  
11 school, of children and youth.”;

12 (F) in paragraph (6)—

13 (i) in subparagraph (A)—

14 (I) in the matter preceding clause  
15 (i), by striking “paragraph (1)(J)(ii)”  
16 and inserting “paragraph (1)(K)(ii)”;

17 (II) in clause (i), by inserting  
18 “outreach and” before “coordination”;

19 (III) by striking clause (ii) and  
20 inserting the following:

21 “(ii) homeless children and youth en-  
22 roll in **【schools】**, and have a full and equal  
23 opportunity to meet the same challenging  
24 State student academic achievement stand-  
25 ards, described in section 1111 of the Ele-

1           mentary and Secondary Education Act of  
2           1965 (20 U.S.C. 6311), as apply to other  
3           students;”;

4                           (IV) in clause (iii)—

5                                   (aa) by striking “preschool  
6                                   programs” and inserting “public  
7                                   preschool programs”; and

8                                   (bb) by striking “mental  
9                                   health services, and other appro-  
10                                  priate services” and inserting  
11                                  “mental health and substance  
12                                  abuse services, housing services,  
13                                  and other appropriate services”;

14                           (V) in clause (iv), by inserting “,  
15                           including public preschool opportuni-  
16                           ties,” before “available”;

17                           (VI) by striking clause (vi) and  
18                           inserting the following:

19                           “(vi) disputes are mediated in accord-  
20                           ance with paragraph (3)(E); and”; and

21                           (VII) in clause (vii), by striking  
22                           “paragraph (1)(J)(iii)” and inserting  
23                           “paragraph (1)(K)(iv)”;

1 (ii) in subparagraph (B), by striking  
2 “of the duties of” and inserting “of the  
3 contact information for”;

4 (iii) in subparagraph (C), by adding  
5 at the end the following: “Such coordina-  
6 tion shall include collecting and providing  
7 to the State coordinators the data needed  
8 to meet the requirements of paragraphs  
9 (1) and (4) of subsection (f).”; and

10 (iv) by adding at the end the fol-  
11 lowing:

12 “(D) PROFESSIONAL DEVELOPMENT.—  
13 Local educational agency liaisons for homeless  
14 children and youth shall participate in ongoing  
15 professional development opportunities provided  
16 by the State coordinators pursuant to sub-  
17 section (f)(7).”;

18 (G) in paragraph (7)(A), by inserting “,  
19 including policies for fees relating to enroll-  
20 ment,” after “policies”; and

21 (H) by adding at the end the following:

22 “(8) SCHOOL READINESS FOR HOMELESS CHIL-  
23 DREN.—Each State educational agency and local  
24 educational agency shall ensure that programs serv-  
25 ing public preschool children using funds under the



1 Elementary and Secondary Education Act of 1965  
2 (20 U.S.C. 6301 et seq.)—

3 “(A) comply with the requirements of this  
4 subtitle; and

5 “(B) identify homeless children and youth  
6 for enrollment, increase the participation of  
7 such children and youth in such programs, and  
8 review the unique educational needs of such  
9 children and youth and their families.”.

10 **SEC. 1014. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR**  
11 **THE EDUCATION OF HOMELESS CHILDREN**  
12 **AND YOUTH.**

13 Section 723 of the McKinney-Vento Homeless Assist-  
14 ance Act (42 U.S.C. 11433) is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (4), by striking “(7)”  
17 and inserting “(8)”;

18 (B) in paragraph (5), by striking “, con-  
19 sistent with section 722(e)(3)”;

20 (C) by adding at the end the following:

21 “(6) A description of the policies and practices  
22 the local educational agency has implemented to re-  
23 move barriers to the enrollment, attendance, and  
24 success in school of all homeless children and youth.

