
Maryland Prekindergarten and Children Experiencing Homelessness

Frequently Asked Questions

Maryland Prekindergarten (Pre-K) is a program for three- and four-year-old children that helps children develop and maintain the basic skills necessary to be successful in school. According to the U.S. Department of Education, homelessness in early childhood is associated with poor academic achievement, engagement, and classroom-based skills in elementary school.¹ Pre-K can provide critical education and services to help young children overcome the challenges of homelessness. The following Frequently Asked Questions can help clarify policies and practices to ensure children experiencing homelessness have access to Pre-K.

1. What is the definition of “homeless”?

The Code of Maryland Regulations (COMAR) and the federal McKinney-Vento Act provide a consistent definition of homelessness for local educational agencies (LEA) and early childhood programs. The definition includes children who are:

- Sharing the housing of others due to loss of housing, economic hardship, or a similar reason (sometimes referred to as “doubled-up”);
- Staying in hotels, motels, trailer parks, and campgrounds due to the lack of adequate alternative accommodations;
- Sleeping in a shelter or transitional housing; or
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.²

2. Who determines if a child or family meets the definition of “homeless”?

Every LEA in Maryland has a designated homeless liaison who has the authority and responsibility to identify children and youth experiencing homelessness in the LEA. This duty extends to children in Pre-K programs and other early childhood programs, as well as those who are not enrolled in any education program. The Maryland State Department of Education (MSDE) provides homeless liaisons with training on the definition of homelessness and

¹ Amy Yamashiro and John McLaughlin (2021). [Early Childhood Homelessness State Profiles](#). U.S. Department of Education.

² 42 U.S.C. §11434a(2); COMAR §13A.05.09.02(B)(3).

determining eligibility for McKinney-Vento services. In practice, homeless liaisons rely on school staff and community partners to refer families who may be experiencing homelessness to the homeless program. They also use eligibility questionnaires to inquire about families' housing arrangements. MSDE has a complete list of Maryland LEA homeless liaisons on its website.

3. Do families experiencing homelessness need to provide proof of residency, birth certificates, immunization records, or other documentation prior to enrolling in Pre-K programs that are administered by LEAs?

No. The federal McKinney-Vento Act applies to LEA preschool programs and requires immediate enrollment for children experiencing homelessness, even if they are “unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation.”³ Enrollment is defined as “attending classes and participating fully in school activities.”⁴ Therefore, children experiencing homelessness must be enrolled in LEA Pre-K classrooms immediately, even without proof of residency, birth certificates, immunization records, or other documentation. After enrollment, Pre-K staff should collaborate with the LEA homeless liaison to acquire and assemble available documentation for the student's record. In the case of an audit, a completed eligibility questionnaire, note from the McKinney-Vento liaison or designated Pupil Personnel Worker (PPW), or any other record that the child has been determined to be experiencing homelessness is sufficient documentation to replace proof of residency, birth certificate, immunization records, and other documents.

4. Do families experiencing homelessness need to provide proof of income for Pre-K enrollment?

No. Pre-K programs must enroll all four-year-old applicants who are experiencing homelessness.⁵ Three-year-old children experiencing homelessness also are automatically eligible for Pre-K that serves three-year-olds, where it is offered.⁶ This categorical eligibility means that families experiencing homelessness do not have to provide evidence of income for Pre-K enrollment. For children experiencing homelessness who are not in the care of their parents, their caregivers also do not have to provide proof of income. A completed eligibility questionnaire, note from the McKinney-Vento liaison or designated PPW, or any other record that the family has been determined to be experiencing homelessness replaces proof of

³ 42 U.S.C. §11432(g)(3)(C); COMAR §13A.05.09.05(B).

⁴ 42 U.S.C. §11434a(1).

⁵ COMAR §13A.06.02.03.

⁶ COMAR §13A.06.02.03.

income. Notarized letters from the family cannot be required, as such a requirement would create a barrier to the child's enrollment in Pre-K.

In addition, children experiencing homelessness are, by definition, Tier I children for the purpose of full-day Pre-K under the Blueprint for Maryland's Future.⁷ As such, both three-year-old and four-year-old children experiencing homelessness receive an enrollment priority for full-day Pre-K.⁸

5. When children experiencing homelessness are not in the care of their parents, do their caregivers need to provide proof of legal guardianship to enroll them in Pre-K?

