



National Center for Homeless Education  
Supporting the Education of Children and  
Youth Experiencing Homelessness  
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## BEST PRACTICES IN INTERAGENCY COLLABORATION BRIEF SERIES

### Housing and Education Collaborations to Serve Homeless Children, Youth, and Families

*This brief is designed for staff of homeless assistance programs and members of Continuums of Care (CoCs) funded by the U.S. Department of Housing and Urban Development (HUD), as well as for State Coordinators for Homeless Education and local homeless education liaisons who operate under the guidance of the U.S. Department of Education (ED). The brief provides basic information to help homeless service providers and homeless education staff understand each other's role in supporting children, youth, and families experiencing homelessness, while offering tools to enhance collaboration among agencies. Briefs on additional topics pertaining to homeless education and related laws may be found at <http://center.serve.org/nche/briefs.php>.*

#### UNDERSTANDING THE DEFINITION OF HOMELESS

While both ED and HUD base their services and eligibility criteria on the McKinney-Vento Homeless Assistance Act (hereafter referred to as *The McKinney-Vento Act*), each agency uses a different definition of *homeless* due to differences in the federal statute (see [page 11](#) for the full legislative text of the definitions of *homeless*

used by ED and HUD). Both agencies consider people who lack a fixed, regular, and adequate nighttime residence to be homeless. This includes the following living situations: camping grounds, emergency shelters, transitional housing, public or private places not designed for or ordinarily used as a regular sleeping accommodation for human beings, cars, parks, abandoned buildings, and bus or train stations. However, several significant differences exist between the definitions of *homeless* used by these agencies.

In addition to the situations described above, ED considers persons in the following situations to be homeless:

- Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason
- Living in hotels, motels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations
- Living in substandard housing

HUD organizes the definition of *homeless* around four categories:

- **Category 1:** Literal homelessness (i.e. living in camping grounds, emergency shelters, transitional housing, public or private places not designed for or ordinarily used as a regular sleeping accommodation for human beings, cars, parks, abandoned buildings, and bus or train stations)
- **Category 2:** Individuals and families who will imminently (within 14 days) lose their primary nighttime residence with no subsequent residence, resources, or support networks;
- **Category 3:** Unaccompanied youth or families with children or youth who meet the homeless definition under another federal statute and 3 additional criteria;
- **Category 4:** Individuals and families fleeing or attempting to flee domestic violence with no subsequent residence, resources, or support networks.

As no one system of services alone can meet every need of persons experiencing homelessness, it is crucial for both housing and education professionals to understand the definitions that drive client services in both arenas. Children and youth will benefit directly as cross-agency referrals are made quickly and effectively. This brief cannot capture all of the nuances of the definitions and their connections to program requirements. Therefore, it is essential that education and housing professionals review each agency's full definition and accompanying guidance, which can be found at [https://www.onecpd.info/resources/documents/HEARTH\\_HomelessDefinition\\_FinalRule.pdf](https://www.onecpd.info/resources/documents/HEARTH_HomelessDefinition_FinalRule.pdf) (HUD) and <http://www2.ed.gov/programs/homeless/guidance.pdf> (ED).

## HUD BASICS

Title IV of the McKinney-Vento Act, as amended in 2009 by the **Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act**, addresses the housing and related service needs of homeless persons. The

overall goal of HUD homelessness programs is to reduce the frequency of homelessness by helping people move quickly into self-sufficiency and permanent housing. Individuals and families can receive assistance through programs based on the category of homelessness under which they qualify. To that end, HUD, through its Office of Special Needs Assistance Programs, awards two types of homeless assistance grants annually: **Emergency Solutions Grants (ESG)** and **Continuum of Care (CoC)** grants. As of the publication of this brief, the CoC program is roughly six times larger than the ESG program.

The ESG program provides formula-based funding to support street outreach, homeless prevention, emergency shelter, and rapid rehousing. Eligible grant recipients include states, territories, and local units of government. Grant subrecipients can include non-profit organizations.

The CoC program awards grants competitively for transitional housing, several types of permanent housing, supportive services, safe havens, and the operation of a community-wide data system called the **Homeless Management Information System (HMIS)**. Project awards are provided by HUD through a collaborative process with the community represented by the local Continuum of Care. CoCs are comprised of direct service providers, local government agencies, indirect service providers, and members of the client community, all of which jointly determine the community's priorities and apply to HUD for funds. Most urban areas have their own CoCs, while suburban counties often join together to form CoCs. Many rural and some suburban areas too small or sparsely populated to have their own CoCs merge into large Continuums known as "Balance of State," while a few states have a single, statewide CoC. Currently, there are **438 CoCs in the country**, including 36 Balance of State CoCs.

