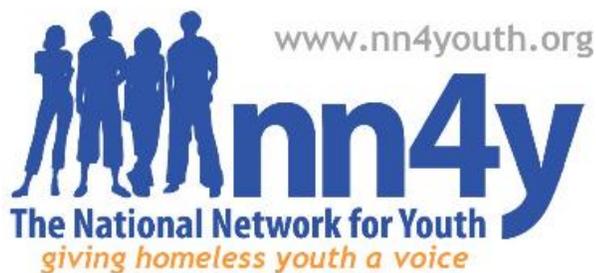


# WHO IS HOMELESS?

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## Different Definitions of Homelessness by State



### VISION

The National Network for Youth envisions a world in which youth experiencing homelessness have a safety net everywhere they turn—creating positive and strong communities one youth at a time.

### MISSION

The mission of the National Network is to champion the needs of youth experiencing homelessness, runaway and other disconnected youth by strengthening community-based services, facilitating shared resources and influencing public policy.

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# INTRODUCTION

## WHO WE ARE

The National Network for Youth (NN4Y) is the nation’s leading organization advocating at the federal level to educate the public and policymakers about the needs of youth experiencing homelessness. We are a membership organization of service providers, state agencies, faith-based organizations, coalitions, advocates and individuals who work towards a future in which youth in vulnerable and homeless situations can escape the dangers of the streets and access youth-appropriate services, safety, hope and healing.

## ABOUT THIS DOCUMENT

This document was crafted as a resource for policymakers and advocates for the purpose of identifying differences in state definitions of homelessness and youth experiencing homelessness as well as to identify where definitions are lacking or need to be modified. It includes a state-by-state list of definitions of homelessness, youth or children experiencing homelessness and other relevant terminology. Next, it explains state statutory definitions according to General Definitional Categories, Content and Context of the Definitions and the Relationship of State to Federal Definitions. Finally, it provides a Summary of Findings, including recommendations and a proposed uniform definition.

This document focuses narrowly on definitions of homelessness and does not cover the definitions of “status offender” or “runaway.” To access a resource that does cover these definitions, please refer to a prior publication that NN4Y wrote with the National Law Center on Homelessness and Poverty, [Alone Without A Home, A State-By-State Review of Laws Affecting Unaccompanied Youth](#) (September 2012).

## WHY DEFINITIONS ARE IMPORTANT

Youth become homeless for a variety of reasons and find themselves in many unsafe, unstable situations while attempting to find footing on their path through life. The majority of youth experiencing homelessness have either run away, been kicked out of unstable home environments, been abandoned by their families or caregivers, become involved with public systems (foster care, juvenile justice, and mental health) or have a history of residential instability and disconnection.

The legal rights of unaccompanied homeless youth vary between the states and U.S. territories. At the most basic level, whether a youth meets the statutory definition of homelessness determines what, if any, services he or she is eligible to receive. In too many states, vulnerable youth trying to make a better life for themselves are ineligible for the services that would help them do so. The best way to ensure youth have a safety net, no matter what community they find themselves in, is to align state definitions of homelessness.

Even federal agencies do not always agree on a definition of homelessness, and these variations erect barriers in the paths of youth every day. Inconsistencies in the definitions of homelessness cause further inconsistency in the services provided, especially in the context of homeless youth. By compiling state specific definitions of homelessness and youth experiencing homelessness in this document, it allows us to see a breakdown of the number and severity of gaps between States. This document can be used solely as a reference, or in conjunction with NN4Y’s *For State and Local Governments: Model Legislation to Provide Housing and Services to Runaway and Homeless Youth (RHY)* in order to first identify whether your State has a definition which needs to be modified, then to help you write both an appropriate definition and model law.

# STATE DEFINITIONS OF HOMELESSNESS AND HOMELESS YOUTH

## Alabama

^ *Alabama does not define Homelessness or Homeless Youth. The closest definition follows.*

^ Missing Child: A homeless child could fall under part of the definition of a missing child under state law. If the child voluntarily left the care of the child's legal custodian without consent or intent to return then they are considered missing. [Infants and Incompetents Title, Bureau for Information on Missing Persons Chapter] Ala. Code § 26-19-1 (2015).

