

## Unaccompanied Youth: McKinney-Vento Homeless Assistance Act

The McKinney-Vento Homeless Assistance Act defines unaccompanied youth as, “a youth [under 21] not in the physical custody of a parent or guardian.” Youth would not be living with a parent or guardian, and includes youth living with a caregiver who does not have legal guardianship, and also includes youth living on their own.

Homeless youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence. This includes

- a.) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals.
- b.) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings
- c.) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- d.) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in items a-c.

## The U.S. Department of Education (DOE)

The DOE defines homeless youth as those under the age of 21 lacking a fixed, regular, and nighttime residence or “a) an individual who has a primary nighttime residence that is a supervised or publically operated shelter designed to provide temporary living accommodations; b) an institution that provides a temporary residence for individuals intended to be institutionalized including welfare hotels, congregate shelters, and transitional housing for the mentally ill; or c) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.” **The DOE definition includes youth unaccompanied by families and those with their families. The McKinney-Vento Homeless Assistance Act does not specifically state it includes youth with their families.**

## The U.S. Department of Housing and Urban Development (HUD)

The HUD have 4 Categories of Homelessness, of which a youth experiencing homelessness may fall under. However, Category 3 specifically mentions youth, but, youth are still eligible and are likely to qualify for assistance under the other categories.

### *Category 1: Literal Homelessness*

“Individuals and families living in a place not meant for human habitation (i.e. car, streets), emergency shelter, transitional housing, and hotels paid for by a government or charitable organization.”

*Category 2: Imminent Risk of Homelessness*

“Individuals or families who will lose their primary nighttime residence within 14 days and has no other resources or support networks to obtain other permanent housing.”

*Category 3: Homeless under Other Statutes*

“Unaccompanied youth under 25 years of age, or families with children and youth, who do not meet any of the other categories but are homeless under other federal statutes, have not had a lease and have moved 2 or more times in the past 60 days and are likely to remain unstable because of special needs or barriers.”

*Category 4: Fleeing Domestic Violence*

“Individuals or families who are fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking and who lack resources and support networks to obtain other permanent housing.”