Other HUD programs that address homelessness include targeted programs for veterans and people with HIV/AIDS, shelters funded through **Community Development Block Grants**, and programs to convert surplus

military properties into sites for homeless services. HUD also coordinates the HMIS to maintain client-level information on the characteristics and service needs of homeless persons and assist in counting homeless persons.

In addition to homeless assistance grant programs, HUD also funds public housing authority (PHA) programs and staff, Section 8 subsidized housing, and housing choice voucher programs for which homeless families and youth may be prioritized for services. For example, the Family Unification Program (FUP) provides housing choice vouchers to a limited number of PHAs to prevent the placement of a child in out-of-home care or to assist with reunification of a family if a child is in out-of-home care primarily due to a lack of suitable housing. It also provides housing for unaccompanied youth exiting from the foster care system. PHA staff includes case managers who advise homeless or highly mobile families with school-aged children on housing and school selection. For more information on FUP, including a fact sheet and link to PHAs with FUP vouchers, visit [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/programs/hcv/family](http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/hcv/family).

It is important for educators to learn about federal housing supports for homeless children, youth, and families in their local communities. Having an understanding of the help that is available to children and youth experiencing homelessness through HUD programs will ensure that schools can refer eligible students to housing agencies for needed services, thus facilitating the provision of the broadest array of supports to these vulnerable students.

## EDUCATION BASICS

**Subtitle VII-B of the McKinney-Vento Act**, reauthorized in 2002 and cross-referenced as Title X, Part C of the Elementary and Secondary Education Act, as amended, addresses the educational needs of homeless children and youth. The legislation's core theme is to ensure educational stability and continuity,

including allowing homeless children to remain in one, stable school environment and provide continuous access to teachers, programs, peers, and services. It provides the right to immediate enrollment and full participation in school activities for homeless students.

Students have the right to:

- Receive a free, appropriate public education.
- Enroll in school immediately, even if lacking documents normally required for enrollment.
- Enroll in school and attend classes while the school gathers needed documents.
- Enroll in the local attendance area school or continue attending their school of origin (the school they attended when permanently housed or the school in which they were last enrolled), if that is the parent's, guardian's, or unaccompanied youth's preference and is feasible. If the school district believes the school selected is not in the student's best interest, then the district must provide the parent, guardian, or unaccompanied youth with a written explanation of its position and inform him/her of the right to appeal its decision.
- Receive transportation to and from the school of origin, if requested by the parent, guardian, or unaccompanied youth.
- Receive educational services comparable to those provided to other students, according to the student's need.

In addition, every school district must designate a local homeless education liaison (hereafter referred to as *local liaison*) to serve as the key homeless education contact in the district and to ensure that eligible students within the district receive the rights and services to which they are entitled, as outlined above. Every state also has a State Coordinator for Homeless Education (hereafter referred to as *State Coordinator*), typically based at the State Department of Education, to provide technical assistance and support, as well as to ensure that homeless education policies are implemented properly and

consistently in districts throughout the state.

While McKinney-Vento subgrant programs (see sidebar) serve only 10-20% of school districts in most states, Title I, Part A of the No Child Left Behind Act, which supports academic achievement for disadvantaged students in high-poverty districts and schools, reaches more than 90% of school districts and has several coordination requirements to serve homeless students. Homeless students are automatically eligible for Title I services. Title I-funded educationally-related support services may include tutoring, counseling, school and hygiene supplies, and clothing support services, and may be provided at the school or in shelters and other locations where homeless children may live. Title I funds also may support parent involvement and supplemental transportation. Districts must provide comparable Title I services to homeless students enrolled in non-Title I schools by reserving funds for this purpose. District Title I and McKinney-Vento Programs must collaborate to serve students experiencing homelessness. Furthermore, Title I schools operating schoolwide programs must coordinate with housing programs in their attendance area to serve eligible students.

