



The Legal Glossary:

A Crosswalk of Federal Laws and Programs Affecting Children, Youth, and Families Experiencing Homelessness

**National Center for Homeless Education
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THE LEGAL GLOSSARY: A CROSSWALK OF FEDERAL LAWS AND PROGRAMS AFFECTING CHILDREN, YOUTH, AND FAMILIES EXPERIENCING HOMELESSNESS

This glossary is a basic guide to the principal federal laws and programs that affect children, youth, and families experiencing homelessness. It is designed to provide local homeless education liaisons and state coordinators for homeless education with a straightforward overview of federal programs for homeless children and youth. Although it provides only very basic information on each law and program, it can assist local liaisons and state coordinators in their efforts to collaborate with other agencies and provide comprehensive services to homeless children and youth. The *Legal Glossary* offers information on federal laws and programs only; state laws and programs are not included.

The glossary is organized topically, in chart form. The first column of the chart lists the name of the law or program and its legal citation from the United States Code (USC). In a few cases, the citation to federal regulations from the Code of Federal Regulations (CFR) or Public Law is included. The second column provides a short summary of the law or program. The final column lists websites that offer more information. In addition to the websites in the chart, the website of the National Center for Homeless Education (NCHÉ) contains information and resources related to many of the laws and programs contained in this document, at www.serve.org/nche. Finally, a topical index at the end of the chart will assist users who are looking for information about a particular law or program.

This document is not legal advice and should not be used as a substitute for obtaining professional legal advice or consulting with legal counsel.

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CHILD CARE

Federal Law	Summary	For More Information
Child Care and Development Block Grant (CCDBG) 42 USC §9858	This U.S. Department of Health and Human Services program subsidizes child care for low-income families, families receiving public assistance, and families transitioning from public assistance. At the current funding level, the program assists only 10% of eligible children. Services are provided through contracts with providers or certificates to parents. Parents can select any legally operating child care provider that meets basic health and safety requirements.	www.nccic.org/index.html www.acf.hhs.gov/index.html

CHILD WELFARE

Federal Law	Summary	For More Information
Adoption Assistance and Child Welfare Act (AACWA) Pub. Law 96-272; 42 USC §§620 et seq; 42 USC §§670 et seq.	In 1980, Congress passed AACWA, the foundation of the modern child welfare system. It established a major federal role in the administration and oversight of child welfare services, including federal rules for case management, permanency planning, and foster care placement reviews and the first significant role for the court system. This law, with later amendments, is sometimes referred to as Titles IV-B and IV-E (see Social Security Act, below). Under this law, child welfare agencies are responsible for the educational outcomes of children in their care and are provided with funding to meet certain educationally-related needs, which may include tutoring, clothing, transportation, and school supplies.	www.acf.hhs.gov/index.html www.childwelfare.gov/ www.abanet.org/child/ http://pewfostercare.org/ www.casey.org/Resources

<p>Adoption and Safe Families Act (ASFA)</p> <p>Pub. Law 105-89; 42 USC §§620 et seq; 42 USC §§670 et seq.</p>	<p>These 1997 amendments to AACWA were designed to improve the safety of children, promote adoption and other permanent homes for children who need them, and support families. They also include the Promoting Safe and Stable Families Program, which offers family reunification services, such as substance abuse treatment, mental health services, assistance for survivors of domestic violence, temporary child care and crisis nurseries, and transportation to and from these services.</p>	<p>www.acf.hhs.gov/index.html</p> <p>www.abanet.org/child/</p> <p>www.childwelfare.gov/</p> <p>http://pewfostercare.org/</p> <p>www.casey.org/Resources</p>
<p>Child Abuse Prevention and Treatment Act (CAPTA)</p> <p>Pub. Law 93-247; 42 USC §§5101 et seq; 42 USC §§5116 et seq.</p>	<p>CAPTA was passed in 1974 as the first major federal legislation addressing child abuse and neglect. It requires states to establish child abuse reporting procedures and investigation systems.</p>	<p>www.acf.hhs.gov/index.html</p> <p>www.abanet.org/child/</p> <p>www.childwelfare.gov/</p> <p>http://pewfostercare.org/</p>
<p>Child Support Performance and Incentive Act of 1998 (CSPIA)</p> <p>Pub. Law 105-200 42 USC §§651-669</p>	<p>CSPIR amended Title IV-D of the Social Security Act to reward states that operated effective child support enforcement systems.</p>	<p>www.acf.hhs.gov/programs/cse/</p>
<p>Foster Care Independence Act</p> <p>Pub. Law 106-169 42 USC §677</p>	<p>Passed in 1999, this law created the Chafee Foster Care Independence Program (CFCIP), an independent living program serving both adolescents making the transition from foster care to independence and former foster youth up to age 21. It provides housing, counseling, and other support services; and an educational and vocational training program.</p>	<p>www.acf.hhs.gov/index.html</p> <p>www.abanet.org/child/</p> <p>www.childwelfare.gov/</p> <p>http://pewfostercare.org/</p>

<p>Indian Child Welfare Act (ICWA)</p> <p>25 USC §§1901 et seq.</p>	<p>ICWA was passed in 1978 to address the high number of Native American children being removed from their families and placed outside Native American communities. It requires child welfare proceedings involving Native American children to be heard in tribal courts, if possible; gives tribes the right to intervene in state court proceedings; and establishes guidelines for the family reunification and placement of Native American children.</p>	<p>www.nicwa.org</p> <p>www.abanet.org/child/</p>
<p>Missing Children Act</p> <p>28 USC §534</p>	<p>This law was passed in 1982 to authorize the Attorney General to collect and exchange information that would assist in locating missing persons.</p>	<p>www.missingkids.com</p>
<p>National Child Search Assistance Act</p> <p>42 USC §§5779, 5780</p>	<p>Passed in 1990, this law requires federal, state, and local law-enforcement agencies to enter information about missing children under 18 into the FBI's National Crime Information Center (NCIC) database.</p>	<p>www.missingkids.com</p>
<p>Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act (PROTECT Act)</p> <p>Pub. L. 108-21</p>	<p>This 2003 law expanded the authority of law-enforcement agencies to deter, detect, investigate, prosecute, and punish crimes committed against children; strengthened laws against child pornography; and revised federal sentencing policies and practices. It also contains America's Missing: Broadcast Emergency Response (AMBER) Alert provisions.</p>	<p>www.missingkids.com</p>
<p>Social Security Act Titles IV-B and IV-E</p> <p>42 USC §§620 et seq; 42 USC §§670 et seq.</p>	<p>The Social Security Act is the central vehicle for federal child welfare policy, including AACWA and ASFA, and many other federal policies. Title IV-B is Child and Family Services and Title IV-E is Federal Payments for Foster Care and Adoption Assistance. Title IV-D deals with child support.</p>	<p>www.acf.hhs.gov/index.html</p> <p>www.childwelfare.gov/</p> <p>www.abanet.org/child/</p> <p>http://pewfostercare.org/</p>

