

Unaccompanied Homeless Youth



Unaccompanied youth include young people who have run away from home, been thrown out of their homes, and/or been abandoned by parents or guardians. These young people are separated from their parents for a variety of reasons. Over half report being physically abused at home, and over one-third report sexual abuse.¹ Over two-thirds report that at least one of their parents abuses drugs or alcohol.² For many of these young people, leaving home is a survival issue. Other youth are thrown out of their homes because they are pregnant, gay or lesbian, or because their parents believe they are old enough to take care of themselves. Over half of youth living in shelters report that their parents either told them to leave or knew they were leaving and did not care.³ Once out of the home, unaccompanied youth are frequently victimized. As many as half have been assaulted or robbed; and one in ten runaways reports being raped.⁴

Who is homeless?

(McKinney-Vento Homeless Assistance Act of 2001 – Title X, Part C of the No Child Left Behind Act – Sec 725)

The term “homeless children and youth”—

- (A) means individuals who lack a fixed, regular, and adequate nighttime residence...; and
- (B) includes —
- (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camping grounds due the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 - (ii) 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...
 - (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus train stations, or similar settings; and
 - (iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

School may be the only safe and stable environment available to unaccompanied youth. Yet unaccompanied youth often face unique barriers to enrolling and succeeding in school. Without a parent or guardian to advocate for them and exercise parental rights, they are sometimes denied enrollment and remain out of school for extended periods of time. Unaccompanied youth also may not understand their educational rights or know how to acquire this information.

The Role of the McKinney-Vento Act

The education provisions of the McKinney-Vento Act, which are now incorporated within No Child Left Behind, ensure educational rights and protections for children and youth experiencing homelessness. The law directly applies to homeless unaccompanied youth who also receive some special attention within the Act.

Key Provisions

- The term “unaccompanied youth” includes youth in homeless situations who are not in the physical custody of a parent or guardian.
- Unaccompanied youth have the same rights as other students experiencing homelessness. Specifically, they have the right to:

(continued on next page)

- Remain in their school of origin (to the extent feasible)
- Transportation to and from the school of origin
- Immediately enroll in a new school serving the area in which they are currently living even if they don't have typically required documents (e.g. proof of guardianship)
- Equal access to programs and services such as gifted and talented education, special education, vocational education, and English Language Learner services.
- Each local education agency (LEA), otherwise known as school district, must appoint a homeless liaison, whose duties include:
 - Helping unaccompanied youth choose and enroll in a school, after considering the youth's wishes.
 - Informing unaccompanied youth of their rights to transportation and assisting youth in accessing transportation.
 - Providing unaccompanied youth with notice of their right to appeal school or school district decisions and ensuring that youth are immediately enrolled in school pending resolution of disputes.
- School personnel must be made aware of the specific needs of runaway and homeless youth.
- McKinney-Vento state plans must:
 - address problems caused by enrollment delays due to guardianship issues.
 - describe how homeless youth and youth separated from the public schools are identified and accorded equal access to appropriate secondary education and support services.
- McKinney-Vento subgrants can be used for services and assistance to attract, engage, and retain unaccompanied youth in public school programs and services.

See other issue briefs for more information on school selection, enrollment, transportation, disputes, and subgrants.

(See legislative references for the text of the law.)

Strategies for Implementation

Schools and districts can adopt various policies and practices to successfully and comprehensively address the needs of unaccompanied homeless youth. What follows are ideas focused on some common categories of concern.

Identifying Youth

- Develop collaborative relationships with local shelters, transitional living programs, street outreach teams, and other service providers for unaccompanied youth.
- Train LEA homeless liaisons and all school enrollment staff, secretaries, school counselors, principals, and teachers on the definition of unaccompanied youth. Highlight the warning signs of homelessness (e.g. frequent absences, declines in academic achievement, disengagement, stress) and encourage staff to regularly talk to students about what's going on in their lives.
- Be creative and utilize new techniques such as involving social workers, surveying peers, and using enrollment questionnaires.
- In employing different methods of identification, always remember that youth may be living in a variety of situations (e.g. shelters, doubled-up, in cars, on the streets, etc.) and that they deserve to have their privacy and dignity respected.

Disseminating Information

- ❑ Develop materials such as posters, brochures, pamphlets, and fliers that explain McKinney-Vento rights information to youth. Make these items available in school attendance offices and distribute them to youth service providers.
- ❑ Train school and school district personnel on the education rights of unaccompanied youth. Require them to distribute informational materials and discuss their contents with the unaccompanied youth they identify.

Developing Enrollment Procedures

- ❑ Revise LEA policies immediately to accommodate unaccompanied youth and comply with the McKinney-Vento Act.
- ❑ Decide who will be allowed to enroll youth and assist with basic educational needs. One option is to allow youth to enroll themselves while having the school district homeless liaison monitor academic progress and assist youth in making basic educational decisions. Another common option is to try to identify an adult in the youth's life who can act as a caretaker. Schools and districts may decide to ask such adults to fill out caretaker forms establishing their responsibilities and providing their contact information.
- ❑ Ensure that the enrollment staff in all schools is familiar with McKinney-Vento requirements and procedures related to enrolling unaccompanied youth.
- ❑ Train school and school district staff to distinguish between "throwaway" and runaway youth. If your state has runaway reporting requirements designed to reconnect youth with their parents, try to avoid the trauma of police arrest by developing youth-centered approaches of achieving family reunification. For instance, try to get youth to call home or consent to school personnel calling their parents and letting them know where they are. Refer youth to federally-financed youth shelters or other programs that focus on reconnecting runaways and families. Develop partnerships with your local social services agency and refer youth to that agency first rather than to law enforcement.
- ❑ Ensure that all of the above enrollment procedures are carefully crafted so they do not create further barriers or delay enrollment. For example, policy statements should clarify that identifying a caregiver is not a prerequisite to enrollment.

