

## Unaccompanied Children and Youth Who Are Homeless

### Who are Unaccompanied Homeless Children and Youth?

The McKinney-Vento Homeless Education Assistance Act defines unaccompanied homeless children and youth as individuals who lack a fixed, regular, and adequate night time residence, **and** are not in the physical custody of a parent or guardian. Between 1.6 and 1.7 million youth run away from their homes each year. Generally, youth leave home due to severe dysfunction in their families, including circumstances that put their safety and well-being at risk.<sup>1</sup> Over one-half report being physically abused and over one-third report sexual abuse. Other youth are kicked out of their homes (“throw-aways”) because their parent(s) believe they are old enough to take care of themselves.<sup>2</sup>

Examples of students that are considered homeless under the McKinney-Vento Act **and** are unaccompanied include:

1. Any student who has been abandoned or kicked out of her/his home due to family conflict, pregnancy, sexual preference, alcohol and drug abuse, etc.;
2. A student under the age of 21 who has not received a high school diploma, is not living at home, and is “doubled up” with relatives or friends because s/he cannot afford housing; and
3. A student who is living away from home because the parent/guardian cannot fulfill parent responsibilities, such as providing a safe environment and meeting basic physical needs as food and clothing.

Cautionary note: It is important to determine how long a student has been living with a friend or relative. At some point (usually after a year or more) the living arrangement could be considered “permanent” and the student would not be considered homeless. ***Decisions of when a student is defined as homeless needs to be made on a case-by-case basis.***

School district staff are mandatory reporters under State Statute in §.118.175 (2). Staff must notify their local Department of Health and Family Services if a student under the age of 18 is living alone or with someone other than a parent/guardian or designee.

### What are the Responsibilities of the School District Homeless Liaison for Children and

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<sup>1</sup> National Association for the Education of Homeless Children and Youth, *Helping Unaccompanied Homeless Youth Access College Financial Aid*, 2010.

<sup>2</sup> 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.

## **Youth Who are Homeless?**

Under the McKinney-Vento Homeless Education Assistance Act, each public school district must designate a homeless liaison that is responsible to identify families, children, and youth who are homeless. The homeless liaison is required to:

1. In-service district staff about who is defined as homeless under the federal McKinney-Vento Act;
2. Develop strategies to identify children (including preschool children) and youth who are unaccompanied and homeless;
3. Assist families, children, and youth with immediate school enrollment. Inquire if the student wants to attend the school of origin or the attendance area school.
  - The school of origin is the school the child or youth attended when permanently housed or the school where the child or youth was last enrolled.
  - The attendance area school is the public school where children living in the neighborhood are designated to attend.
4. Arrange transportation;
5. Arrange for free school meals, free school supplies, and course fee waivers (if applicable);
6. Obtain educational tools or necessary school items (gym shoes, uniforms, calculators, etc.) to allow the student to “participate fully” in school programs and activities;
7. Provide a list of community agencies that can help the family or unaccompanied youth meet basic needs;
8. Contact community agencies who serve homeless populations to inform them of:
  - Who is considered homeless under the McKinney-Vento Act;
  - The educational rights of students who are homeless; and
  - How to refer families and youth to the homeless liaison for assistance.
9. Encourage and assist parents to have “meaningful opportunities” to participate in the education of their child;
10. Assist parents and unaccompanied youth with enrollment disputes;
11. Represent unaccompanied children and youth in their desires and interests when enrolling the student into educational programs;
12. Help unaccompanied children and youth with educational program decisions since the child or youth does not have a parent or legal guardian to assist them; and
13. Ensure district policies and procedures do not create barriers for families and students who are homeless.

## **Students Under 18**

In addition to the above, the homeless liaison, though not required by law, can assist youth who are unaccompanied, under 18, and homeless in the following ways:

1. Obtain an “emergency contact” that the district can use if attendance, behavior, or other issues arise;
2. Assist the student in applying for Food Share and the BadgerCare Plus Standard Plan (*See section below for more information regarding BadgerCare Plus*);
3. Contact the runaway youth agency in your region to inquire if their program can assist the youth (<http://www.dpi.wi.gov/homeless> under “Resources”);
4. Assist the student with post-secondary interests; and
5. Provide educational records to the parent/guardian of students. The parent/guardian has a

right to educational records even if the parent/guardian is not providing for their child.