CIVIL RIGHTS

Federal Law	Summary	For More Information
<p>Americans with Disabilities Act (ADA)</p> <p>42 USC §§12101 et seq.</p>	<p>ADA was passed in 1990 to protect the rights of people with disabilities. Title I of the law covers rights to employment; Title II covers rights to state and local government programs and services, including schools and public transportation; Title III covers public accommodations (such as restaurants; stores; hotels; theaters; private schools; convention centers; doctors' offices; homeless shelters; transportation depots; zoos; funeral homes; day care centers; and recreation facilities, including sports stadiums and fitness clubs) and private transportation.</p>	<p>www.usdoj.gov/crt/ada/adahom1.htm</p> <p>www.dbtac.vcu.edu/</p>
<p>Civil Rights Act of 1964</p> <p>42 USC Chapter 21 Pub. Law 88-352</p>	<p>This major civil rights law sought to prevent discrimination on the basis of race, color, religion, sex, and ethnicity. Its various parts cover: voting (Title I); public accommodations (Title II); state and local public facilities (Title III); public school (Title IV); any government agency receiving federal funding (Title VI); and employment (Title VII).</p>	<p>www.law.cornell.edu/wex/index.php/Civil_rights</p>
<p>Civil Rights of Institutionalized Persons Act (CRIPA)</p> <p>42 USC §§1997 et seq.</p>	<p>CRIPA authorizes the U.S. Attorney General to investigate conditions of confinement at state and local government institutions such as prisons, jails, pretrial detention centers, juvenile correctional facilities, publicly operated nursing homes, and institutions for people with psychiatric or developmental disabilities.</p>	<p>www.usdoj.gov/crt/split</p>
<p>Day Labor Fairness and Protection Act</p> <p><i>NOT YET LAW</i></p>	<p>This Act, if passed, would be the first federal law addressing the specific workplace needs of day laborers and other temporary employees.</p>	<p>www.ndlon.org/</p> <p>www.immigrant-nonstandard.org/index.php</p>
<p>Help America Vote Act (HAVA)</p> <p>42 USC §§15301-15545</p>	<p>HAVA was passed in 2002 to improve the administration of elections in the United States by establishing minimum standards for states.</p>	<p>www.usdoj.gov/crt/voting/hava/hava.html</p>

<p>National Voter Registration Act of 1993 (NVRA)</p> <p>42 USC §§1973gg et seq.</p>	<p>Also known as the Motor Voter Act, this law requires all offices of certain state-funded programs (including the Department of Motor Vehicles) to provide all applicants with voter registration forms, to assist them in completing the forms, and to transmit completed forms to the appropriate state official. It also permits voter registration by mail.</p>	<p>www.usdoj.gov/crt/voting</p>
<p>Privacy Act of 1974</p> <p>5 USC §552a</p>	<p>The Privacy Act prohibits disclosure of certain records in the possession and control of federal agencies without written individual consent, unless one of the twelve disclosure exceptions enumerated in the Act applies. An individual is entitled to access his or her records and to request the correction of these records, if applicable.</p>	<p>www.cms.hhs.gov/PrivacyActof1974/</p>
<p>Privacy Act: Disclosure of Social Security Numbers</p> <p>5 USC §552a, note</p>	<p>This note to the Privacy Act states that no one can be denied a government benefit or service (e.g., education and free school meals) for refusing to provide a social security number, unless the disclosure is required by federal law. Generally, agencies administering taxes, general public assistance, driver’s licenses, or motor vehicle registrations can require social security numbers.</p>	<p>www.privacyrights.org</p>
<p>Rehabilitation Act of 1973, Section 504</p> <p>29 USC §794</p>	<p>Section 504 of the Rehabilitation Act states that “no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under” any program or activity that receives federal financial assistance. Its specific application to public schools is discussed in the Education section on page 14.</p>	<p>www.hhs.gov/ocr/504.pdf</p> <p>www.hud.gov/progdesc/s-504.cfm</p>
<p>Ryan White Comprehensive AIDS Resources Emergency (CARE) Act</p> <p>42 USC §§300ff et seq.</p>	<p>Originally passed in 1990, this is the primary federal legislation related to the rights of people with HIV/AIDS. It sought to improve the quality and availability of care for low-income, uninsured, and underinsured persons and families affected by HIV.</p>	<p>http://hab.hrsa.gov/history.htm</p> <p>http://hab.hrsa.gov/programs/CareActOverview/</p>

<p>Voting Rights Act of 1965</p> <p>42 USC §§1973-1973bb-1</p>	<p>Designed to protect the right to vote for all Americans, the Voting Rights Act prohibited the use of literacy tests to deny or abridge the right to vote and established special enforcement provisions.</p>	<p>www.usdoj.gov/crt/voting/intro/intro_b.htm</p>
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EDUCATION

