

McKinney-Vento Liaison Responsibilities to Support Unaccompanied Homeless Youth (UHYs)

Unaccompanied Homeless Youth (UHY): The McKinney-Vento Act defines “unaccompanied homeless youth” as “a homeless child or youth not in the physical custody of a parent or guardian.” (42 USC § 11434a (6)) For this designation, the youth must also meet the definition of “homeless” in that they lack a "fixed, regular, and adequate nighttime residence." [42 U.S.C. §11434A (6); N.Y. Education Law §3209(1)(a)(1)(v); and 8 N.Y.C.R.R. §100.2(x)(1)(iii)(6)]. There are no age requirements for Unaccompanied Homeless Youth, but most UHYs are teenagers. If a youth is eligible for K-12 public education in New York State, then regardless of their age the youth may be enrolled and served as a UHY in a NYS public school. You can find NCHE guidance about supporting UHYs [here](#).

NYS does not have a formal process for an individual to become an “emancipated minor.” Nevertheless, Unaccompanied Homeless Youths (UHYs) may be considered "independent students" when completing the Free Application for Federal Student Aid (FAFSA) to apply for financial aid for higher education. The FAFSA centralizes the process for students to receive financial aid from the federal government, state, or their college. Financial aid can make postsecondary education more attainable for youth experiencing homelessness. This is important for the UHY’s future success since having a college degree increases one’s earning potential, providing a way out of poverty.

The Local Education Agency (LEA) is required to demonstrate that all unaccompanied youth who are homeless in the 12th grade are notified that they are eligible to apply as independent students for purposes of the Free Application for Federal Student Aid (FAFSA) and are provided with verification of their status as unaccompanied homeless youth. [42 U.S.C. 11432(g)(6)(A)(x)(III)] As a result, this responsibility falls upon the McKinney-Vento Liaison.

In addition, the LEA must demonstrate that all 11th and 12th grade students who are homeless receive individualized assistance from counselors to advise such youths and prepare and improve the readiness of such youths for college. The LEA must also demonstrate that a school guidance counselor or college counselor has verified that all 11th and 12th grade students identified as homeless have received individualized college counseling and college readiness services. [42 U.S.C. 11432(g)(1)(K)] As a result, the McKinney-Vento Liaison is best-suited to make sure this happens.

Regarding UHYs, per the McKinney-Vento Act as reauthorized by ESSA (42 U.S.C. 11431 (6) (A)), the Liaison must make sure:

“(x) unaccompanied youths—

(I) are enrolled in school;

(II) have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including through implementation of the procedures under paragraph (1)(F)(ii); and

(III) are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv) and that the youths may obtain assistance from the local educational agency liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid described in section 483 of such Act (20 U.S.C. 1090). “

Provided below is guidance for McKinney-Vento liaisons to support UHYs and prepare them for college and the FAFSA.

Liaison Responsibility	Implications for College & FAFSA	Relevant Laws/Regulations
Identify UHYs through outreach and coordination with school staff and community-based organizations.	<p>UHYs who are successful in high school have enormous potential for success in college and beyond if provided with the proper supports, resources, and inspiration.</p> <ul style="list-style-type: none"> • Liaisons should post outreach materials in places where youth gather or use social media so UHYs know their education rights. Order Outreach Materials here. • It is sometimes difficult to determine that a youth is a UHY, but if they are staying with friends or other relatives rather than with their parents or legal guardian, they may be a UHY. Most UHYs are "doubled up" rather than living in a shelter. • Some youth may be reluctant to provide details about why they are not living with their parent so the liaison must be sensitive when discussing this with UHYs. UHYs may be afraid the liaison will report them to the police or to Child Protective Services and/or force them to return to their stressful family situation. Liaisons should keep these fears in mind when interacting with UHYs. • This flowchart from the National Center for Homeless Education may help liaisons identify UHYs. 	<p>42 U.S.C. 11431 (6) (A)(i)</p>

