



TIP SHEET 1:

Understanding Youth Homelessness and the McKinney-Vento Homeless Assistance Act for Juvenile Justice Professionals and Stakeholders

The McKinney-Vento Homeless Assistance Act is a federal law that provides important educational rights and services to children and youth experiencing homelessness in grades preK - twelve.¹ Youth who come into contact with the juvenile justice system—even those placed in the Department of Juvenile Justice (DJJ) system—may be experiencing homelessness and eligible for services. If a young person is identified as experiencing homelessness prior to or during their time in a DJJ placement, they may be eligible for services that can be critical to their school success and aid a young person's re-entry from a juvenile justice placement into the community.

The Unique And Often Invisible Nature Of Youth Homelessness

While some youth experience homelessness along with families in a shelter or a homeless assistance program where it is easy to count or document, the majority of youth homelessness is invisible, especially for youth who are on their own. In fact, nearly 80% of school-aged children and youth experience homelessness as couch surfing (sleeping at different friends' houses), doubled up with family or friends, and living in unsafe situations in exchange for housing. These situations are difficult to count and youth may be reluctant to identify as homeless because they fear it may lead to child welfare system involvement or may lead to challenges and stigma for themselves and their family. Understanding how youth experience homelessness is important for all DJJ personnel so that they can work with the designated homeless liaison to accurately identify youth, provide support, connect them with services, and be part of preventing and addressing the circumstances that are leading to homelessness.

¹ 42 U.S.C. § 11431 et seq.

Youth Homelessness Is On The Rise Nationally And Youth With Juvenile System Involvement Are At Higher Risk For The Experience Of Homelessness

A recent national survey showed that at least 700,000 adolescent minors, or 1 in 30 of the population of 13- to 17-year-olds, experienced some form of homelessness during the year.² This included youth who ran away or were asked to leave and stayed away for at least one night and/or couch surfed. Among young adults ages 18–25, the annual prevalence of any homelessness is more than 3.5 million, or 1 in 10 young persons.³ Across South Carolina during the 2022-23 school year, 13,483 youth from pre-K to twelfth grade were identified as homeless students under the McKinney Vento Homeless Assistance Act.⁴ Of this group, 53% were doubled up, 22% were unsheltered, 19% were in a hotel or motel, and 5.5% were in a shelter.⁵

This national survey also found that 46% of youth experiencing homelessness had ever spent time in juvenile detention, jail, or prison, 29 % had been in foster care at some point, and approximately 17% had been involved in both justice and child welfare systems.⁶

The Definition Of Homelessness Under The Mckinney-Vento Homeless Assistance Act And Youth Placed In The Juvenile Justice System

The McKinney-Vento Homeless Assistance Act provides a comprehensive definition of homelessness. Youth who come into contact with the juvenile justice system—even those placed in the Department of Juvenile Justice (DJJ) system—may be homeless and eligible for services under the law. Youth are considered homeless under the McKinney Vento Act if they lack fixed, regular, and adequate nighttime residence. This includes the following circumstances:

- staying in an emergency or transitional shelter for homeless individuals or families,
- staying in the home of a relative or family friend due to family or youth being homeless or unable to find stable housing,

² [Voices of Youth Count Comprehensive Report: Youth Homelessness in America](#) vii (2018).

³ [Voices of Youth Count Comprehensive Report: Youth Homelessness in America](#) vii (2018).

⁴ [Child and Youth Homelessness Data Profiles](#) South Carolina (SchoolHouse Connection).

⁵ [Child and Youth Homelessness Data Profiles](#) South Carolina (SchoolHouse Connection).

⁶ [Voices of Youth Count Comprehensive Report: Youth Homelessness in America](#) ix (2018).

- living or sleeping in the following settings due to loss of housing or economic hardship: (1) motel or hotel, (2) trailer park, (3) campground or public spaces, (4) Trailer parks, (5) sleeping in a car, bus or train station.
- living in substandard housing, including housing that does not have heat during the winter, has problems with pests or infestations, or has utilities that do not work (i.e. no working kitchen or bathroom)
- A child or youth who is a migratory agricultural worker or the child of a migratory agricultural worker.⁷

If a youth is lacking fixed, regular, and adequate nighttime residence and not in the physical custody of a parent or guardian, they are considered an unaccompanied youth.⁸

Youth Should Be Identified As Experiencing Homelessness When One Or More Of The Following Conditions Are Met:

They were experiencing homelessness before being placed in the DJJ system, A DJJ placement is not considered a housing plan; it is only providing temporary placement.

- They were experiencing any of the circumstances listed above prior to entering a DJJ placement, even if they were not previously identified as homeless.
- They do not have a plan for permanent and stable housing upon leaving a DJJ placement. If the plan is to refer a youth to a shelter upon leaving a DJJ placement, that youth should be identified as homeless. If the youth is identified as homeless under the McKinney-Vento Homeless Assistance Act, they can receive McKinney services while in placement and as they transition back to the community.

i *To learn more about the rights and services available to youth who are eligible for McKinney Vento Services, please see **Tip Sheet 3: The McKinney-Vento Homeless Assistance Act and How it Can Support Effective Reentry Planning***

⁷See 42 U.S.C. §11434a(2) of the full definition of “homeless children and youths.”

⁸ 42 U.S.C. 11434a(6).