

Indiana Education for Homeless Children & Youth (INEHCY)

McKinney-Vento Homeless Education Program

Definition of Homeless

The federal definition of homelessness: [42 U.S.C. §11434]

WHO IS HOMELESS? Homeless students are those who lack a fixed, regular, adequate nighttime residence. This includes students who are sharing the housing of other persons due to loss of housing, economic hardship or similar reason; are living in motels, hotels, trailer parks, or campgrounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals.

The definition includes migratory students who live in the aforementioned situations. Beginning Dec. 10, 2016, “those awaiting foster care placement” are not included in the definition.

Broad Definition of Homelessness:

Indiana Education for Homeless Children & Youth identifies the categories of children who are "Homeless" and entitled to the protections of the federal law. These categories include:

1. children and youths who are sharing the housing of other persons due to loss of housing,
 - Definition of “doubled-up” -- An individual may be considered to be homeless if that person is “**doubled up**,” a term that refers to a situation where individuals are unable to maintain their housing situation and are forced to stay with a series of friends and/or extended family members. In addition, previously homeless individuals who are to be released from a prison or a hospital may be considered homeless if they do not have a stable housing situation to which they can return. A recognition of the instability of an individual’s living arrangements is critical to the definition of homelessness.
2. 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;
 - Under the McKinney-Vento Act, children and youth who live in trailer parks are covered by the Act if they live in the trailer park “due to the lack of alternative adequate accommodations”. Therefore, whether children and youth living in trailer parks are covered by the Act is a case-by-case determination to be made by the local McKinney-Vento liaison, in light of the family's circumstances. The liaison will need to consider the adequacy of the trailer home, including the number of people living in the trailer, the condition of the trailer, and the availability of running water, electricity, and other standard utilities. If the trailer is inadequate, it should be considered a homeless situation. The relative permanence of the living situation must also be examined: if the family is living in the trailer temporarily, it may not be fixed or regular housing.

3. 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;
4. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
5. "migratory children" who qualify as homeless under federal law because the children are living in circumstances described in clauses (i) through (iii) above. The term "migratory children" means children who are (or whose parent(s) or spouse(s) are) migratory agricultural workers, including migratory dairy workers or migratory fishermen, and who have moved from one school district to another in the preceding 36 months, in order to obtain (or accompany such parents or spouses in order to obtain) temporary or seasonal employment in agricultural or fishing work; and,
6. "Unaccompanied homeless youth" including any child who is "not in the physical custody of parent or guardian." This includes youth who have run away from home, been thrown out of their home, been abandoned by parents or guardians, or separated from their parents for any other reason.
7. Communication and collaboration among education and child welfare professionals is critical to support school stability and continuity for children in out-of-home care. The law requires child welfare and local education agencies to work together to promote school stability and continuity including trying to ensure children remain in the school in which they were enrolled at the time of placement when it is in their best interest. Best practice would suggest that decisions be made collaboratively between school personnel, child welfare agencies and any other individual involved in the child's case including the child, resource parent, child advocate and attorney. It is imperative that caseworkers and school district administration and staff work together to help ensure the educational progress of all students.
8. Under the Indiana Education for Homeless Children and Youth State Plan, homeless children are defined as "children living with a parent in a domestic violence shelter; runaway children and children, and youth who have been abandoned or forced out of their home by parents or other caretakers; and school-aged parents living in houses for school-aged parents if they have no other available living accommodations.

RESOURCES: [INEHCY - Indiana Education for Homeless Children & Youth](#)**For Additional Information Contact:****Deepali Jani, McKinney-Vento Homeless Education State Coordinator****Indiana Department of Education | (317) 233-3372 | (317) 460-1340 | djani@doe.in.gov**