Federal Law	Summary	For More Information
<p>Adult Education and Family Literacy Act (AEFLA)</p> <p>20 USC §§9201 et seq.</p>	<p>Title II of the Workforce Investment Act, AEFLA is designed to assist adults in becoming literate and obtaining the knowledge and skills necessary for employment and self-sufficiency, in becoming full partners in the educational development of their children, and in completing secondary school education.</p>	<p>http://www.ed.gov/about/offices/list/ovae/pi/AdultEd/index.html</p>
<p>Child Nutrition Act</p> <p>42 USC §§1771 et seq.</p>	<p>This law established the School Breakfast Program, which reimburses institutions for breakfasts provided to children and youth. The law also created the special supplemental nutrition program for women, infants, and children (WIC); WIC provides grants to states for providing supplemental foods, health care referrals, and nutrition education for low-income pregnant and postpartum women and to infants and children up to age five who are found to be at nutritional risk.</p>	<p>www.fns.usda.gov/cnd/Breakfast/Default.htm</p> <p>www.fns.usda.gov/wic/</p>
<p>Child Nutrition and WIC Reauthorization Act</p> <p>Pub. Law 108-265</p>	<p>These 2004 amendments to the Russell National School Lunch Act and the Child Nutrition Act made homeless, runaway, and migrant children and youth automatically eligible to receive free school meals and exempted them from the requirement of completing an application.</p>	<p>www.serve.org/nche/legis_resources.php#usda</p> <p>www.fns.usda.gov/cnd/</p>

<p>Family Educational Rights and Privacy Act (FERPA)</p> <p>20 USC §1232g</p>	<p>FERPA provides parents (or an individual acting as a parent in the absence of a parent or guardian) access to and protects the privacy of student education records. Generally, education records, including any record documenting a student's status as homeless, cannot be released without written permission; nor can schools contact landlords or housing authorities to "verify" a student's status as homeless.</p>	<p>www.ed.gov/policy/gen/guid/fpco/ferpa/index.html</p> <p>www.access.gpo.gov/nara/cfr/waisidx_04/34cfr99_04.html</p> <p>NCHE <i>Confirming Eligibility</i> briefs at www.serve.org/nche/briefs.php</p>
<p>Head Start Act</p> <p>42 USC §§9801 et seq. 45 CFR Parts 1301 et seq.</p>	<p>The Head Start program provides grants to local public and private nonprofit and for-profit agencies to provide comprehensive child development services to economically disadvantaged children ages 3-5 and their families. In 1995, the Early Head Start program was established to serve children from birth to age 3. In 2007, the Head Start Act was amended with many new provisions on homelessness, including incorporating the McKinney-Vento Act's education definition of homeless and making homeless children automatically eligible for Head Start. It also requires the Department of Health and Human Services to issue regulations that require Head Start agencies to ensure that homeless children are identified and prioritized for enrollment; allow homeless families to apply to, enroll in, and attend Head Start programs while required documents are obtained within a reasonable time frame; and establish coordination between local Head Start programs and local homeless education liaisons.</p>	<p>www.acf.dhhs.gov/programs/hsb/</p> <p>www.nhsa.org</p> <p>www.acf.hhs.gov/programs/hsb/eclkc/index.html</p> <p>www.naehcy.org/update.html#head_start</p>

<p>Higher Education Act (HEA)</p> <p>20 USC §§1001 et seq.</p>	<p>The Higher Education Act provides scholarships and loans to help low-income students pay for college through the Free Application for Federal Student Aid (FAFSA). The FAFSA requires a parent’s/ guardian’s signature and financial information to be included in all students’ applications, except for those of “independent students.” The College Cost Reduction and Access Act of 2007 expanded the definition of independent student to include unaccompanied homeless youth; or unaccompanied, at risk of homelessness, and self-supporting during the school year in which the application is submitted. Verification must be made by a local homeless education liaison; a HUD homeless assistance program director or their designee; a Runaway and Homeless Youth Act program director or their designee; or a financial aid administrator. The HEA also funds the “TRIO” programs, which are educational outreach programs designed to motivate and support students from disadvantaged backgrounds.</p>	<p>www.ed.gov/about/offices/list/ope/index.html?src=oc</p> <p>http://studentaid.ed.gov</p> <p>www.higher-ed.org/</p> <p>www.nasfaa.org/Home.asp</p> <p>For resources on helping homeless youth access higher education, visit www.serve.org/nche/ibt/higher_ed.php</p>
<p>Individuals with Disabilities Education Improvement Act (IDEA)</p> <p>20 USC §§1400 et seq. 34 CFR Parts 300, 303</p>	<p>IDEA was originally passed in 1975 to ensure that students with disabilities receive a free, appropriate public education. IDEA, Part B provides special education and related services to children and youth with disabilities ages 3-21. It includes many provisions specific to homeless students, including: requiring evaluations to be completed on time and Individualized Education Programs (IEPs) to be implemented despite mobility; coordination among schools; compliance with the McKinney-Vento Act; and the appointment of surrogate parents for unaccompanied youth. IDEA, Part C provides early intervention services to infants and toddlers with disabilities under age (or, in some cases, at-risk of a disability), and their families. Both Parts B and C require schools to identify and serve homeless children with disabilities and require collaboration with McKinney-Vento programs.</p>	<p>www.nichcy.org</p> <p>www.taalliance.org</p> <p>www.nasdse.org</p> <p>www.cec.sped.org/</p> <p>www.nectac.org</p>

<p>McKinney-Vento Act, Subtitle VII-B</p> <p>42 USC §§11431 et seq.</p>	<p>Originally passed in 1987 and reauthorized in 2001 by Title X, Part C, of the No Child Left Behind Act, the McKinney-Vento Act provides immediate enrollment and school stability for children and youth experiencing homelessness and requires every LEA to designate a local homeless education liaison. SEAs and LEAs must review and revise policies and practices to remove barriers to homeless students' enrollment and success in school.</p>	<p>www.serve.org/nche</p> <p>www.naehcy.org</p> <p>www.nlchp.org</p>
<p>No Child Left Behind Act (NCLB), Title I, Part A</p> <p>20 USC §§6311 et seq.</p>	<p>This program provides financial assistance to school districts and schools with high numbers or percentages of economically disadvantaged children to help ensure that all children meet challenging state academic standards. For example, Title I, Part A, funds support extra instruction in reading and mathematics, as well as special preschool, after-school, and summer programs. Homeless students are categorically eligible for Title I, Part A, services. Title I, Part A, also requires a set-aside or reservation of funds to provide services to homeless children and youth, including services not ordinarily provided with Title I, Part A, funds.</p>	<p>www.ed.gov/programs/titleiparta/index.html</p> <p>www.titlei.org</p> <p>www.cleweb.org</p>
<p>NCLB, Title I, Part B (Even Start)</p> <p>20 USC §§6381-6381k</p>	<p>Even Start offers grants to support local family literacy projects that integrate early childhood education, adult literacy, parenting education, and interactive parent and child literacy activities. Services are provided to low-income families with parents who are eligible for services under the Adult Education and Family Literacy Act and their children from birth through age 7. Teen parents and their children from birth through age 7 also are eligible.</p>	<p>www.ed.gov/programs/evenstartformula/index.html</p> <p>www.evenstart.org/</p>
<p>NCLB, Title I, Part C (Migrant Education)</p> <p>20 USC §§6391 et seq.</p>	<p>The Migrant Education program provides academic and supportive services to the children of families who migrate to find work in the agricultural and fishing industries. A Migrant Education Hotline (1-800-234-8848) is available to help parents enroll their children in school or receive other educational services.</p>	<p>www.ed.gov/about/offices/list/oese/ome/index.html</p> <p>www.escort.org/</p> <p>www.nasdme.org</p>