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Expedite the UHY's enrollment	<p>The liaison must help UHYs complete any paperwork required for enrollment in a district high school so they can finish high school and gain admission to college or find suitable employment. The liaison may also need to help the UHY with high school selection or enrollment in an alternative BOCES program. UHYs have a right to immediate enrollment even if they are lacking enrollment documents.</p> <ul style="list-style-type: none"> • The liaison must help the UHY obtain the documents required for enrollment. • The liaison is not required to contact the parents for the UHY's registration process. The school district must enroll UHYs even if they do not have guardianship papers. • The liaison must make sure the Housing Questionnaire and STAC Form are completed and processed. • The liaison must also help the UHY prepare their appeal for the dispute resolution process if the district denies the UHY's enrollment or school selection and the student decides to file an appeal. 	42 U.S.C. 11431 (6)(A)(ii)
Help the UHY get an adult to serve as an authorized caregiver	<p>Without an adult to sign permission slips and other documents, some schools may not permit the UHY to take part in certain school activities that could enhance their engagement in high school, preparation for college, or allow early dismissal for health appointments.</p> <ul style="list-style-type: none"> • The liaison should provide and assist with the processing of a Caregiver Authorization Form (see a sample Caregiver Authorization Form here) 	42 U.S.C. 11431 (6)(A)(ii), 42 U.S.C. 11431 (6)(A)(iii)
Help the UHY receive the proper special education services	<p>Students in temporary housing have the same right to special education services as permanently housed students in the school district. Without a parent or guardian to advocate for them, UHYs may not know about their educational rights or know how to get information about their legal protections under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. With the liaison's assistance, a UHY with a disability may have greater success obtaining needed special education services.</p> <ul style="list-style-type: none"> • Students with an Individualized Education Plan (IEP) who are homeless have the same options as other students experiencing homelessness: the student can stay in their school of origin or transfer to a local school where the student is temporarily housed. The liaison must help the UHY navigate this process. 	42 U.S.C. 11431 (6)(A)(iii), 42 U.S.C. §1414(d)(2)(c)(i), 42 U.S.C. § 11432(g)(5)(D), 20 U.S.C. § 1401(29), 20 U.S.C. § 1415(b)(2)(A)(ii)



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	<ul style="list-style-type: none"> Your school district must appoint a surrogate parent to attend CSE meetings for a UHY who has special education needs and does not have someone to act in place of a parent on matters related to special education. Surrogate Parents and Unaccompanied Homeless Youth under the Individuals with Disabilities Education Act 	N.Y.C.R.R. § 200.5(n)(1).
Help the UHY with transportation to and from school	<p>The liaison must help UHYs get to and from school, so their attendance is consistent. Regular attendance in high school is essential for graduation from high school and admission to college.</p> <ul style="list-style-type: none"> A Runaway and Homeless Youth Facility or District may transport UHYs to and from school. Transportation from Runaway and Homeless Youth (RHY) Facilities is 100% reimbursable. For UHYs not staying at an accredited RHY facility, the liaison can obtain funds for transportation from State aid for transportation or from Title 1, Part A Homeless Set-aside for expenses not reimbursed by the State. The liaison must also help the UHY prepare their appeal for the dispute resolution process if the district denies the UHY’s transportation and the student decides to file an appeal. 	42 U.S.C. 11431(1)(J)(iii), 42 U.S.C. 11431 (6)(A)(viii)
Refer the UHY for needed health and housing services	<p>The liaison must refer the UHY for medical, mental health, dental, substance abuse, housing, or employment services. Access to these services will help the UHY to be healthier and may increase the UHY’s school attendance. With increased attendance, the UHY can be more successful in high school and beyond.</p>	42 U.S.C. 11431 (6)(A)(iv)
Ensure UHYs have access to equitable academic services	<p>UHYs must have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth. Helping UHYs academically strengthens their eligibility for college admission and career success.</p> <p>Completing high school may reduce a UHY’s likelihood of remaining homeless. Lack of a high school diploma is the number one risk factor for youth homelessness: https://www.chapinhall.org/project/voices-of-youth-count/</p>	42 U.S.C. 11431 (6)(A)(x) II

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Remove barriers that prevent UHYs from succeeding in school	<p>The liaison must help UHYs get all that they need to succeed at the high school level, so they are more likely to succeed in their post-secondary life.</p> <ul style="list-style-type: none"> • The liaison must make sure the UHY receives credit for full or partial coursework satisfactorily completed at a prior school, in accordance with State, local, and school policies. To do so, the liaison must help the UHY gain access to their prior school records. • The liaison must help UHYs obtain needed school supplies and clothing, as well as get access to food, stable housing, bathing, and laundry facilities. • The liaison may need to direct some UHYs to Runaway and Homeless Youth Services. ** (See Note Below) 	42 U.S.C. § 11431(2)
Counsel/Advise UHYs for college readiness.	<p>Liaisons must help UHYs recognize their options for post-secondary education and training. The liaison must arrange or provide individual counseling assistance to prepare UHYs for success at the college level. Although you are not legally required to start earlier, please do not wait until they are in 11th or 12th grade.</p> <ul style="list-style-type: none"> • See Higher Education Resources to share with students: https://schoolhouseconnection.org/highereducation/. • Inform UHYs about the FAFSA form and what is needed to complete it: https://schoolhouseconnection.org/inform-students-experiencing-homelessness-of-the-fafsa-use-this-email-template/ • The liaison should also provide information and resources UHYs may need once enrolling in college; for example, who they might contact about their unique needs on campus (break housing, food pantries etc.) 	8 N.Y.C.R.R. §100.2(x)(7)(iii)(a), see also 42 U.S.C. §11432(g)(6)(A); U.S. DOE Non-Regulatory Guidance, Section F & Questions L- 3, Q-2
Verify UHY's homeless status and eligibility for services under McKinney-Vento	<p>If a UHY decides to apply to college, the liaison should first verify that the UHY qualifies as a UHY for the Free Application for Federal Student Aid (FAFSA).</p> <ul style="list-style-type: none"> • Use this flowchart to help determine if a youth is a UHY for FAFSA. • This flowchart is also available in Spanish 	42 U.S.C. 11431 (6) (D)