### Students 18 and Over

In Wisconsin, students can attend public school until age 21. The homeless liaison, though not required by law, can assist youth who are unaccompanied, 18 and over, and homeless, in the following ways:

1. Obtain an “emergency contact” that the district can use if attendance, behavior, or other issues arise;
2. Inform students 18 or older that they must sign a release to allow their parent/guardian to obtain their educational records;
3. Ask if the student wants her/his directory information published. In some situations the student may feel safer keeping contact information private;
4. Assist the student in applying for Food Share and the BadgerCare Plus Core Plan (*See section below for more information regarding BadgerCare Plus Core Plan*);
5. Contact the runaway youth agency in your region to inquire if their program can assist the youth (<http://www.dpi.wi.gov/homeless> under “Resources”);
6. Assist the student with post-secondary plans;
7. The homeless liaison can identify unaccompanied youth as “independent students” for financial aid purposes by completing the Federal Application for Student Financial Aid (FAFSA) form, verifying that the student is not receiving any kind of financial support from the parent/guardian; and
8. For high school students living independently and paying for their housing, the FAFSA form can be signed for students “at risk of homelessness.”

### **Are Unaccompanied Youth Eligible for BadgerCare Plus?<sup>3</sup>**

Students are eligible for BadgerCare Plus if they meet the following criterion:

1. Students are under 19 years of age and are not living with a parent, relative, or caretaker. In these cases, the application would list only the minor child (student);
2. Students between the ages of 19 and 21 who are exiting the foster care system;
3. Students under 19 who are married. The application would list the student and her/his spouse if they are residing together (*BadgerCare Plus Handbook Sec. 2.2.5.*); and
4. Students who have dependent children--regardless of the age of the student.

### **What Unaccompanied Youth are Eligible for the BadgerCare Plus Core Plan?**

An unaccompanied youth age 19 or older may apply for the BadgerCare Plus Core Plan. The Core Plan is more difficult to obtain since the State often suspends enrollment due to limited slots. Unaccompanied homeless youth should apply for the Core Plan to expedite eligibility determination when enrollment opens up.

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<sup>3</sup> Covering Kids & Families – Wisconsin, *BadgerCare Plus and Homeless Minors: Fact Sheet*, March, 2010.

### **How Do Students Apply for either BadgerCare Plus or the BadgerCare Plus Core Plan?**

Students can apply on-line at <https://access.wisconsin.gov/> or through a local county Department of Health and Human Services office. School staff should help students through the application process.

### **What Procedures Should be Followed for an Unaccompanied Youth Who is Homeless and Suspected of Not Being in the United States Legally?**

This can be a complicated situation.

- Federal law gives all children the right to a free K-12 education regardless of their immigrant status. As decided by the U.S. Supreme Court decision, *Plyler v. Doe* 457 US 2020 (1982), school officials may ask parents or students for proof of residency, but not for a Social Security number.
- Wisconsin law required school district staff to be mandated reporters. School staff are required to call their county Human Services Department to report children and youth who are unaccompanied and under 18 years of age.
- Typically, county Human Service Departments do not report residency status to the United States Immigration Services, but this may not be the practice of **all** county Human Service Departments. Before providing a student's contact information, school staff may want to inquire about the policy of the county agency regarding reporting students to Immigration Services.

### **Can Unaccompanied Homeless Youth Apply for Federal Financial Aid?**

Yes. Without access to federal student aid, an unaccompanied youth is very unlikely to take advantage of postsecondary education. Recent changes to the FAFSA will make it easier for youth who are unaccompanied and homeless to obtain the support they need to pursue their education. Typically, youth under age 24 must have their parents complete the FAFSA. Recent amendments to the Higher Education Act have made it possible for youth who are both unaccompanied and homeless (or self-supporting and at risk of homelessness), to apply for federal aid. A youth who meets the definition of "independent student" can apply for federal aid without parental income information or signature.

1. Unaccompanied youth are automatically considered independent students for FAFSA.
2. Youth who are unaccompanied, at risk of homelessness, and self-supporting are also automatically considered independent students for FAFSA.

For more information please see the U.S. Department of Education, *Federal Student Aid Application and Verification Guide*, 2008-2009 at <http://www.ifap.ed.gov/fsahandbook/attachments/0910AVG.pdf>.

### Scholarships

For possible scholarship assistance, please see (<http://www/dpi.wi.gov/homeless> under "Resources" and "Unaccompanied Youth.")

Visit [www.dpi.wi.gov/homeless](http://www.dpi.wi.gov/homeless) or email [DPIHomeless@dpi.wi.gov](mailto:DPIHomeless@dpi.wi.gov) for more information on homeless issues.