<p>NCLB, Title I, Part D (Neglected, Delinquent, or At-Risk)</p> <p>20 USC §§6421 et seq.</p>	<p>This program, often called N&D, supplies formula grants to state educational agencies to provide supplemental services to assist children and youth in state-run institutions for juveniles or adult correctional institutions to make successful transitions to school or employment once they are released.</p> <p>It also requires each state to reserve Title I, Part A, funds to assist children in locally operated institutions for delinquent youths.</p>	<p>www.neglected-delinquent.org/nd/default.asp</p> <p>www.ed.gov/programs/titleipartd/index.html</p>
<p>NCLB, Title I, Part H (Dropout Prevention)</p> <p>20 USC §§6551 et seq.</p>	<p>This program provides grants to states and school districts to support sustainable, coordinated dropout prevention and reentry programs in high schools with annual dropout rates that exceed their state average annual dropout rate, and middle schools that feed into such high schools.</p>	<p>www.ed.gov/programs/dropout/index.html</p> <p>www.dropoutprevention.org/</p>
<p>NCLB, Title III (Immigrant Education)</p> <p>20 USC §§6821-6871</p>	<p>This program is designed to improve the education of English Language Learners (ELL) by providing enhanced instructional opportunities for immigrant children and youths. Funds are distributed to states based on a formula that takes into account the number of immigrant and ELL students in each state.</p>	<p>www.ncela.gwu.edu/</p> <p>www.ed.gov/programs/sfgp/index.html</p>
<p>NCLB, Title IV (21st Century Community Learning Centers)</p> <p>20 USC §§7171 et seq.</p>	<p>This program supports the creation of community learning centers that provide academic enrichment opportunities for children, particularly students who attend high-poverty and low-performing schools, and offers literacy and other educational services to the families of participating children.</p>	<p>www.ed.gov/programs/21stcclc/index.html</p>
<p>NCLB, Title IV (Safe and Drug-Free Schools and Communities)</p> <p>20 USC §§7101 et seq.</p>	<p>Programs authorized under this title provide financial assistance, through both formula and discretionary grants, for state and local drug and violence prevention activities in elementary and secondary schools, and institutions of higher education.</p>	<p>www.ed.gov/about/offices/list/osdfs/index.html</p>

<p>NCLB, Title V, Part B (Public Charter School Program)</p> <p>20 USC §§7221 et seq.</p>	<p>The Public Charter School Program provides financial assistance for the planning, program design, and initial development of charter schools. Grants are available on a competitive basis to SEAs in states that have charter school laws. SEAs, in turn, make subgrants to developers of charter schools who have applied for a charter.</p>	<p>www.ed.gov/programs/charter/index.html</p> <p>www.ed.gov/programs/charter/resourcesscs.html</p>
<p>NCLB, Title X, Part C (McKinney-Vento Act)</p>	<p>The McKinney-Vento Act's Education for Homeless Children and Youth (EHCY) program is described on page 11.</p>	
<p>Carl Perkins Vocational and Technical Education Act (VTEA)</p> <p>20 USC §§2301 et seq.</p>	<p>The Perkins Act provides federal funding and guidance to postsecondary institutions to provide supplementary services for students in career and technical programs through Basic Grants and Tech Prep Grants. Basic Grant funding includes the initiative to improve gender participation and completion in nontraditional programs that prepare persons for underrepresented occupations.</p>	<p>www.ed.gov/about/offices/list/ovae/pi/cte/index.html</p>
<p>Plyler v. Doe</p> <p>457 U.S. 202 (1982)</p>	<p>This 1982 Supreme Court decision states that under the U.S. Constitution, children living in the United States are entitled to public education, regardless of their immigration status. Subsequent court decisions state that schools cannot ask parents or students about their immigration status or otherwise "chill" their right to education.</p>	<p>http://tourolaw.edu/PATCH/Plyler/</p> <p>www.maldef.org/psp/</p>
<p>Richard Russell National School Lunch Act</p> <p>42 USC §§1751 et seq.</p>	<p>This law established the National School Lunch Program (NSLP), which reimburses schools and residential child care institutions for meals for children. It also established the Summer Food Service Program (SFSP) for local sponsors who want to offer meals in a summer activity program. Homeless, runaway, and migrant youth are automatically eligible for free meals and do not need to complete an application.</p>	<p>www.fns.usda.gov/cnd/Lunch/default.htm</p> <p>www.fns.usda.gov/cnd/Summer/Default.htm</p> <p>www.serve.org/nche/legis_resources.php#usda</p>

<p>Section 504 of the Rehabilitation Act</p> <p>29 USC §794 34 CFR Part 104</p>	<p>Section 504 is a civil rights law that prohibits discrimination on the basis of disability. This law requires public elementary and secondary schools to provide accommodations to ensure that students with disabilities have access to a free, appropriate public education. Section 504's definition of disability is broader than the IDEA's definition; but Section 504 does not require an IEP or the same level of procedural safeguards as IDEA.</p>	<p>www.ed.gov/policy/speced/reg/narrative.html</p> <p>www.504idea.org/504resources.html</p>
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EMERGENCY PLANNING AND RESPONSE