### EDUCATION FOR HOMELESS CHILDREN AND YOUTH (EHCY) PROGRAM FUNDING

Federal EHCY funds are allocated to the 50 states, the District of Columbia, and Puerto Rico based on each state's share of Title I, Part A, funds. The outlying areas and the Bureau of Indian Affairs also receive funds. A portion of these funds supports the position of the State Coordinator and state-level activities aimed at ensuring that homeless children and youth have equal access to a free, appropriate public education. States distribute their remaining funds to school districts through a competitive subgrant process. These funds support school districts in facilitating the school enrollment, attendance, and success of students experiencing homelessness.

It is important for shelter and public housing authority staff to learn about federal educational supports for homeless children and youth in their local communities; **State Coordinators** and local liaisons can assist them in obtaining this information. Having an understanding of the help that is available to children and youth experiencing homelessness through the school system will ensure that housing providers can refer eligible students to the school district for needed services, thus facilitating the provision of the broadest array of supports to these vulnerable students.

### COLLABORATION BASICS: SCHOOLS AND SERVICE PROVIDERS WORKING TOGETHER

Collaboration between schools and homeless service providers is essential to ending homelessness and its effect on the lives of children and youth. Education is a critical strategy for ending homelessness among families and unaccompanied youth. In the short-term, schools provide meals, clothes, physical and mental health care, and safety and stability to children and youth whose lives have been disrupted by homelessness. In the long-term, schools provide students with the education they need to get good jobs and earn adequate income to achieve financial independence as adults.

At the same time, providing safe and consistent shelter is a critical strategy for ensuring educational success. A stable bed, basic nutrition and health care, and a place to study and store personal items contribute greatly to students' well-being and their ability to perform well in school. A stable address also removes barriers to attaining additional support services, and to applying to college and for employment.

### HUD REQUIREMENTS FOR EDUCATION COLLABORATION

The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 added new education-related requirements, often

referred to as *education assurances*, for CoCs and homeless service grant applicants. Specifically, to receive funding, CoCs must:

- Collaborate with local education agencies (school districts) to assist in the identification of homeless families, and inform homeless families and youth of their eligibility for McKinney-Vento education services.
- Consider the educational needs of children when placing families in emergency or transitional shelter and, to the maximum extent practicable, place families with children as close as possible to their school of origin so as not to disrupt the children's education.

Project applicants (CoC members) also are required to:

- Establish policies and practices that are consistent with, and do not restrict the exercise of rights provided by, the education subtitle of the McKinney-Vento Act,

and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness.

- Designate a staff person to ensure that children are enrolled in school and connected to the appropriate services within the community, including early childhood programs such as Head Start, Part C of the Individuals with Disabilities Education Act, and McKinney-Vento education services.

#### MCKINNEY-VENTO EDUCATION REQUIREMENTS FOR HOUSING COLLABORATION

Subtitle VII-B of the McKinney-Vento Act (Title X, Part C of the No Child Left Behind Act) requires State Coordinators to coordinate and collaborate with housing agencies, domestic violence agencies, shelter operators, transitional housing facilities, runaway and homeless youth centers, and transitional living programs to minimize educational disruption

#### PROGRAM HIGHLIGHT: COLLABORATION IN MARION COUNTY, INDIANA



For several years, local liaisons in **Marion County, Indiana**, have been involved in the Point-In-Time counts mandated by HUD. Local liaisons provided aggregate data about students, based on the education definition of *homeless*, to the agency leading data gathering activities. As a result, the reports completed by the CoC concerning the state of homelessness in the community included a special section highlighting the realities faced by area schools and homeless students. The reports led to a greater awareness of homeless children and youth and new initiatives. The local media chronicled the data in a feature on homeless children and youth. Beyond reporting initiatives, the lead CoC agency also developed a yard display that agencies may use to draw attention to the number of children and youth experiencing homelessness in the Indianapolis area and developed a video that includes a local liaison discussing education issues and efforts to help families. Local liaisons also have collaborated by participating in Homeless Connect, a yearly event in the Indianapolis area providing homeless clients with a variety of services, such as acute medical care, mental health counseling, legal advice, employment guidance, and housing assistance.

As a result of these collaborative initiatives, homeless families have benefited from greater community awareness of the issue of homelessness. In addition, school districts have been able to provide more resources for these families. School districts applying for McKinney-Vento subgrants also receive bonus points on their applications to the Indiana Department of Education's Education for Homeless Children and Youth (EHCY) Program by showing active involvement with the CoC.

for and improve the provision of comprehensive education and related services to homeless children, youth, and families. Local liaisons also must coordinate with community agencies to identify homeless children and youth and refer students to health, mental health, and other appropriate services.