1           “(7) An assurance that the local educational  
2 agency will collect and promptly provide data re-  
3 quired by the State Coordinator for Education of  
4 Homeless Children and Youth pursuant to para-  
5 graphs (1) and (4) of section 722(f).”;

6           (2) in subsection (c)—

7           (A) in paragraph (2), by striking “pre-  
8 school, elementary,” and inserting “public pre-  
9 school programs, elementary schools,”; and

10          (B) in paragraph (3)—

11           (i) by striking subparagraph (F) and  
12 inserting the following:

13           “(F) The extent to which services provided  
14 under this subtitle will be coordinated with  
15 other services available to homeless children  
16 and youth and their families, including housing  
17 services, child welfare services, services provided  
18 under the Individuals with Disabilities Edu-  
19 cation Act (20 U.S.C. 1400 et seq.), services  
20 provided under title I of the Elementary and  
21 Secondary Education Act of 1965 (20 U.S.C.  
22 6301 et seq.), and **■**services provided under  
23 State or local programs similar to the programs  
24 carried out under title I of the Elementary and  
25 Secondary Education Act of 1965**■**.”; and

- 1 (ii) in subparagraph (G), by striking  
2 “to unaccompanied youths”; and  
3 (3) in subsection (d)—  
4 (A) in paragraph (1), by striking “other”  
5 and inserting “all”;  
6 (B) in paragraph (2)—  
7 (i) by inserting “educational” before  
8 “programs and services”; and  
9 (ii) by striking “vocational” and in-  
10 sserting “career”;  
11 (C) in paragraph (3)—  
12 (i) by striking “educators” and insert-  
13 ing “teachers”; and  
14 (ii) by inserting “young children and”  
15 before “runaway and”;  
16 (D) in paragraph (5)—  
17 (i) by striking “excess”; and  
18 (ii) by striking “section 722(g)(4)(A)”  
19 and inserting “paragraphs (1)(K)(iv) and  
20 (4)(A) of section 722(g)”;  
21 (E) in paragraph (6)—  
22 (i) by striking “developmentally ap-  
23 propriate early childhood education pro-  
24 grams” and inserting “public preschool  
25 programs”; and

1 (ii) by striking “preschool-aged” and  
2 inserting “public preschool-aged”;

3 (F) in paragraph (7), by striking “and un-  
4 accompanied youths,” and inserting “particu-  
5 larly homeless children and youth who are not  
6 enrolled in school,”;

7 (G) in paragraph (9), by striking “medical  
8 records” and inserting “health records”;

9 (H) by striking paragraph (10) and insert-  
10 ing the following:

11 “(10) The provision of education and training  
12 to the parents and guardians of homeless children  
13 and youth about the rights of, and resources avail-  
14 able to, such children and youth, and other activities  
15 designed to increase the meaningful involvement of  
16 parents or guardians of homeless children or youth  
17 in the education of their children.”;

18 (I) in paragraph (12), by striking “violence  
19 prevention”;

20 (J) in paragraph (13), by inserting “and  
21 parental mental health and substance abuse  
22 problems” before the period;

23 (K) in paragraph (16), by striking “to at-  
24 tend school” and inserting “to enroll in, attend,  
25 and succeed in school”; and

1 (L) by adding at the end the following:

2 “(17) The provision of assistance to defray the  
3 costs relating to the position of the local educational  
4 agency liaison designated pursuant to section  
5 722(g)(1)(K)(ii), not otherwise defrayed through  
6 Federal, State, or local funding.”.

7 **SEC. 1015. SECRETARIAL RESPONSIBILITIES.**

8 Section 724 of the McKinney-Vento Homeless Assist-  
9 ance Act (42 U.S.C. 11434) is amended—

10 (1) in subsection (c)—

11 (A) by striking “the date of enactment of  
12 the McKinney-Vento Homeless Education As-  
13 sistance Improvements Act of 2001” and insert-  
14 ing “the date of enactment of the [short  
15 title]”;

16 (B) by inserting “, including information  
17 regarding the identification of homeless children  
18 and youth in accordance with the definition  
19 specified in section 725(2),” after “educational  
20 rights of homeless children and youths”; and

21 (C) by inserting “and by the Administra-  
22 tion on Children, Youth and Families of the  
23 Department of Health and Human Services”  
24 before the period;

1           (2) in subsection (d), by striking “to conduct  
2           such activities” and inserting “to award grants to,  
3           or enter into contracts or cooperative agreements  
4           with, eligible entities to enable the eligible entities to  
5           carry out such activities”;