Federal Law	Summary	For More Information
<p>Homeland Security Act, Title V: National Emergency Management</p> <p>6 USC §§311-321j</p>	<p>This Act outlines the responsibilities of the Department of Homeland Security in terms of emergency preparedness and response.</p>	<p>www.dhs.gov/xprepresp/</p> <p>www.nasemsd.org/</p>
<p>Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA)</p> <p>6 USC §701 note</p>	<p>This Act sought to make improvements to the Stafford Disaster Relief and Emergency Assistance Act in the wake of Hurricane Katrina.</p>	<p>www.dhs.gov/xprepresp/</p> <p>www.nasemsd.org/</p>
<p>Stafford Disaster Relief and Emergency Assistance Act</p> <p>42 USC §§5121 et seq.</p>	<p>This Act establishes the statutory authority for most federal disaster response activities. It establishes rules for the Federal Emergency Management Agency (FEMA) and FEMA programs. FEMA's mission is to reduce the loss of life and property and protect the United States from all hazards, including natural disasters, acts of terrorism, and other human-made disasters.</p>	<p>www.fema.gov</p> <p>www.dhs.gov/xprepresp/</p>

EMPLOYMENT

Federal Law	Summary	For More Info
<p>Workforce Investment Act (WIA)</p> <p>29 USC §§2800 et seq.</p>	<p>WIA was passed in 1998 and established a national workforce preparation and employment system (America’s Workforce Network) to meet the needs of businesses, job seekers, and people wanting to further their careers. Two WIA programs of particular interest to educators are Youth Services (job/school training and mentoring for youth ages 14-21) and Job Corps (residential education and job training for at-risk youth ages 16-24).</p>	<p>www.doleta.gov/usworkforce/wia/</p> <p>www.workforceusa.net/</p> <p>http://jobcorps.doleta.gov/</p> <p>http://jobcorps.dol.gov/docs/prh.pdf</p>

HEALTH CARE

Federal Law	Summary	For More Information
<p>Health Care for the Homeless Program (HCH)</p> <p>Public Health Services Act, §340</p>	<p>The HCH program makes grants to community-based organizations to assist them in planning and delivering high-quality, accessible health care to people experiencing homelessness. Any local public or private nonprofit entity is eligible to apply for HCH funds.</p>	<p>http://bphc.hrsa.gov/hchirc/</p> <p>www.nhchc.org/</p>
<p>Health Insurance Portability and Accountability Act (HIPAA)</p> <p>42 USC §§1320d et seq.</p>	<p>HIPAA regulates the disclosure of health information by any health care provider who transmits health information to a health plan to obtain payment, information about coverage, pre-authorization for care, or coverage termination. HIPAA does not prevent schools from obtaining immunization records for enrolling students or from transferring immunization records for departing students.</p>	<p>www.hhs.gov/ocr/hipaa/</p> <p>www.hhs.gov/ocr/privacysummary.pdf</p>

<p>Medicaid: Social Security Act Title XIX</p> <p>42 USC §§1396 et seq.</p>	<p>Medicaid is a health insurance program available only to low-income persons and families who are eligible under both federal and state law. Each state sets its own guidelines regarding eligibility and services. The Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) service is Medicaid's comprehensive and preventive child health program for persons under the age of 21.</p>	<p>www.cms.hhs.gov/home/medicaid.asp</p> <p>www.cms.hhs.gov/apps/contacts/</p> <p>www.cms.hhs.gov/HomelessnessInitiative/Downloads/HomelessPrimer2007.pdf</p>
<p>Medicare: Social Security Act Title XVIII</p> <p>42 USC §§1395 et seq.</p>	<p>Medicare is a health insurance program for people age 65 or older, people under age 65 with certain disabilities, and people of all ages with End-Stage Renal Disease. It includes hospital insurance (Part A), medical insurance (Part B), and a prescription drug benefit.</p>	<p>www.medicare.gov/</p> <p>www.cms.hhs.gov/home/medicare.asp</p>
<p>Social Security Act, Title XXI</p> <p>42 USC §§1397aa et seq.</p>	<p>This statute established the SCHIP program (see next entry).</p>	<p>www.cms.hhs.gov/home/schip.asp</p>
<p>State Children's Health Insurance Program (SCHIP)</p> <p>42 USC §§1397aa et seq.</p>	<p>The SCHIP program is established in Title XXI of the Social Security Act. States administer SCHIP, although it is jointly financed by the federal and state governments. Within broad federal guidelines, each state determines the design of its program, eligibility groups, benefit packages, payment levels for coverage, and administrative procedures.</p>	<p>www.cms.hhs.gov/LowCostHealthInsFamChild/</p>
<p>Substance Abuse and Mental Health Services Administration (SAMHSA)</p>	<p>SAMHSA is an office of the U.S. Department of Health and Human Services which operates the Centers for Mental Health, Substance Abuse Prevention, and Substance Abuse Treatment. SAMHSA offers mental health and substance abuse services for children, and families, and people experiencing homelessness.</p>	<p>www.samhsa.gov/Matrix/matrix_homelessness.aspx</p> <p>www.samhsa.gov/Matrix/matrix_families.aspx</p>

HOUSING

Federal Law	Summary	For More Information
<p>Base Closure Community Redevelopment and Homeless Assistance Act of 1994 (BCCRHA)</p> <p>24 CFR §§586.1-586.45</p>	<p>The Base Closure Act establishes the process for redeveloping military properties once Congress determines they are no longer needed for military purposes. It requires that plans to redevelop military property take into account the needs of homeless persons. It also establishes a specific process for homeless service providers to receive base property at no cost.</p>	<p>www.hud.gov/offices/cpd/homeless/programs/brac/</p> <p>www.nlchp.org/content/pubs/BRACKitFINAL2.pdf</p>
<p>Cranston-Gonzalez National Affordable Housing Act (NAHA)</p> <p>42 USC §§12701 et seq.</p>	<p>This law includes: the HOME program, which helps to expand the supply of decent, affordable housing for low- and very low-income families by providing grants to States and local governments; a National Homeownership Trust program; and the Homeownership and Opportunity for People Everywhere (HOPE) program (see page 18).</p>	<p>www.hud.gov/offices/cpd/affordablehousing/</p>
<p>Emergency Food and Shelter Program (EFSP)</p> <p>42 USC §§11331 et seq.</p>	<p>This program is managed by the Federal Emergency Management Agency (FEMA) and authorized by Title III of the McKinney-Vento Homeless Assistance Act. It provides funds to local communities to fund programs serving the homeless, including soup kitchens, food banks, shelters, and homeless prevention services.</p>	<p>www.fema.gov/government/grant/efs.shtm</p>

