





a case-by-case basis under the law's broad definition, which includes youth who are persons due to economic hardship. McKinney-Vento eligibility determinations must be made by school districts on a case-by-case basis and should take into account the unique circumstances of each child. School districts are reminded of their obligation to immediately enroll such students while McKinney-Vento eligibility determinations are being made in accordance with §100.2(x) of the Commissioner's regulations.

## B. Immunizations

govern the immunizations required for school attendance.<sup>8</sup> Upon arrival at a U.S. Customs and Border Patrol facility, unaccompanied children are provided an initial medical screening.<sup>9</sup> Children and youth without documentation of previous valid vaccinations are provided with vaccinations by the Office of Refugee Resettlement.<sup>10</sup>

Therefore, unaccompanied children who have been placed with a sponsor following custody in a HHS shelter should have documentation of immunization. However, some unaccompanied children may present to schools with incomplete or no documentation of immunizations. PHL §2164(7)(a) provides that when a student is transferring from another country, a principal (or other designee) may allow that child to attend school for up to 30 days if there is evidence of a good faith effort to obtain immunizations or other evidence of immunization.

## C. Additional Resources for School Districts

USDOE and other federal and State agencies have issued guidance with respect to the education of these children. For more information, please see:

<http://www.ed.gov/news/press-releases/secretary-duncan-and-attorney-general-holder-issue-guidance-school-districts-ens>  
<http://www2.ed.gov/policy/rights/guid/unaccompanied-children.html>  
<http://www2.ed.gov/policy/rights/guid/unaccompanied-children.pdf>  
<http://www2.ed.gov/policy/rights/guid/unaccompanied-children-2.pdf>

<sup>7</sup> <http://www2.ed.gov/policy/rights/guid/unaccompanied-children.html>  
<http://www.acf.hhs.gov/unaccompanied-children-frequently-asked-questions>  
<http://www2.ed.gov/policy/rights/guid/unaccompanied-children.html>

<sup>8</sup> Please note that the Department of Health revised its regulations regarding immunization requirements for school attendance, effective July 1, 2014 (see 10 NYCRR §66-1.3). The Department issued updated guidance on school immunization requirements in March 2014, which is available at

<http://www.p12.nysed.gov/sss/schoolhealth/schoolhealthservices/immunizationlettertoschools.pdf>  
<http://www.health.ny.gov/prevention/immunization/schools>

<sup>9</sup> <http://www.acf.hhs.gov/unaccompanied-children-frequently-asked-questions>

<sup>10</sup> *Id.* Please note that if a sponsor does not have a copy of the child's medical or immunization records, the sponsor can request a new copy from HHS via email at [Requests.DUCS@acf.hhs.gov](mailto:Requests.DUCS@acf.hhs.gov)

The United States Department of Health and Human Services, Office of Refugee Resettlement:

<http://www.acf.hhs.gov/programs/orr/programs/ucs/about>

The New York State Office of Temporary and Disability Assistance, Bureau of Refugee and Immigrant Assistance (BRIA):

<http://otda.ny.gov/programs/bria/>

The New York State Technical Assistance Center for Homeless Students

<http://www.nysteachs.org/>

Vaccinations in Refugee Children: New York State and New York City  
Recommendations and Guidelines