

SCENARIOS TO ASSIST WITH MCKINNEY-VENTO ELIGIBILITY AND UNACCOMPANIED YOUTH DETERMINATIONS

The McKinney-Vento Homeless Education Assistance Improvements Act (MV) defines both homeless status and unaccompanied youth status. These two separate designations exist independent of each other, although they can occur simultaneously. In other words, not all homeless students are unaccompanied youth and not all unaccompanied youth are homeless.

The Texas Education Agency (TEA) defines an unaccompanied youth as a youth under age 21 on September 1 of the current school year who is not in the physical custody of a parent or legal guardian. (Under age 22 for a student in special education.)

The chart below reviews some common situations that occur for which the school district must determine MV eligibility and/or unaccompanied youth status for a student. An “X” has been placed under each column heading that applies to the student’s designation for each of the scenarios. For each scenario there are four (4) possible outcomes in this chart: (1) the student is only MV eligible; (2) the student only meets the criteria for an unaccompanied youth; (3) the student meets the criteria for both MV and unaccompanied youth designations; and (4) the student does not meet the criteria for either MV or unaccompanied youth designations, in which case there will not be an “X” in either box.

The “answer” to each of the scenarios is given in **bold text** following the scenario.

Please Note:

- Each situation that presents itself with a student must be assessed by taking into account all the information presented. Not all situations will fit neatly within the scenarios described in the chart below.
- All of the scenarios reviewed in the chart below assume that the students in question are under age 21 as of September 1 of the school year in which they are enrolling.
- For PEIMS purposes, a student is coded as an unaccompanied youth under the Unaccompanied Youth Indicator **ONLY if the student is also homeless**. Unaccompanied youth who **ARE NOT HOMELESS** are not tracked in PEIMS.

Student Scenario	MV Eligible	Unaccompanied Youth Status
A student is living with his parent or legal guardian in a fixed, regular, and adequate nighttime residence.		
A student is not living with a parent or legal guardian. This student lives with a grandparent with whom he has lived for a number of years and the grandparent intends to raise him. The home is fixed, regular, and adequate, and intended to be a nighttime residence. (The grandparents do not have legal custody. The student, after a number of years, is no longer considered MV, doubled-up, because he is stably housed.)		X

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<p>A student is not living with a parent or legal guardian. This student lives with a grandparent with whom he has lived for a few months and the grandparent is not sure how long he will be able to stay. The home is fixed, regular, and adequate and intended to be a nighttime residence. (The grandparents do not have legal custody. The student has newly come to stay, and the stability of housing is uncertain. He is MV, doubled up.)</p>	<p>X</p>	<p>X</p>
<p>A student is not living with a parent or legal guardian. This student lives with a grandparent with whom he has lived for a number of years and the grandparent intends to raise him. The home is substandard and not adequate for human habitation. (The grandparent does not have legal custody. The housing is substandard, thus all students residing in the household are in a MV homeless situation.)</p>	<p>X</p>	<p>X</p>
<p>A student is living in an emergency shelter or transitional living situation with his parent. (The student is not unaccompanied as he is with his parent, but is living in a MV eligible situation.)</p>	<p>X</p>	
<p>A student is living in an emergency shelter or transitional living situation <i>without</i> his parent or legal guardian. (This student is living in a MV eligible situation, and is unaccompanied since he is not with a parent or legal guardian.)</p>	<p>X</p>	<p>X</p>
<p>A student is placed by CPS into formal foster care. (A student in formal foster care is neither MV eligible nor unaccompanied.)</p>		
<p>A student is living with a friend or relative with whom his parent or legal guardian has made arrangements for him to live and is supportive of the living arrangement. The housing is fixed, regular, and adequate and is intended to be a nighttime residence. (The student is unaccompanied because he is not living with his parent or legal guardian, but he is not living in a MV eligible situation because the student did not lose his housing and the living situation is fixed, regular, and adequate.)</p>		<p>X</p>

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<p>A student is living with a relative with whom his parent or legal guardian has made arrangements for him to live and is supportive of the living arrangement. The parent has given the relative a “power of attorney”, or “affidavit of guardianship” that is notarized. The housing is fixed, regular, and adequate and is intended to be a nighttime residence. (The student is unaccompanied because he is not living with his parent or legal guardian, but is not in a MV eligible situation as the student did not lose his housing and the housing is fixed, regular, and adequate. A “power of attorney” or “affidavit of guardianship” does not convey legal guardianship. Legal guardianship is a court process.)</p>		<p>X</p>
<p>A student is placed in a Residential Treatment Center (RTC), or a neglected/delinquent center (N or D). (A student who is a ward of the state and placed by the state entity is not unaccompanied, nor MV eligible.)</p>		
<p>A student is in CPS court-ordered custody, placed in an emergency shelter or transitional living program (TLP). (The student is not unaccompanied as he has been placed by his legal guardian, CPS. He is MV eligible as he is living in an emergency shelter or TLP.)</p>	<p>X</p>	
<p>A student was pushed out of his/her home, is not living with a parent or legal guardian, and staying with a friend or other relative (doubled-up) or moving from place to place (couch surfing). (The student is MV eligible, doubled-up, and is unaccompanied since he is not living with a parent or legal guardian.)</p>	<p>X</p>	<p>X</p>
<p>A student left home without permission (for whatever reason: abuse, neglect, runaway, etc.) is living doubled-up with a friend or relative who does not have legal guardianship of the student. (The student is MV eligible, doubled-up, and is unaccompanied since he is not living with a parent or legal guardian.)</p>	<p>X</p>	<p>X</p>

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<p>A student left home without permission. She has just moved in with her boyfriend and his parents in a fixed, regular, and adequate nighttime residence. (The student is MV eligible, doubled-up. The student is also an unaccompanied youth since she is not with her parent or legal guardian.)</p>	<p>X</p>	<p>X</p>
<p>A student leaves home and is staying with various friends. (The student is MV eligible because he is living in a doubled-up, couch-surfing situation. A runaway or “kicked-out” student is MV eligible based on his/her living situation and NOT the reason the student leaves home. The student is unaccompanied since he/she is not in the physical custody of a parent or legal guardian.)</p>	<p>X</p>	<p>X</p>
<p>A student chooses to leave home. He has a job and has his own apartment that is fixed, regular, and adequate, and it is meant to be a nighttime residence. (The student is in his own home and is not MV eligible. The student is unaccompanied, as he is not with a parent or legal guardian.)</p>		<p>X</p>
<p>A student’s parents die and an aunt and uncle move in to the student’s house which is fixed, regular, and adequate, and the aunt and uncle intend to remain there until the student has graduated. (The student is in his own home so he is not MV eligible since he did not lose his housing. He is unaccompanied because the aunt and uncle are not his legal guardians.)</p>		<p>X</p>
<p>A student is abandoned by her parent in July. In August she enrolls in school, and in September is staying with a relative in a fixed, regular, and adequate nighttime residence. The relative intends to keep her until she graduates. (The student was identified as homeless and remains identified as a homeless student for the duration of the school year even though she has become permanently housed.)</p>	<p>X</p>	<p>X</p>