<p>Emergency Shelter Grants</p> <p>42 USC §§11371 et seq.</p>	<p>Title IV of the McKinney-Vento Homeless Assistance Act authorizes this program, which provides funding for local government agencies or private nonprofit organizations for: the rehabilitation or remodeling of a building used as a new shelter; operations and maintenance of the shelter facility; essential supportive services (i.e., case management, physical and mental health treatment, substance abuse counseling, childcare, etc.); homeless prevention; and grant administration. The program also provides short-term homeless prevention assistance to persons at imminent risk of losing their own housing due to eviction, foreclosure, or utility shutoffs.</p>	<p>www.hud.gov/offices/cpd/homeless/programs/esg/index.cfm</p>
<p>Homeownership and Opportunity for People Everywhere (HOPE) Program</p> <p>42 USC §§1437aaa et seq.</p>	<p>Part of the Cranston-Gonzalez National Affordable Housing Act, this program includes: HOPE I, which helps low-income people buy public housing units by providing funds that nonprofit organizations, resident groups, and other eligible grantees can use to develop and implement homeownership programs; HOPE 2 and 3, which are the Homeownership of Multifamily Units and Single Family Homes, respectively; and HOPE VI, the Urban Revitalization Demonstration program.</p>	<p>www.hud.gov/progdesc/hope1fin.cfm</p> <p>www.hud.gov/offices/pih/programs/ph/hope6/</p>
<p>Fair Housing Act (FHA)</p> <p>42 USC §§3601 et seq.</p>	<p>FHA prohibits discrimination based on race, religion, national origin, sex, family status or disability by direct providers of housing. Providers include landlords and real estate companies; entities such as municipalities, banks, or other lending institutions; and homeowners insurance companies whose discriminatory practices make housing inaccessible. It was originally enacted as Title VIII of the Civil Rights Act of 1968.</p>	<p>www.usdoj.gov/crt/housing/housing_coverage.htm</p> <p>www.hud.gov/offices/ftheo/</p>
<p>Housing Opportunities for Persons with AIDS (HOPWA)</p> <p>42 USC §§12901-12912</p>	<p>The HOPWA Program was established to address the specific needs of persons living with HIV/AIDS and their families. HOPWA makes grants to local communities, states, and nonprofit organizations for projects that benefit low-income persons diagnosed with HIV/AIDS and their families.</p>	<p>www.hud.gov/offices/cpd/aidshousing/programs/</p>

<p>Interagency Council on the Homeless (ICH)</p> <p>42 USC §§11311 et seq.</p>	<p>The Interagency Council on the Homeless is an independent entity within the Executive Branch of the federal government composed of the heads of 15 federal agencies that serve people experiencing homelessness. Title II of the McKinney-Vento Homeless Assistance Act establishes the ICH.</p>	<p>www.ich.gov</p>
<p>McKinney-Vento Homeless Assistance Act, Title IV</p>	<p>Title IV authorizes the emergency shelter and transitional housing programs administered by the Department of Housing and Urban Development (HUD), including the Emergency Shelter Grant program, the Supportive Housing Demonstration Program, Section 8 Single Room Occupancy Moderate Rehabilitation, and Rural Homeless Housing Assistance. (See this chart for program descriptions.)</p>	<p>www.hud.gov/offices/cpd/homeless/programs/index.cfm</p>
<p>McKinney-Vento Homeless Assistance Act, Title V</p> <p>42 USC §§11411 et seq.</p>	<p>Title V imposes requirements on federal agencies to identify and make available surplus federal property, such as buildings and land, for use by states, local governments, and nonprofit agencies to assist homeless people. The program provides no funding, and the properties are made available on an “as is” basis. Properties are leased without charge, although the homeless organization must pay for operating and repair costs.</p>	<p>www.hud.gov/offices/cpd/homeless/programs/t5/</p>
<p>Projects for Assistance in Transition from Homelessness (PATH)</p> <p>42 USC §§290cc-21 et seq.</p>	<p>The PATH Program is a formula grant program that funds community-based outreach, mental health, substance abuse, case management and other support services. It also funds a limited set of housing services for people with serious mental illnesses or co-occurring substance use disorders who are homeless or at risk of becoming homeless.</p>	<p>http://pathprogram.samhsa.gov/</p>
<p>Rural Homeless Housing Assistance</p> <p>42 USC §§11408-11408a</p>	<p>Title IV of the McKinney-Vento Homeless Assistance Act authorizes this program, which offers grants to assist programs providing direct emergency assistance to homeless persons and families; provides homelessness prevention assistance to individuals and families at risk of becoming homeless; and assists individuals and families in obtaining access to permanent housing and supportive services.</p>	<p>www.hud.gov/offices/cpd/homeless/lawsandregs/laws/index.cfm?title=t4</p>