#### COC PROGRAM STAFF: TIPS FOR SUCCESSFUL PARTNERSHIPS

When seeking to collaborate with local liaisons, CoC program staff should consider the following strategies:

- Learn more about the education portion of the McKinney-Vento Act. Oftentimes, both housing providers and educators view the McKinney-Vento Act as “theirs”; in fact, both the federal Education for Homeless Children and Youth (EHCY) Program and federal Housing and Urban Development (HUD) Programs are authorized by different sections of the federal McKinney-Vento Homeless Assistance Act. The more CoC program staff learn about the education portion of the Act, the more they will

understand about available services and be able to “speak the same language” as their education partners.

- Share information and data on housing programs to increase awareness of challenges and highlight opportunities to address gaps in services through collaboration with local liaisons. Consult with HUD legal and data management departments to ensure compliance with data-sharing policies and procedures.
- Become familiar with the educational challenges that homeless children and youth face and the educational rights and services provided under Subtitle VII-B of the McKinney-Vento Act. Identify ways that your CoC program can support these children and youth.
- Invite local liaisons to CoC meetings and institute a recurring agenda item focused on education. Consider establishing an education subcommittee.
- Develop a protocol for case managers and local liaisons to evaluate the best interest of the child in terms of school placement

#### PROGRAM HIGHLIGHT: COLLABORATION IN MESA COUNTY, COLORADO



**Mesa County, Colorado**, developed an innovative tenant-based rental assistance program called the **Next Step Housing Program**. The program was developed as a result of conversations between the executive director of the housing authority, the county commissioner, and the local liaison. The planning team realized building new affordable housing was unnecessary due to a vacancy rate of 14% in the area. Instead, **HOME funds**, a one-time Community Development Block Grant, and funds from local sources were pooled to provide up to two years of housing for homeless families. If the families are unable to obtain housing on their own at the end of the program, they are prioritized for the public housing authority’s Housing Choice Vouchers. The school district has referred the majority of the families for the Next Step program from the students identified through their homeless education program. Next Step intentionally focuses on education outcomes for youth instead of focusing solely on outcomes for parents. During intensive case management sessions, parents review their children’s grades and other educational measures with the case manager.

As a result, standardized test scores, attendance rates, and mobility rates for participating students have improved significantly. Anecdotes from teachers describe participating children as “secure and willing to take risks. The children mesh with their peers because they’re no longer so different.”

and make housing placements that foster educational success. Consider the following strategies:

- » Contact the local liaison to learn more about individual students and the educational services they need. Work with the local liaison to determine placement options.
- » Place the student in housing that allows attendance in the school of origin to the maximum extent practicable to ensure school success by avoiding educational disruptions.
- » Consider the academic programs offered by schools when evaluating housing options for students.
- » Weigh a variety of factors for each individual student. Good questions to discuss with parents regarding their child's school placement and then take into consideration for housing placement, include:
  - How connected is the student to his/her current school?
  - What services are in place to address the student's needs at the current school?
  - What school of attendance would serve the student best?

For more information about school selection under Subtitle VII-B of the McKinney-Vento Act, including a checklist to use when considering the issue of school placement, download NCHE's *Guiding the Discussion on School Selection* brief at <http://center.serve.org/nche/briefs.php>.

#### LOCAL LIAISONS: TIPS FOR SUCCESSFUL PARTNERSHIPS

When seeking to collaborate with CoC program staff, local liaisons should consider the following strategies:

- Learn more about the housing portion of

the McKinney-Vento Act. Oftentimes, both educators and housing providers view the McKinney-Vento Act as “theirs”; in fact, both the federal Education for Homeless Children and Youth (EHCY) Program and federal Housing and Urban Development (HUD) Programs are authorized by different sections of the federal McKinney-Vento Homeless Assistance Act. The more local liaisons learn about the housing portion of the Act, the more they will understand available services and be able to “speak the same language” as their housing partners.

