

**Child Welfare League of America
National Association for the Education of Homeless Children and Youth
National Health Care for the Homeless Council
National Policy and Advocacy Council on Homelessness
Volunteers of America**

**A Matter of Definition: Responding to Homelessness Among Families,
Children, and Youth**

In 1987, Congress passed omnibus federal legislation to address the emerging crisis of homelessness. This legislation – the McKinney-Vento Homeless Assistance Act – authorizes federal homeless assistance programs administered by the Department of Housing and Urban Development (HUD), the Department of Health and Human Services, the Department of Education, and the Department of Veterans Affairs. Through regulation, policy guidance, or specific statutory language, these agencies have adopted diverse definitions of homelessness. While some variation in federal definitions appropriately reflects different agency missions, other discrepancies have resulted in the exclusion of extremely vulnerable populations identified and assisted by one federal program from receiving much needed services provided by another. In particular, the definition of homelessness employed by HUD has created barriers for many families and youth experiencing homelessness.

To remedy this problem, we believe that the HUD definition of homelessness should be amended to explicitly include two homeless situations (doubled-up and motels) that are included in the definition of homelessness contained in Subtitle VII-B of the McKinney-Vento Act, the Education for Homeless Children and Youth program administered by the U.S. Department of Education.

The Education Definition of Homelessness: Responding to the Realities of Families and Youth Without Housing

Public schools are the cornerstone of communities; no other entity has the same level of daily contact with children, youth, and families. Schools see the scope and the depth of housing problems in every community in the nation, and therefore are among the most accurate barometers of family and youth homelessness. The education definition of homelessness thus reflects the realities of family and youth homelessness. Like other federal homeless assistance programs, the Education for Homeless Children and Youth program covers individuals – in this case, children and youth – who “lack a fixed, regular, and adequate nighttime residence.” However, the education definition does not stop there. The definition specifically includes children and youth who are “sharing the housing of others *due to loss of housing, economic hardship, or a similar reason.*” In addition, children and youth who “are living in motels, hotels, trailer parks, or camping grounds *due to the lack of alternative adequate accommodations*” are specifically included, along with other temporary living situations (emphasis added). In implementing the education definition of homelessness, school districts make eligibility determinations for families in these categories on a case-by-case basis by asking questions to clarify the families’ living situations. Prior to the inclusion of this definition of homelessness in the education statute, similar language was contained in policy guidance issued by the U.S. Department of Education in 1995. Thus, school districts nationwide have been using this definition of homelessness successfully for more than a decade. Recent amendments to the Individuals with Disabilities Education Act incorporate this definition, as do pending amendments to the Head Start Act.

The definition of homelessness employed by HUD, by contrast, includes only individuals who have a primary nighttime residence in private or public shelters “designed to provide temporary living accommodations;” in “institutions that provide a temporary residence for individuals intended to be institutionalized;” and in private and public places “not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.” The HUD statutory definition of homelessness does *not* include households who are sharing the housing of others temporarily because they have nowhere else to go (commonly referred to as “doubled-up”), or those who are staying in motels and similar places due to lack of alternatives. Programmatic definitions for different HUD programs may be even more restrictive. Because such households are not included in the HUD definition of homelessness, they are excluded from HUD services.

As a result, there is a disconnect between the HUD definition of homelessness and the experience of families and youth who are without permanent housing. Consider the following:

- **There is a profound lack of affordable housing throughout the country.** In no town, city, or state in America can an individual or family working full-time and earning the minimum wage, or receiving assistance under the Supplemental Security Income or Temporary Assistance for Needy Families programs, afford a one- or two-bedroom apartment at the fair-market rental rate established by the United States Department of Housing and Urban Development.¹ The lack of affordable housing has resulted in widespread and growing homelessness among individuals and families.
- Under the HUD definition of homelessness, a family or youth must live on the streets or in a shelter in order to be considered eligible for HUD-funded emergency or transitional shelter programs. **While spending time on the streets may gain a family eligibility for HUD programs, exposing children to the elements is untenable for parents – and many child welfare authorities.**² Living on the street carries a significant threat to the stability of the family unit – in many states, child welfare authorities will intervene. A family that meets the HUD definition of homelessness may not remain an intact family for long. Therefore, parents who have lost their housing will look to other locations, including shelters, motels, and temporarily staying with others, in order to protect their children and keep their family together.
- The shelter option also is not realistic for many families. **Family shelters are full and turning families away. According to the U.S. Conference of Mayors, 32 percent of the requests for emergency shelter by homeless families are estimated to have gone unmet during 2004.**³ Yet families who are turned away are still in need of shelter. They will be forced to find other temporary living arrangements such as doubling up or staying in motels. In a tragic catch-22, lack of shelter space will render these families ineligible for HUD-funded shelter or services.
- In addition, despite high rates of deep poverty and lack of safe, affordable housing, **shelters are non-existent in many rural and suburban areas of the country.** The need for family shelters is great in these areas, but the current HUD definition works against community efforts to access funding to develop them. As a result, families experiencing homelessness in many rural and suburban areas have no choice but to double up or seek other temporary arrangements.
- **Even where shelters exist, parents may avoid them because of shelter policies that force families to split up.** For example, many shelters do not accept families with adolescent boys, or two-parent families. Over half of the cities surveyed by the U.S. Conference of Mayors last year report that families may have to break up in order to be sheltered.⁴ Rather than be separated, these families will endure temporary living situations that are often less safe and stable than shelters.

¹ National Low Income Housing Coalition, *Out of Reach*, 2004.

² Child Welfare League of America, *Keeping Families Together and Safe: A Primer on the Child Protection – Housing Connection*, 2005.

³ U.S. Conference of Mayors, *Status Report on Hunger and Homelessness*, 2004.

⁴ *Id.*

- Every year between 1.3 and 2.8 million youth experience at least one runaway or homelessness episode.⁵ There is a severe shortage of short-term and long-term residential services for youth under 18. In FY2003, the Runaway and Homeless Youth Act's Transitional Living Programs turned away 40 percent of young people who requested services due to lack of resources.⁶ **Homeless youth, whether on the street or “couch surfing,” are highly vulnerable to violence and abuse from predators.** Such youth may not qualify for critical HUD services if they do not fit into HUD's definition of homeless or if their age or duration of homelessness does not identify them as “chronically homeless.” Youth aging out of foster care also must spend a night on the street in order to qualify for HUD services.

Doesn't HUD's definition of homelessness target those who are most vulnerable, i.e. those who are literally homeless?

In fact, HUD's definition excludes some of the most vulnerable individuals – especially, children (including infants), their parents, and unaccompanied youth – from essential services.

- As described above, streets or shelters are not an option for many families with children and youth. **Yet the impact of homelessness on children is devastating.** Many of the horrific conditions of homelessness directly contribute to physical, mental and emotional harm. Infants and toddlers who are homeless are at extreme risk of developmental delays and health complications.⁷ Children experiencing homelessness are diagnosed with learning disabilities at much higher rates than other children.⁸ In addition, there is some evidence that experiencing homelessness as a child is associated with experiencing deep poverty and homelessness as an adult.⁹
- **Children and youth who are excluded from HUD's definition of homelessness because they live in doubled-up living situations and motels are often as vulnerable as children and youth in shelters.** Doubled-up and motel living situations can be less stable than shelters, involving more uncertainty, frequent moves and disruptions known to be harmful to child development. There are rarely services for children and youth in these locations – no health care, no counseling, no case management, no spaces to crawl or play, and often no place to cook meals. There is no place to study or do homework, decreasing the likelihood of educational success. Doubled-up situations and motel arrangements are frequently less safe than shelters, too often exposing children to drugs and violence. Families who are fleeing domestic violence and who are doubled-up, and therefore ineligible for HUD-funded shelter, are also at greater risk of returning to an abusive situation or being found by the abuser. Youth who are on their own face particular risks to their health and safety when they are sharing the housing of others due to lack of other places to stay. In sum, children and youth who are living in non-sheltered locations not covered by HUD's definition are among the most vulnerable of all populations experiencing homelessness. Their

⁵ National Runaway Switchboard, “Frequently Asked Questions,” <http://www.nrscrisisline.org/faq.asp#many>

⁶ National Collaboration for Youth, *Runaway and Homeless Youth Act Programs*, 2005

⁷ Weinreb, L., et al., “Determinants of health and service use patterns in homeless and low-income housed children,” *Pediatrics* 102(3) (1998): 554-62

⁸ Better Homes Fund, *Homeless Children: America's New Outcasts*, 1999

⁹ Interagency Council for the Homeless, *Homelessness: Programs and the People They Serve*, 1999

exclusion from HUD services only exacerbates the instability, loss, and deprivation associated with homelessness.