<p>Section 8 Assistance for Single Room Occupancy Dwellings</p> <p>42 USC §§11401 et seq.</p>	<p>Title IV of the McKinney-Vento Homeless Assistance Act authorizes this program, which provides funding for public housing agencies to make Section 8 rental assistance payments to participating landlords on behalf of homeless individuals. The rental assistance payments cover the difference between a portion of the tenant's income (normally 30%) and the unit's rent, which must be within the fair market rent (FMR) established by HUD.</p>	<p>www.hud.gov/offices/cpd/homeless/programs/sro/index.cfm</p>
<p>Section 8 Housing Choice Voucher Program</p> <p>42 USC §1437f</p>	<p>Created in the 1970s, the Section 8 housing voucher program has become the dominant form of federal housing assistance. Low-income families use vouchers to help pay for housing that they find in the private market. The program is federally funded, but vouchers are distributed by a network of 2,400 local, state, and regional housing agencies.</p>	<p>www.hud.gov/offices/pih/programs/hcv/about/index.cfm</p> <p>www.centeronbudget.org/5-15-03hous.htm</p>
<p>Shelter Plus Care</p> <p>42 USC §§11403 et seq.</p>	<p>Title IV of the McKinney-Vento Homeless Assistance Act authorizes this program, which is designed to provide housing and supportive services on a long-term basis for homeless persons with disabilities, (primarily those with serious mental illness, chronic substance abuse problems, and AIDS or related diseases) and their families who are living in places not intended for human habitation or in emergency shelters. The program allows for a variety of housing choices and a range of supportive services funded by other sources.</p>	<p>www.hud.gov/offices/cpd/homeless/programs/splusc/index.cfm</p>
<p>Supportive Housing Program</p> <p>42 USC §§11381 et seq.</p>	<p>Title IV of the McKinney-Vento Homeless Assistance Act authorizes this program, which is designed to promote, as part of a local Continuum of Care strategy, the development of supportive housing and supportive services to assist homeless persons in the transition from homelessness and to enable them to live as independently as possible. Eligible applicants are states, local governments, other governmental entities, and private nonprofit agencies.</p>	<p>www.hud.gov/offices/cpd/homeless/programs/shp/</p>

<p>Transitional Housing Assistance Program Grant for Victims of Domestic Violence, Dating Violence, Stalking, or Sexual Assault Program</p> <p>42 USC §13975</p>	<p>This discretionary grant program provides transitional housing, short-term housing assistance, and related support services for individuals who are homeless or in need of transitional housing or other housing assistance, as a result of fleeing a situation of domestic violence, dating violence, sexual assault, or stalking, and for whom emergency shelter services or other crisis intervention services are unavailable or insufficient.</p>	<p>www.usdoj.gov/ovw/thousing_grant_desc.htm</p>
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IMMIGRANTS AND REFUGEES

Federal Law	Summary	For More Information
<p>Immigration and Nationality Act (INA)</p> <p>8 USC §§1101 et seq.</p>	<p>The INA was created in 1952 and serves as the foundation for U.S. immigration law. It has been amended many times since then, most notably by the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001. The INA includes a special immigrant juvenile status (SIJS) and a battered child status, allowing immigrant youth who are abused, neglected, or abandoned to apply for legal permanent residence.</p>	<p>www.dhs.gov/ximgtn/</p> <p>www.uscis.gov</p> <p>www.aila.org</p> <p>www.refugees.org/</p> <p>http://immigrantchildren.org/SIJS/</p>
<p>Plyler v. Doe</p> <p>457 U.S. 202 (1982)</p>	<p>This 1982 Supreme Court decision states that under the U.S. Constitution, children living in the United States are entitled to public education, regardless of their immigration status. Subsequent court decisions state that schools cannot ask parents or students about their immigration status or otherwise “chill” their right to education.</p>	<p>http://tourolaw.edu/PATCH/Plyler/</p> <p>www.maldef.org/psp/</p>

<p>Violence Against Women Act (VAWA)</p> <p>8 USC §§1229a, 1229c, 1154(a)(1)</p>	<p>VAWA addresses the needs of battered immigrant women by removing the U.S. residency requirement and “extreme hardship” requirements for immigrant women to receive VAWA protections. VAWA allows battered immigrant women to obtain lawful permanent residence without leaving the country; restores access to VAWA protections for immigrants, regardless of how they entered the country; and creates a new type of visa for victims of serious crimes that will allow some to attain lawful permanent residence.</p>	<p>www.endabuse.org/programs/immigrant/</p> <p>www.immigrantwomennetwork.org</p> <p>www.legalmomentum.org/issues/vio/vawa_immigration_provisions.pdf</p>
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PUBLIC BENEFITS

Federal Law	Summary	For More Information
<p>Food Stamp Act</p> <p>7 USC §2011 et seq.</p>	<p>The Food Stamp Act governs the Food Stamp Program, which provides funds for low-income people and families to buy food. Benefits are provided on an electronic card (EBT card) that is accepted at most grocery stores and some restaurants and farmers’ markets. No one can be denied food stamps simply because they do not have an address or photo identification. Also, people who are homeless can use their food stamps at certain shelters and restaurants. Unaccompanied homeless youth are eligible for food stamps.</p>	<p>www.fns.usda.gov/fsp/</p> <p>www.nlchp.org/view_report.cfm?id=130</p>
<p>Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)</p> <p>Pub. Law 104-193</p>	<p>This law was the vehicle for “welfare reform,” focusing on requiring work in exchange for time-limited assistance. It made fundamental changes to the Aid to Families with Dependent Children (AFDC) program, changing it to Temporary Assistance for Needy Families (TANF). It also cut many programs significantly, including food stamps and Supplemental Security Income (SSI), and cut benefits for legal immigrants.</p>	<p>www.acf.dhhs.gov/programs/ofa/prwora96.htm</p> <p>www.socialworkers.org/advocacy/welfare/legislation/summary.pdf</p>
<p>Social Security Act (SSA)</p> <p>42 USC §§301 et seq.</p>	<p>The Social Security Act governs many public benefits and social welfare programs, including Medicaid, Medicare, SCHIP, Temporary Aid for Needy Families, social security benefits programs, and laws regulating the child welfare system. These programs are described in more detail elsewhere in this chart.</p>	<p>www.ssa.gov/</p>

<p>Supplemental Security Income (SSI)</p> <p>42 USC §§1381 et seq.</p>	<p>SSI is designed to help aged, blind, and disabled people who have little or no income by providing cash assistance to meet basic needs for food, clothing, and shelter. It is found in Title XVI of the Social Security Act. Unaccompanied youth with disabilities are eligible for children’s SSI benefits. Youth between the ages of 16 and 18 may sign their own applications; there is no specific rule for youth under age 16.</p>	<p>www.ssa.gov/ssi/</p> <p>www.nlchp.org/view_report.cfm?id=130</p>
<p>Temporary Aid for Needy Families (TANF)</p> <p>42 USC §§601 et seq.</p>	<p>TANF provides a monthly cash payment to low-income families. Unaccompanied youth who are pregnant or have children may be eligible to receive TANF benefits if they live with a parent or legal guardian, another adult relative, or in another approved living situation. Youth also must participate in school, a GED program, job training, or work while they are pregnant and after their child is 12 weeks old. There is a 5-year lifetime limit on receiving TANF benefits, although it usually does not start running until a youth turns 19 years old, if the youth is participating full-time in school or work. TANF is found in Title IV-A of the Social Security Act.</p>	<p>www.acf.hhs.gov/programs/ofa/</p> <p>www.nlchp.org/view_report.cfm?id=130</p>
<p>Women Infants and Children (WIC)</p> <p>42 USC §§1771 et seq.</p>	<p>WIC is a special supplemental nutrition program for women, infants and children and is part of the Child Nutrition Act. WIC provides grants to states to provide supplemental foods, health care referrals, and nutrition education for low-income pregnant and postpartum women, and to infants and children up to age five who are found to be at nutritional risk.</p>	<p>www.fns.usda.gov/wic/</p>