- Share information and data on educating homeless students to increase awareness of challenges and highlight opportunities to address needs through collaboration with housing programs. Consult with LEA legal and data management departments to ensure compliance with data-sharing policies and procedures.
- When participating in CoC and other housing programs, explain issues relating to the educational needs of homeless children and youth and inquire about how homeless children, youth, and families can be connected better to services. Sometimes people question why school representatives need to be at a gathering that involves social service providers; local liaisons should be prepared to make the case.
- Ask the CoC and its members to assist with services that the school cannot provide; in turn, reciprocate by offering to provide services to CoC clients. See the **HUD Basics** and **Education Basics** sections of this brief for more information about the types of services provided by each program.
- Become familiar with housing challenges and requirements for HUD programs and identify ways to streamline referrals to housing programs.
- Learn more about the particular housing services available in the community, such as the **Family Unification Program (FUP)** and other housing voucher programs that can

prioritize homeless families for services.

- Include the identification of housing needs in the school's intake process for homeless students and develop a referral protocol with CoC members.

## COLLABORATION IN PRACTICE: GETTING STARTED

### 1. Get in touch.

Homeless service providers and school district staff should contact each other and familiarize each other about their respective program requirements, client needs, challenges, and available services.

#### GETTING IN TOUCH IN MESA COUNTY, COLORADO

Conversations about homelessness in **Mesa County, Colorado**, traditionally emphasized services for homeless, single men. A new local liaison hired by the school district discovered that only one family had been identified as homeless out of a district of more than 22,000 students. She began to increase community awareness of the issues homeless children face by attending community meetings and providing data that illustrated the challenges. She was invited to speak at a forum hosted by the local housing authority and several other key community leaders. Data about the achievement gap between homeless and housed children, as well as other critical information such as attendance rates, helped change the perception of homelessness among stakeholders. As a result, she was invited to attend planning meetings on a regular basis. Now the county benefits from a collaborative housing program that includes client outcomes focused on education goals for homeless students. One important outcome was a new youth shelter developed through a cross-agency partnership.

### • Education Contacts

Contact information for State Coordinators: [http://center.serve.org/nche/states/state\\_resources.php](http://center.serve.org/nche/states/state_resources.php)

Contact information for local liaisons is available by contacting your State Coordinator or local school district office.

### • Housing Contacts

Contact information for Continuums of Care: <http://www.hudhre.info/index.cfm?do=viewCocMaps>

Contact information for HUD field offices: <http://portal.hud.gov/hudportal/HUD?src=/states>

Contact information for public housing authorities: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/pha/contacts](http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/pha/contacts)

### 2. Meet regularly to exchange information.

Local liaisons should participate in CoC meetings; share data on the homeless children and youth they identify and serve; be included in community needs assessments and Point-in-Time counts; and work with CoCs to develop shelter, housing, and other services for families and youth. The *2013 Youth Count!*<sup>1</sup>, a federal interagency initiative on greater identification of unaccompanied homeless youth during the HUD annual Point-in-Time count, generated new collaborative relationships between CoCs and school districts. While adhering to the provisions of the **Family Education Rights and Privacy Act (FERPA)**, school districts were able to disclose aggregate student data, and ask for parental consent to disclose data or refer parents and youth to other organizations participating in Point-in-Time counts.

CoCs also should work regularly with their education counterparts to make sure homeless

<sup>1</sup> The U.S. Interagency Council on Homelessness (USICH) and the Departments of Housing and Urban Development (HUD), Health and Human Services (HHS), and Education (ED), launched *Youth Count!*, an interagency initiative to develop promising strategies for counting unaccompanied homeless youth through innovative implementations of HUD's 2013 Point-in-Time (PIT) count. Additional information is available at [http://www.usich.gov/population/youth/a\\_framework\\_for\\_ending\\_youth\\_homelessness\\_2012/](http://www.usich.gov/population/youth/a_framework_for_ending_youth_homelessness_2012/).



programs identify all eligible clients and to ensure that their clients' education needs are being met. CoCs also may want to form a child/youth subcommittee, where education and early care issues are discussed in greater depth.

