



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION

July 29, 2015

GEN-15-16

Subject: Unaccompanied Homeless Youth Determinations

Summary: The purpose of this letter is to clarify institutional and applicants' roles and responsibilities related to Title IV dependency determinations for unaccompanied homeless youth.

Dear Colleague:

Section 480(d)(1)(H) of the Higher Education Act of 1965, as amended (HEA), provides that an applicant for Title IV student assistance is an independent student—that is, an applicant who does not need to provide parental information on the Free Application for Federal Student Aid (FAFSA®)—if the applicant is an unaccompanied homeless youth as defined in section 725 of the McKinney-Vento Homeless Assistance Act (McKinney-Vento) (42 U.S.C. 11434a) or is unaccompanied, at risk of homelessness, and self-supporting as verified by one of the sources listed in the HEA. This information is also discussed in Chapter 5, "Special Cases," of the 2015-2016 Application and Verification Guide in the Federal Student Aid Handbook.

Under McKinney-Vento, "homeless children and youths" are defined as "individuals who lack a fixed, regular, and adequate nighttime residence." The term includes:

- Children and youth 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;
- Children and youth 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;
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children who qualify as homeless because the children are living in circumstances described above.

McKinney-Vento further defines the term "unaccompanied youth" as "youth not in the physical custody of a parent or guardian." To be considered an unaccompanied homeless youth, an individual must meet both of these definitions.

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Finally, HEA section 480(d)(1)(H)(i)–(iv) provides that a claim of being an unaccompanied homeless youth, or unaccompanied, at risk of homelessness, and self-supporting, must be verified by a local educational agency (LEA) homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of McKinney-Vento (42 U.S.C. 11432(g)(1)(J)(ii)), the director of a program funded under the Runaway and Homeless Youth Act (RHYA), 42 U.S.C. 5701 et seq., or a designee of the director, the director of a program funded under subtitle B of title IV of McKinney-Vento (relating to emergency shelter grants) (42 U.S.C. 11371 et seq.) or a designee of the director, or a financial aid administrator (FAA).

Applying for Title IV Aid

The FAFSA includes questions to determine if an applicant is an unaccompanied homeless youth or at risk of becoming an unaccompanied homeless youth. In questions 56, 57, and 58 on the 2015-2016 FAFSA, applicants are asked whether they have been determined to be an unaccompanied homeless youth by a school district homeless liaison, or a Housing and Urban Development homeless assistance program director funded under McKinney-Vento or RHYA.

Institutions are not required to verify the answers to the homeless youth questions; however, in instances where the institution has conflicting information, a documented phone call or a written statement from the relevant authority is sufficient. It is not conflicting information if an FAA disagrees with an authority's determination that a student is homeless. If an FAA believes the authority is incorrect or abusing the process, the FAA should contact the relevant oversight party to evaluate the determination.

We are aware that some institutions are unnecessarily restricting applicants' access to aid by asking applicants to provide justification as to *why* they are homeless or unaccompanied rather than evidence that they have been determined to be homeless or at risk of being homeless. Institutions should limit any inquiry to *whether* the applicant has been determined to be an unaccompanied youth who is homeless, or at risk of being homeless, rather than the reasons for the applicant's homelessness.

In addition, homeless youth should use a mailing address on the FAFSA where they can reliably receive mail. This can be the address of a relative or friend who has given them permission to use it. It also can be their school's address, as long as they have contacted the school for permission and instructions are in place to ensure that mail they receive at the school reaches them. As soon as applicants have more permanent housing, they should update their address on the FAFSA.

Determinations by FAAs

If an applicant believes that he or she is homeless or at risk of being homeless but is unable to answer “yes” to any of the previously noted FAFSA questions, the applicant should contact his or her financial aid office to request that a homeless youth determination be made by an FAA, consistent with section 480(d)(1)(H)(iv) of the HEA. Upon such a request, the FAA is required to make a homeless youth determination. If written documentation to support the applicant's claim of homelessness is not available, the FAA's determination may be made based on a documented interview with the applicant. FAAs should be able to show that their policies and procedures are compliant with statutory requirements.

As previously noted, FAAs should limit their inquiry to whether the applicant is an unaccompanied youth who is homeless, or at risk of being homeless, rather than the reasons for the applicant's homelessness.

If the FAA determines that the applicant is an unaccompanied youth who is homeless or at risk of being homeless, the FAA must submit a FAFSA “correction” using the “Homeless Youth Determination” flag (“Special Circumstances Flag” item number 176 on the 2015-2016 Institutional Student Information Record). A new determination must be made each year for an applicant who is homeless or at risk of being homeless.

Applicants who are between the ages of 21 and 24 and who are unaccompanied and homeless or self-supporting and at risk of being homeless qualify for a homeless youth determination, and will be considered independent students.

Documentation of Homelessness or Risk of Homelessness

As noted in the previous section, FAAs are required to make a homeless youth determination in the cases when a request is made by a student. Documentation that FAAs may consider in determining whether an applicant is an unaccompanied youth who is homeless, or at risk of being homeless, includes but is not limited to information from:

- Local school district personnel;
- State homeless education coordinators;
- Third parties such as private or publicly funded homeless shelters and service providers;
- Financial aid administrators from other colleges;
- Staff from college access programs, such as TRIO or GEAR UP;
- College or high school counselors; or
- Mental health professionals, social workers, mentors, doctors, and clergy.

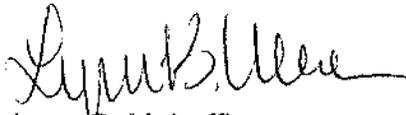
FAAs will review the documentation to determine whether the student was an unaccompanied homeless youth, or at risk of being homeless, at any time on or after July 1st of the FAFSA “base year” (e.g., July 1, 2014, for the 2015-2016 FAFSA).

Because of the sensitive nature of these situations, if an institution has no conflicting information about the status of the student the institution should not request additional documentation, proof, or statements. Doing so may appear as if the FAA is asking applicants to explain, clarify, or justify their circumstances, instead of simply providing documentation of their homeless status.

For more information on the issue of homeless youth, please review Chapter 5, "Special Cases," of the 2015-2016 Application and Verification Guide in the Federal Student Aid Handbook at <http://www.ifap.ed.gov/fsahandbook/attachments/1516AVGCh5.pdf>.

We thank you for your cooperation in ensuring that unaccompanied homeless youth receive the resources they need to succeed in their pursuit of higher education.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn B. Mahaffie". The signature is fluid and cursive, with a long horizontal stroke at the end.

Lynn B. Mahaffie
Deputy Assistant Secretary for
Policy, Planning, and Innovation