6           (3) in subsection (e)—

7                 (A) by striking “this subtitle” and insert-  
8                 ing “section 722”;

9                 (B) by striking “60-day period” and in-  
10                 serting “120-day period”; and

11                 (C) by striking “120-day period beginning  
12                 on such” and inserting “180-day period begin-  
13                 ning on such”;

14           (4) in subsection (g)—

15                 (A) by striking the matter preceding para-  
16                 graph (1) and inserting the following:

17           “(g) PUBLICATION.—The Secretary shall develop,  
18           issue, and publish, not later than 1 year after the date  
19           of enactment of the **【short title】**, guidance regarding the  
20           requirements of this subtitle, including guidance con-  
21           cerning—”; and

22                 (B) in paragraph (2), by striking “med-  
23                 ical” and inserting “health”;

24           (5) in subsection (h)(1)—

1 (A) in the matter preceding subparagraph  
2 (A), by inserting “, but not less frequently than  
3 every 2 years,” after “periodically”;

4 (B) by striking subparagraph (A) and in-  
5 serting the following:

6 “(A) the number of homeless children and  
7 youth, including those enrolled in public pre-  
8 school programs, served by all local educational  
9 agencies, and information on the outcomes of  
10 such services and the academic attainment of  
11 such children and youth;”; and

12 (C) in subparagraph (C), by inserting  
13 “educational” before “needs”; and

14 (6) in subsection (i)—

15 (A) in the matter preceding paragraph  
16 (1)—

17 (i) by striking “4 years after the date  
18 of enactment of the McKinney-Vento  
19 Homeless Education Assistance Improve-  
20 ments Act of 2001,” and inserting “2  
21 years after the date of enactment of the  
22 **【short title】**, and each subsequent year;”;  
23 and

1 (ii) by striking “Education and the  
2 Workforce” and inserting “Education and  
3 Labor”;

4 (B) in paragraph (1), by striking “and” at  
5 the end; and

6 (C) by striking paragraph (2) and insert-  
7 ing the following:

8 “(2) the actions of the Secretary and the effec-  
9 tiveness of the programs supported under this sub-  
10 title, with particular attention to the data and infor-  
11 mation collected pursuant to **■subsection (h)(1)■**;  
12 and

13 “(3) progress made in addressing the needs of  
14 homeless children and youth.”.

15 **SEC. 1016. DEFINITIONS.**

16 Section 725 of the McKinney-Vento Homeless Assist-  
17 ance Act (42 U.S.C. 11434a) is amended—

18 (1) by redesignating paragraphs (4), (5), and  
19 (6) as paragraphs (5), (6), and (7), respectively;

20 (2) by inserting after paragraph (3) the fol-  
21 lowing:

22 “(4) The term ‘parent or guardian’, used with  
23 respect to a child or youth in or out of home care,  
24 means—



1           “(A) a biological, adoptive, or foster parent  
2 of the child or youth (unless a foster parent is  
3 prohibited by State law from serving as a par-  
4 ent or guardian for purpose of this subtitle);

5           “(B) a guardian (but not the State if the  
6 child or youth is a ward of the State);

7           “(C) an individual acting in the place of a  
8 biological or adoptive parent, including a grand-  
9 parent, stepparent, or other relative, with whom  
10 the child or youth lives, or an individual who is  
11 legally responsible for the child’s or youth’s wel-  
12 fare (unless the right of such acting parent or  
13 responsible individual to make educational deci-  
14 sions for the child or youth has been terminated  
15 or suspended); or

16           “(D) a person appointed by a court to  
17 make educational decisions for the child or  
18 youth.”; and

19           (3) in paragraph (7), as redesignated by para-  
20 graph (1), by striking “includes a youth” and insert-  
21 ing “means a homeless child or youth”.

22 **SEC. 1017. AUTHORIZATION OF APPROPRIATIONS.**

23           Section 726 of the McKinney-Vento Homeless Assist-  
24 ance Act (42 U.S.C. 11435) is amended by striking  
25 “\$70,000,000” and all that follows and inserting

1 “\$\_\_\_\_\_ for fiscal year 2008 and such  
2 sums as may be necessary for each of fiscal years 2009  
3 through 2014.”