UNACCOMPANIED YOUTH

Federal Law	Summary	For More Information
<p>Immigration and Nationality Act (INA)</p> <p>8 USC §§1101 et seq.</p>	<p>The INA includes a special immigrant juvenile status and a battered child status, allowing immigrant youth who are abused, neglected, or abandoned to apply for legal permanent residence.</p>	<p>www.dhs.gov/ximgtn/</p> <p>www.uscis.gov</p> <p>www.aila.org</p> <p>www.refugees.org/</p>

<p>Juvenile Justice and Delinquency Prevention Act (JJDP)</p> <p>42 USC §§5601 et seq.</p>	<p>The JJDP provides technical assistance to public and private nonprofit juvenile justice and delinquency prevention programs, establishes training programs for persons who work with delinquent or at-risk youth, establishes a federal assistance program to deal with the problems of runaway and homeless youth, and assists states and local communities in preventing youth from entering the justice system. It is administered by the Office of Juvenile Justice and Delinquency Prevention (OJJDP).</p>	<p>http://ojjdp.ncjrs.org/</p>
<p>Runaway and Homeless Youth Act (RHYA)</p> <p>42 USC §§5701 et seq.</p>	<p>The RHYA is Title III of the JJDP. It includes several different programs to benefit homeless youth. The Basic Center Program supports emergency shelters for up to 15 days for unaccompanied youth under 18 years old. Transitional Living Programs for youth provide long-term housing for up to 18 months and life skills training for youth ages 16-21. The Street Outreach Program provides outreach and services to youth on the streets. Finally, the law funds the National Runaway Switchboard, trainings for youth workers, and other information and supports. RHYA programs are required to coordinate with McKinney-Vento Act programs in school districts.</p>	<p>www.acf.hhs.gov/programs/fysb/content/youthdivision/index.htm</p> <p>www.1800runaway.org/</p> <p>www.n4youth.org</p> <p>www.acf.hhs.gov/programs/fysb/content/aboutfysb/McKinney-Vento_IM.pdf</p>

VETERANS AFFAIRS

Federal Law	Summary	For More Information
<p>Community Homelessness Assessment, Local Education, and Networking Groups (CHALENG)</p> <p>38 USC §2034</p>	<p>CHALENG for veterans is a nationwide initiative in which the Department of Veterans Affairs medical center and regional office directors work with other federal, state, and local agencies and nonprofit organizations to assess the needs of homeless veterans, develop action plans to meet identified needs, and develop directories that contain local community resources to be used by homeless veterans.</p>	<p>www1.va.gov/homeless/index.cfm</p>

<p>Domiciliary Care for Homeless Veterans (DCHV) Program</p> <p>38 USC §2043</p>	<p>The DCHV Program provides residential treatment to approximately 5,000 homeless veterans with health problems each year. The domiciliaries provide outreach and referrals, vocational counseling and rehabilitation, and post-discharge community support.</p>	<p>www1.va.gov/homeless/index.cfm</p>
<p>Homeless Veterans Grant and Per Diem Program</p> <p>38 USC §§2011-2013</p>	<p>The Homeless Providers Grant and Per Diem Program is offered annually, as funding permits, by the Department of Veterans Affairs Health Care for Homeless Veterans (HCHV) program to fund community agencies providing services to homeless veterans. The purpose is to promote the development and provision of supportive housing and services with the goal of helping homeless veterans achieve residential stability, increase their skill levels and income, and obtain greater self-determination.</p>	<p>www1.va.gov/homeless/index.cfm</p> <p>www.nchv.org</p>
<p>Homeless Veterans Reintegration Program (HVRP)</p> <p>38 USC §2021</p>	<p>The HVRP provides services to help place homeless veterans into meaningful employment, and to stimulate the development of effective service delivery systems that will address the complex problems facing homeless veterans.</p>	<p>www1.va.gov/homeless/index.cfm</p> <p>www.nchv.org</p>
<p>Loan Guarantee Program for Multifamily Transitional Housing</p> <p>38 USC §§2051-2054</p>	<p>This program authorizes the Department of Veterans Affairs to guarantee no more than 15 loans with an aggregate value of \$100 million within 5 years for the construction of multifamily transitional housing for veterans, the renovation of existing property, or the refinancing of existing loans; for facility furnishing; or to serve as working capital.</p>	<p>www1.va.gov/homeless/index.cfm</p>
<p>Veterans Industries</p> <p>38 USC §2032</p>	<p>In the Department of Veterans Affairs' Compensated Work Therapy/Transitional Residence (CWT/TR) Program, disadvantaged, at-risk, and homeless veterans live in CWT/TR community-based supervised group homes while working for pay in the Compensated Work Therapy Program (also known as Veterans Industries).</p>	<p>www1.va.gov/homeless/index.cfm</p>

WOMEN

Federal Law	Summary	For More Information
Violence Against Women Act (VAWA) Pub. Law 103-322 Pub. Law 109-162	VAWA was passed in 1994, establishing new penalties for gender-related violence and new grant programs encouraging states to address domestic violence and sexual assault. VAWA includes the Shelter Services for Battered Women and their Children Program and legislation addressing the needs of battered immigrant women. It also protects individuals from unfair eviction due to their status as survivors of domestic violence or stalking, including from public housing or housing obtained through Section 8 vouchers.	www.usdoj.gov/ovw/ www.endabuse.org/vawa/

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