Ensuring Appropriate Educational Services

- ❑ Revise LEA policies, such as those related to attendance and credit accrual, to ensure that they remove barriers to academic success for unaccompanied youth.
- ❑ Revise or develop LEA policies to address issues related to who signs for unaccompanied youth to participate in field trips or extracurricular activities. Work with legal staff to eliminate any fears about potential liability.
- ❑ Provide unaccompanied youth the opportunity to enroll in diversified learning opportunities such as vocational education, credit-for-work programs, and flexible school hours, yet ensure that they are integrated with the mainstream school environment, including extracurricular activities, as much as possible.
- ❑ Maintain a listing of available surrogate parents to assist unaccompanied youth with their special education needs.
- ❑ Develop strategies to continue educating students who have been suspended or expelled from school.

Assisting With Non-Educational Needs

- ❑ Provide a “safe place” at school that includes trained mentors, school counselors, or social workers that unaccompanied youth can access as needed.
- ❑ Contact relevant social service agencies and gather information, pamphlets, and applications concerning valuable services such as food stamps. Make such materials available to identified unaccompanied youth.
- ❑ Meet with and coordinate with relevant social service and medical agencies to develop policies and procedures to facilitate an unaccompanied youth’s access to services and treatment with sensitivity and urgency.
- ❑ Develop a list of referrals that includes shelters, youth hotlines, and other youth services providers. Various national organizations and agencies are useful resources for youth and those trying to assist them:

Covenant House
Runaway Hotline: 1-800-999-9999 (24 hrs)
www.covenanthouse.org

National Network for Youth
202-738-7949
www.nn4youth.org

National Runaway Switchboard
Runaway Hotline: 1-800-621-4000 (24 hrs)
www.nrscrisisline.org

Stand Up for Kids
1-800-365-4KID
www.standupforkids.org

Legislative References

“The term ‘unaccompanied youth’ includes a youth not in the physical custody of a parent or guardian .” McKinney-Vento Act Sec. 725(6).

“[T]he State and its local educational agencies will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin...”

McKinney-Vento Act Sec. 722(g)(1)(J)(iii)

“Each local educational agency liaison...shall ensure that

...(vii)...any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin as described in (1)(J)(iii), and is assisted in accessing transportation to the school that is selected under paragraph (3)(A).”

McKinney-Vento Act Sec. 722(g)(6)(A).

“In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

...(iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E).”

McKinney-Vento Act Sec. 722(g)(3)(B)

“If a dispute arises over school selection or enrollment in a school—

...(iv) in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.”

McKinney-Vento Act Sec. 722(g)(3)(E)

“Such plan shall include the following:

(D) A description of programs for school personnel (including principals, attendance officers, teachers, enrollment personnel, and pupil services personnel) to heighten the awareness of such personnel of the specific needs of runaway and homeless youths...

(F) A description of procedures that ensure that—

...(ii) homeless youths and youths separated from the public schools are identified and accorded equal access to

appropriate secondary education and support services....

(H) Strategies to address other problems with respect to the education of homeless children and youths, including problems resulting from enrollment delays that are caused by...

(iv) guardianship issues”

McKinney-Vento Act Sec. 722(g)(1)

“In determining the quality of applications under paragraph (1), the State educational agency shall consider the following:

(G) Such other measures as the State educational agency considers indicative of a high-quality program, such as the extent to which the local educational agency will provide case management or related services to unaccompanied youths.”

McKinney-Vento Act Sec. 723(c)(3)(G)

“A local educational agency may use funds awarded under this section for activities that carry out the purpose of this subtitle, including the following: (7) The provision of services and assistance to attract, engage and retain homeless children and youths, and unaccompanied youths, in public school programs and services provided to nonhomeless children and youths.”

McKinney-Vento Act Sec. 723(d)(7)

This document was developed collaboratively by:

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202-364-7392

www.naehcy.org

National Center for Homeless Education (NCHE)

800-308-2145

www.serve.org/nche/

National Law Center on Homelessness and Poverty (NLCHP)

202-638-2535

www.nlchp.org

Endnotes

¹ MacLean, M. G., Embry, L. E., & Cauce, A. M. (1999). Homeless adolescents' paths to separation from family: Comparison of family characteristics, psychological adjustment, and victimization. *Journal of Community Psychology*, 27, 183.

² Id.

³ MacLean, M. G., Embry, L. E., & Cauce, A. M. (1999). Homeless adolescents' paths to separation from family: Comparison of family characteristics, psychological adjustment, and victimization. *Journal of Community Psychology*, 27, 183.

⁴ MacLean et al., supra note 1, 183.

Every state is required to have a coordinator for the education of homeless children and youth, and every school district is required to have a liaison for homeless students. These individuals will assist you with the implementation of the McKinney-Vento Act. For information on the education of children and youth experiencing homelessness in Texas and to obtain contact information for the liaison in your district, please contact:



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