### 3. Inform parents and youth about available services.

- Local liaisons should inform parents and youth of housing and other services provided through housing agencies. They also should have contact information and brochures for these agencies on hand to facilitate referrals to housing agencies for more information.
- Homeless service providers should place posters about the educational rights of homeless children and youth, including local liaison contact information, in all of their facilities serving families and youth. (Posters are available at no charge from NCHE at

#### REGULAR MEETINGS IN MARION COUNTY, INDIANA

Local liaisons and members of the CoC meet quarterly in **Marion County, Indiana**. The HMIS lead agency hosts the meetings and invites the State Coordinator and all county local liaisons. Originally the group gathered to discuss problems with school transportation for homeless students, but over time the conversations have evolved and expanded. The meetings give people a chance to learn about each other's programs, especially changes resulting from the enactment of the HEARTH Act. From the beginning, the focus of the meetings has been on solving existing problems and preventing future ones. Ongoing conversations center on legislative updates, housing questions related to families, and interdistrict issues. As a result, more homeless students receive transportation to and from school and attend school regularly, and schools coordinate more effectively on sending and receiving student records. Housing and education challenges are identified during the meetings and resolved expeditiously on an ongoing basis.

[http://center.serve.org/nche/pr/er\\_poster.php](http://center.serve.org/nche/pr/er_poster.php).) Additionally, service providers should encourage parents to enroll their children in school immediately and encourage unaccompanied youth to enroll immediately, as well.

- Homeless service providers should incorporate information about the HEARTH Act's **education assurances** into the standard intake process. As a follow-up to initial intake, homeless service providers may wish to schedule a meeting with the CoC's staff member charged with ensuring school enrollment for school-aged clients or the school district's local liaison.
- Homeless service providers that serve families and youth regularly should host informational sessions about the HEARTH Act's education assurances for their staff and clients.

### 4. Develop memoranda of understanding (MOUs).

CoCs and their members and local school districts may wish to enter into MOUs to establish protocols for student identification, service referrals, and data or information sharing. These MOUs should specify mutually-accepted expectations, protocols, parameters, and best practices for achieving the shared goals of CoCs and school districts.

#### CONCLUSION

Collaboration between education and housing programs provides the potential for the comprehensive and coordinated provision of services that meet the range of needs of homeless families, children, and youth. Both education and supportive housing provide pathways out of homelessness. While the purposes of and definitions used by these programs may vary, the overall goal of supporting vulnerable families is the foundation for all such agencies to establish policies and practices that support one another's work.

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# FEDERAL DEFINITIONS OF *HOMELESS*

## U.S. DEPARTMENT OF EDUCATION DEFINITION OF *HOMELESS* AS ESTABLISHED BY SUBTITLE VII-B OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

### SEC. 725. DEFINITIONS.

(2) The term homeless children and youths' —

(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and

(B) includes —

(i) 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; 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 (within the meaning of section 103(a)(2)(C));

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) 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 clauses (i) through (iii).

Source: <http://www2.ed.gov/policy/elsec/leg/esea02/pg116.html#sec725>

## U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT DEFINITION OF *HOMELESS* AS ESTABLISHED BY THE HOMELESS EMERGENCY ASSISTANCE AND RAPID TRANSITION TO HOUSING (HEARTH) ACT OF 2009

### SEC. 103. [42 USC 11302]. GENERAL DEFINITION OF HOMELESS INDIVIDUAL.

(a) IN GENERAL.—For purposes of this Act, the term “homeless”, “homeless individual”, and “homeless person” means—

(1) an individual or family who lacks a fixed, regular, and adequate nighttime residence;

(2) an individual or family with 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, including a car, park, abandoned building, bus or train station, airport, or camping ground;

(3) an individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing);

(4) an individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided;

(5) an individual or family who—

(A) will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, as evidenced by—

(i) a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days;

(ii) the individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days; or

(iii) credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause;

(B) has no subsequent residence identified; and

(C) lacks the resources or support networks needed to obtain other permanent housing; and

(6) unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who—

(A) have experienced a long term period without living independently in permanent housing,

(B) have experienced persistent instability as measured by frequent moves over such period, and

(C) can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.

Source: <https://www.onecpd.info/resources/documents/HomelessAssistanceActAmendedbyHEARTH.pdf>

**This brief was developed by:**

**National Center for Homeless Education**

800-308-2145 (Toll-free Helpline)

<http://www.serve.org/nche>

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Every state is required to have a State Coordinator for Homeless Education, and every school district is required to have a local homeless education liaison. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your State Coordinator is, visit the NCHE website at [http://www.serve.org/nche/states/state\\_resources.php](http://www.serve.org/nche/states/state_resources.php).



For more information on the McKinney-Vento Act and resources for implementation, call the NCHE Helpline at 800-308-2145 or e-mail [homeless@serve.org](mailto:homeless@serve.org).

**Local Contact Information:**