HUD does not now have the funding to assist all the people who fit its current definition. Why broaden it?

Before being concerned with funding levels, it is important for federal agencies to set goals. HUD's goal should be to end homelessness in the United States. Once that goal has been established, HUD can then utilize available resources to come as close as possible to achieving the goal. In order to most effectively allocate resources, HUD must use a definition of homelessness that is inclusive of the entire homeless population of this country.

Ignoring the real need for housing and homeless assistance by using a scaled down, limited definition of homelessness does nothing to assist policymakers, service providers, and others in making informed decisions about who is impacted by the affordable housing crisis in our communities and how to meet their needs. Only by acknowledging the extent of homelessness, and by giving communities the ability and the flexibility to respond to it, can we begin to address the causes of and solutions to homelessness.

Won't expanding the HUD definition of homelessness cost the federal government more money?

Certainly, increased federal funding would help more people – including children, youth, and families – access the services they need to survive and grow up healthy. But housing and homeless assistance are not entitlements; therefore expansion in eligibility will not lead to automatic increases in costs. Moreover, definitions that are better aligned will create more congruence among policies of different agencies, and therefore lead to greater coordination of services, which may increase efficiencies and reduce costs. Similarly, more similar definitions will facilitate data collection and data sharing among agencies.

Most importantly, more closely aligning the HUD definition of homelessness to the definition used by the U.S. Department of Education will give communities the flexibility to serve families and youth who are extremely vulnerable and who they now cannot serve. Examples of some of these families' experiences are described below. Each family was identified and assisted by a school district liaison; names have been changed to protect privacy. Tragically, school district liaisons across the nation witness these situations on a daily basis.

- The V family, a mother with three young children, lived in a motel. The youngest child was 12 months old - the age at which a child should be crawling, learning to walk, and exploring the world. The living conditions in the motel were so bad that a doctor could not clear up an ear and skin infection for the infant. The doctor told the school district's homeless education program that the child needed to stay in a clean environment. A community member donated a playpen to the family, so the child could stay off the motel room floor during the day. Tragically, it took seven months to access housing for this family. The 12-month-old child spent seven months of development in a playpen in a motel room. Although the homeless education program provided books and educational toys for the child, the lost months could not be given back, and as a result the child's physical, emotional, social and intellectual development suffered. Had the HUD definition of homelessness included families living in motels, this family would have been eligible for HUD services and could have gone into a shelter. The child would not have experienced this setback to his growth and development.
- Mrs. W lived with her three children in a motel after they were evicted from their rental home. Her husband left to seek residential care for his alcoholism. Mrs. W had relied on her husband to help her with her medication for mental health issues. She was unable to obtain stable housing. Alone in a motel with few resources, and lacking basic necessities such as a phone, soap, towels, and medicine, her condition deteriorated. Eventually, she was asked to leave the motel, and she moved in with her in-laws, who also had alcohol abuse problems. This situation too proved untenable, as tensions between Mrs. W and her in-laws increased, and eventually Mrs. W left for

the streets. Child welfare took custody of her children. Had the HUD definition included families in motels, this family would have had more stability, services, and a better chance of remaining intact.

- The X family, a single dad with a 10-year-old son, was living in a doubled-up situation. They were asked to exit the friend's house where they had been staying for six weeks. They thought they had located an apartment, but the available date was pushed back a week. The shelter was not an option, as the dad drives a cab on the graveyard shift, and shelter rules prohibit a child from being left unattended. According to the HUD definition, the father, who is now sleeping in the woods, is homeless. But his son, staying a few days here and a few days there with various relatives, moving from place to place, is not.

For more information, please contact Ruth White at rwhite@cwla.org, Barbara Duffield at bduffield@naehcy.org, or Brad Paul at bpaul@npach.org