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Inform UHYs of their Independent Status for FAFSA	<p>Unaccompanied homeless youth, or unaccompanied youth who are self-supporting and at risk of homelessness, meet the definition of independent student for college financial aid purposes. Liaisons must inform these youth of this status and that they do not need to provide income information for their parents, only their own income information.</p> <ul style="list-style-type: none"> Linked here are resources relating to the FAFSA: <ul style="list-style-type: none"> https://schoolhouseconnection.org/fafsa/ https://studentaid.gov/h/apply-for-aid/fafsa https://studentaid.gov/fsa-id/create-account/launch 	42 U.S.C. 11431 (6)(A)(x) II, 20 U.S.C. 1087vv, 20 U.S.C. 1090
Provide Verification of Independent Status for FAFSA and support UHYs with the completion of their FAFSA	<p>The liaison must verify a UHY's independent status for FAFSA even if they have already graduated from high school if the liaison previously designated them as homeless when they were in high school, and the liaison knows that the UHY remains homeless and unaccompanied. If the liaison cannot verify a UHY's independent status, the liaison should direct them to others who could verify their status. Others who could verify the status include: a director or a designee of a director of an emergency or transitional shelter, street outreach program, homeless youth drop-in center, or other program serving individuals who are experiencing homelessness; director or a designee of a director of a program funded under a TRIO or GEAR UP grant; or a financial aid administrator at the current institution or at another institution who previously made a determination.</p> <ul style="list-style-type: none"> This resource may be helpful to review and share with youth so they have templates to reach out to others for the verification: https://schoolhouseconnection.org/financial-aid-for-unaccompanied-homeless-youth/ More information on FAFSA and sample verification letters are available at: https://schoolhouseconnection.org/sample-form-letters-to-determine-the-independent-student-status-of-unaccompanied-homeless-youth/ If UHYs do not have a reliable address to use on the FAFSA, the liaison may need to help the youth obtain permission and a procedure for receiving mail at the school's address or help the student rent a Post Office box. 	42 U.S.C. 11431 (6)(A)(x) II, 20 U.S.C. 1087vv, 20 U.S.C. 1090

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Help UHYs obtain work permits	School districts provide work permits to minors (students from 14 - 17 yrs. old) which allow them to work. Since a UHY may not have a parent or guardian to consent to them to apply for the work permit, where the parent is unavailable, school districts have at times accepted the signature of a shelter/RHY case worker, a social worker, the LEA liaison , or another adult with whom the child is temporarily living. The liaison should help UHYs with this process.	There are no specific regulations or state policies on this. School districts should consult their own policies or talk with their attorney if they have questions or concerns on this issue.
Help UHYs who recently immigrated from another country to obtain the educational services they need	<p>Even if they are over age 18 upon arrival, recently arrived UHYs may enroll in a traditional high school program or in a High School Equivalency (HSE) Test Prep Program. The liaison must connect them with the appropriate resources for their educational options.</p> <ul style="list-style-type: none"> • All individuals, regardless of citizenship, who reside in New York State and are between the ages of 5 and 21, have the right to a free public high school education in their school district of residence. Students over the age of compulsory school attendance (age 16 in New York State), while not required to attend, may voluntarily attend a full-time high school program. https://www.nysed.gov/sites/default/files/memo_aig_school_age.pdf • The NYSED Office of Bilingual Education and World Languages (OBEWL) offers resources for English Language Learners (ELLs) who are also Students with Inconsistent/Interrupted Formal Education (SIFE): https://www.nysed.gov/sites/default/files/programs/bilingual-ed/sife_memo_9_28_16.pdf • This link provides information about the services available to such students: https://www.nysed.gov/bilingual-ed/students-interruptedinconsistent-formal-education-sife • If a student is identified as an ELL, and their individual interview indicates that they have attended schools in the U.S. for under 12 months and are 2 or more years below grade 	Education Law §3201; Education Law §3202; Education Law §3205[1][a]; CR Part 154-2.2(y), CR Part 154-2.2(l).

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	level in literacy in their home language, the student’s instructional needs should be identified through a SIFE screening process .	

**** Runaway and Homeless Youth Act:**

- Basic Center Program: emergency shelters for up to 15 days for unaccompanied youth under 18 years old.
- Transitional Living Programs: long-term housing for up to 18 months and life skills for young people 16-21 years old.
- Street Outreach Programs: outreach and services to youth on the streets.
- The law funds the National Runaway Switchboard, trainings for youth workers, and other information and supports.

More information about this program is available at:

<http://www.acf.hhs.gov/fysb>

<http://www.1800runaway.org/>

<https://www.acf.hhs.gov/fysb/grants/new-york-rhy>

42 U.S.C. §§5701 et seq.; 42 U.S.C. §5712(b)(3); 45 C.F.R. §1351.18(e).