

# Unaccompanied Youth Status Indicator Instructions

This document, developed by the Texas Homeless Education Office (THEO), is intended to assist districts in collecting and reporting information necessary for compliance with the McKinney-Vento Act regarding homeless, unaccompanied youth. This document itself is not a form or instrument that can be used to collect this information. However, it does contain sample language to collect the required information that can be incorporated into district enrollment forms or databases. There is a sample template included at the end of the document that can be taken and modified by districts if they want to use stand-alone forms to collect this information.

This is not intended as a resource explaining the McKinney-Vento Act or the education of homeless, unaccompanied students. THEO has a website with extensive resources regarding the McKinney-Vento Act, the identification and education of children and youth experiencing homelessness, and federal and state requirements pertaining to the education of unaccompanied children and youth experiencing homelessness:

<http://www.theotx.org/>

There is also a toll-free number for anyone with a question about either a specific situation regarding a homeless student or a more general aspect of the education of children and youth experiencing homelessness:

1-800-446-3142

To access the Texas Education Data Standards, go to

[https://www.texasstudentdatasystem.org/TSDS/TEDS/Texas\\_Education\\_Data\\_Standards/](https://www.texasstudentdatasystem.org/TSDS/TEDS/Texas_Education_Data_Standards/)

To access the *Homeless and Unaccompanied Youth Status Indicators Frequently Asked Questions* document, go to

[http://www.theotx.org/wp-content/uploads/2016/02/TSDS\\_PEIMS\\_Homeless\\_Unaccompanied\\_FAQ\\_2017.pdf](http://www.theotx.org/wp-content/uploads/2016/02/TSDS_PEIMS_Homeless_Unaccompanied_FAQ_2017.pdf)

## UNACCOMPANIED-YOUTH-STATUS-CODE

Student data element *E1084* is the *UNACCOMPANIED-YOUTH-STATUS CODE*. *E1084* is populated by the code table *C192 UNACCOMPANIED-YOUTH-CODE*. The code table *C192 UNACCOMPANIED-YOUTH-CODE* has two (2) codes. All homeless students in the state must fall within one of the two code categories:

**3** = Homeless Student is in the physical custody of a parent or legal guardian (i.e., **homeless student is not unaccompanied**) for the entire school year.

**4** = Homeless Student is not in the physical custody of a parent or legal guardian (i.e., **homeless student is unaccompanied**) at any time during the school year.

Federal law and state reporting requirements require Texas public school districts to determine the unaccompanied youth status of **every homeless student**. The unaccompanied youth status must be determined and reported for every homeless student that the district has identified. "Unaccompanied youth" status is only reported for students that are homeless—this status should not be reported for students who are not homeless. "Unaccompanied youth" is defined by McKinney-Vento, 42 U.S.C. §11434A(6), to mean a youth "not in the physical custody of a parent or guardian." A student in the physical custody of a parent or legal guardian every day of the school year is not considered unaccompanied.

Districts are responsible for determining unaccompanied youth status. Federal statute does not stipulate the position responsible for identifying unaccompanied youth. Regardless of the individual assigned to collect this information, it should be transmitted accurately to the individual entering the data.

"Guardianship" is a word that has a variety of meanings in common usage. However, in this case, the word "guardian" refers to **legal guardianship**. **Only a court can grant legal guardianship**. In order to obtain legal guardianship, all relatives, including grandparents, must go through a court. An affidavit issued by a school district, signed by a parent and a non-custodial relative (such as a grandparent or aunt), and notarized does not, by itself, constitute legal guardianship. A power of attorney, by itself, does not grant legal guardianship. Students living on their own or with friends or relatives who do not have legal guardianship are allowed to enroll in and attend school. The school cannot require proof of guardianship for enrollment or continued attendance.

For the purposes of this indicator, “youth” means any homeless student who is under age 21 on September 1 of the applicable school year or, for homeless students eligible for special education services, under age 22 on September 1 of the applicable school year.

The table (or just the language) below can be incorporated into a district’s enrollment forms to collect the necessary information in order to comply with the reporting requirements regarding a homeless student’s unaccompanied youth status. The person completing the form would “X” all boxes below that are true.

It is important to note that a district may already have some other data source that would indicate unaccompanied youth status—it is not necessary to add these questions or create a new form if the district already has a mechanism in place to obtain this information. For example, collecting emergency contact information might provide a way to determine unaccompanied youth status.

In order to comply with the reporting requirements, every district must have some mechanism in place to collect unaccompanied youth status information for every homeless student. The district may use the example below or use a district-developed tool.

**EXAMPLE:**

“X” all boxes below that best describe the student’s situation, leave those blank that do not. If **none** of the statements in 1 – 4 are marked, then either item 5 or 6 or must be “Xed”. If item 5 or 6 is “Xed”, then none of the items in 1 – 4 describe the student’s situation.

	<b>1. Student lives with one parent or both parents every day of the school year</b> (C192=3)
	<b>2. Student lives with a legal guardian every day of the school year</b> (C192=3) <i>Note: A <u>legal guardian</u> is appointed by a court.</i>
	<b>3. Student is not eligible for special education services and is 21 or older on September 1 of the applicable school year</b> (C192=3)
	<b>4. Student <u>is</u> eligible for special education services and is 22 or older on September 1 of the applicable school year</b> (C192=3)

**OR**

Do not “X” this box if any item above is “Xed”

	<b>5. Student is under 21 on September 1 of the applicable school year and does not live with a parent or legal guardian</b> (C192=4)
	<b>6. Student <u>is</u> eligible for special education services and is under 22 on September 1 of the applicable school year and does not live with a parent or legal guardian</b> (C192=4)