No. The McKinney-Vento Act's requirements for immediate enrollment without records apply to unaccompanied youth, defined as "a homeless child or youth not in the physical custody of a parent or guardian."⁹ Children experiencing homelessness can become separated from their parents for many reasons, including parental death, incarceration, deportation, and behavioral health challenges. Children experiencing homelessness who are staying with caregivers, including relatives, family friends, or others, must be enrolled in Pre-K immediately, without proof of guardianship. If concerns regarding potential trafficking or abuse arise, school staff can take appropriate measures while the child is safe in the Pre-K classroom.

6. In what circumstances are LEAs required to provide transportation to Pre-K students experiencing homelessness?

Transportation is required in several circumstances:

- When a child is attending a Pre-K classroom that is the child's school of origin under the McKinney-Vento Act, the LEA must provide transportation.¹⁰
- When the lack of transportation is a barrier preventing children experiencing homelessness from accessing Pre-K, the LEA must provide transportation.¹¹ This occurs most frequently when the Pre-K classroom closest to where the child is living is full, and the LEA places the child in an alternate Pre-K at a greater distance. Placing children in an alternate Pre-K classroom can be an excellent way to meet the state law mandate that all four-year-olds experiencing homelessness be enrolled in Pre-K.¹² However, if children cannot attend that Pre-K classroom without transportation

⁷ Md. Code Ann., Education Article §7-1A-01(k).

⁸ Md. Code Ann., Education Article §7-1A-06(d).

⁹ 42 U.S.C. §11434a(6); COMAR §13A.05.09.02(B)(8).

¹⁰ 42 U.S.C. §§11432(g)(1)(J)(iii), 11432(g)(3)(I)(i); COMAR §13A.05.09.02(B)(7)(a); COMAR §13A.05.09.06.

¹¹ 42 U.S.C. §11432(g)(1)(I); COMAR §13A.05.09.03(A)(1)(a).

¹² COMAR §13A.06.02.03.

due to the distance, transportation must be provided. Transportation helps fulfill the Pre-K enrollment priority required by law for both three-year-old and four-year-old children experiencing homelessness.¹³

- Children with special needs experiencing homelessness may be entitled to transportation to early childhood special education programs and early intervention services.
- If none of these specific requirements apply, children experiencing homelessness must be provided with transportation comparable to what housed children receive.

Specific transportation arrangements can vary, but transportation services always must be safe and appropriate for the child. School buses and other school vehicles are the preferred transportation option; however, they can be supplemented with other options, including gas vouchers or mileage reimbursement for parents, caregivers, or other adults who can provide transportation and agree to reimbursement; passes for public transit where available; taxis; or collaborative transportation options with community partners. MSDE strongly discourages the use of rideshare services for young children if no parent or guardian accompanies the child. Title I, Part A and McKinney-Vento grant funds can support the cost of transportation and provide car seats, boosters, and other necessary safety equipment.

7. Maryland state law now caps Pre-K classrooms at 20 students, as part of the Blueprint for Maryland's Future.¹⁴ Can a Pre-K classroom exceed the 20-student limit if that is the only way to provide Pre-K services to a child experiencing homelessness in the LEA?

Yes, only if the LEA has pursued all other options first, including maintaining the child in the child's Pre-K of origin and placing the child in an alternate Pre-K classroom and providing reasonable transportation. In these limited circumstances, exceeding the 20-student class size limit may be the only way to ensure compliance with the state law requiring that all four-year-olds experiencing homelessness be enrolled in Pre-K,¹⁵ as well as the federal requirement to ensure that children experiencing homelessness have access to and receive public preschool services administered by LEAs.¹⁶ If placing a child experiencing homelessness in a Pre-K classroom will result in more than 22 children in the classroom, the LEA should contact MSDE to discuss other options that have been pursued and the staff-to-child ratio in effect in the classroom.

¹³ Md. Code Ann., Education Article §7-1A-06(d).

¹⁴ Md. Code Ann., Educ. §7-1A-04(a)(1)(iv).

¹⁵ COMAR §13A.06.02.03.

¹⁶ 42 U.S.C. §11432(g)(6)(A)(iii).

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