4 **SEC. 1018. CONFORMING AMENDMENTS.**

5 Subtitle B of title VII of the McKinney-Vento Home-  
6 less Assistance Act (42 U.S.C. 11431 et seq.) is amended  
7 by striking “youths” each place it appears and inserting  
8 “youth”.

9 **PART B—NATIONAL ASSESSMENT OF**  
10 **EDUCATIONAL PROGRESS AUTHORIZATION ACT**

11 **SEC. 1021. NATIONAL ASSESSMENT GOVERNING BOARD.**

12 Section 302(e)(1) of the National Assessment of  
13 Educational Progress Authorization Act (20 U.S.C.  
14 9621(e)(1)) is amended—

15 (1) in subparagraph (I), by striking “and” after  
16 the semicolon;

17 (2) by redesignating subparagraph (J) as sub-  
18 paragraph (K);

19 (3) in the flush matter at the end, by striking  
20 “subparagraph (J)” and inserting “subparagraph  
21 (K)”; and

22 (4) by inserting after subparagraph (I) the fol-  
23 lowing:

24 “(J) in consultation with the Commissioner  
25 for Education Statistics, identify and select the

1 States that will participate in the trial State  
2 academic assessments described in section  
3 303(b)(3)(A)(iv); and”.

4 **SEC. 1022. AMENDMENT TO THE NATIONAL ASSESSMENT**  
5 **OF EDUCATIONAL PROGRESS AUTHORIZA-**  
6 **TION ACT.**

7 Section 303(b) of the National Assessment of Edu-  
8 cational Progress Authorization Act (20 U.S.C. 9622(b))  
9 is amended—

10 (1) in paragraph (2)(D), by inserting “(with a  
11 priority in conducting assessments in history not less  
12 frequently than once every 4 years)” after “subject  
13 matter”; and

14 (2) in paragraph (3)(A)—

15 (A) in clause (iii)—

16 (i) by inserting “except as provided in  
17 clause (iv),” before “may conduct”; and

18 (ii) by striking “and” after the semi-  
19 colon;

20 (B) by redesignating clause (iv) as clause  
21 (v); and

22 (C) by inserting after clause (iii) the fol-  
23 lowing:

1 “(iv) shall conduct trial State aca-  
2 demic assessments of student achieve-  
3 ment—

4 “(I) in United States history in  
5 grades 8 and 12 in not less than 10  
6 States representing geographically di-  
7 verse regions of the United States;

8 “(II) in civics in grades 8 and 12  
9 in not less than 10 States rep-  
10 resenting geographically diverse re-  
11 gions of the United States; and

12 “(III) geography in grades 8 and  
13 12 in not less than 10 States rep-  
14 resenting geographically diverse re-  
15 gions of the United States.”.

16 **SEC. 1023. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 305 of the National Assessment of Edu-  
18 cational Progress Authorization Act (20 U.S.C. 9624) is  
19 amended—

20 (1) by redesignating subsection (b) as sub-  
21 section (c); and

22 (2) by inserting after subsection (a) the fol-  
23 lowing:

24 “(b) HISTORY, CIVICS, AND GEOGRAPHY ASSESS-  
25 MENTS.—There are authorized to be appropriated—

1           “(1) \$10,000,000 for each of fiscal years 2009  
2           and 2010 to carry out sections 303(b)(3)(A)(iv) and  
3           302(e)(1), of which not more than \$500,000 for  
4           each fiscal year shall be available to carry out sec-  
5           tion 302(e)(1); and

6           “(2) such sums as may be necessary to carry  
7           out such sections for each succeeding fiscal year.”.

8   **SEC. 1024. CONFORMING AMENDMENT.**

9           Section 113(a)(1) of the Education Sciences Reform  
10          Act of 2002 (20 U.S.C. 9513(a)(1)) is amended by strik-  
11          ing “section 302(e)(1)(J)” and inserting “section  
12          302(e)(1)(K)”.