## Alaska

^ *Alaska does not define Homelessness or Homeless Youth. The closest definition follows.*

^ Child In Need of Aid: A child that has been abandoned, left by incarcerated or absent parents, left with a custodian that is unable to provide care, is habitually absent from home, has suffered substantial physical or mental harm or in danger of suffering physical or mental harm, is subject to neglect, is in the care of a custodian suffering from addiction or mental illness, or has committed an illegal act with guidance or approval from custodian. [Welfare, Social Services and Institutions Title, Children in Need of Aid Chapter] Alaska Stat. § 47.10.011 (2015).

## Arizona

^ Homeless: An individual who has no permanent place of residence where a lease or mortgage agreement between the participant and the owner exist [Welfare Title]. Ariz. Rev. Stat. § 46-241 (2015).

^ Homeless Pupil: A pupil whose primary residence is a temporary shelter, a temporary residence for individuals intended to be institutionalized, or a place not designed for or ordinarily used as regular sleeping accommodations for human beings. [Education Title]. Ariz. Rev. Stat. § 15-871 (2015).

^ Homeless Minor: An individual, under 18 years of age, living without parents and without a fixed and regular nighttime residence, or has a primary residence that is a supervised temporary shelter, a halfway house, or a place not designed for or ordinarily used for sleeping by human beings. [Contracts Chapter, Capacity to Contract]. Ariz. Rev. Stat. § 44-132 (2015).

## Arkansas

^ *Arkansas does not define Homelessness or Homeless Youth. The closest definition follows.*

^ Awaiting Foster Care Placement: A juvenile in the custody of the department [of Human Services] is awaiting foster care placement, as the term is used in the "homeless children and youth" definition in 42 U.S.C. § 11434a(2): if the juvenile: (i) Is placed in a shelter, facility, or other short-term placement with a plan of moving the juvenile within ninety (90) days; (ii) Is transferred to an emergency placement to protect the juvenile's health or welfare; (iii) Is placed in a provisional foster home as defined by § 9-28-402; (iv) Has experienced three (3) or more placements within a twelve-month period; or (v) Is placed in a regular foster home or other placement that is not directly related to the permanency goal identified in the case plan required under § 9-28-111. [Family Law Title, Juvenile Courts and Proceedings Chapter]. Ark. Code. § 9-27-332 (2015).

## California

- ^ Homeless Person: An individual or family, before participating in a transitional housing program, that lacked a fixed, regular, and adequate nighttime residence or had a primary nighttime residence that was temporary or a place not designed for, or ordinarily used for sleeping accommodations for human beings. [Housing and Home Finance Division]. Cal. Health & Safety Code § 50582 (2015).
- ^ Homeless Child or Youth: As defined under 42 U.S.C. § 11434a(2): individuals without a fixed, regular, and adequate nighttime residence; children and youths who are sharing housing of others due to loss of housing, economic hardship or other similar reasons; in hotels, motels, trailer parks, or camping grounds, due to loss of housing or economic hardship; children and youth whose nighttime residence is a place not designed or ordinarily used for sleeping; children and youth who are living in cars, parks, public places, abandoned buildings, substandard housing, bus or train stations, etc.; migratory children. [Public Social Services Division] Cal. Welf. & Inst. Code § 18904.25 (2015).
- ^ Unaccompanied Youth: As defined under 42 U.S.C. § 11434a(6): Youth not in the physical custody of a parent or guardian. [Elementary and Secondary Education Title]. Cal. Educ. Code § 48204.1 (2015)
- ^ Homeless Youth: A person who is 24 years old or younger and meets one of the following: (i) is homeless or at risk of being homeless, (ii) is no longer eligible for foster care based on age, or (iii) has run away from home; A person younger than 18, who is emancipated and is homeless or at risk of becoming homeless. [State Agencies Chapter, Discrimination]. Cal. Gov't Code § 11139.3 (2015).
- ^ At Risk of Becoming Homeless: When a youth is facing eviction or termination of his or her current housing situation. [State Agencies Chapter, Discrimination]. Cal. Gov't Code § 11139.3 (2015).

## Colorado

- ^ Homeless Youth: A child or youth who is at least 11 years but less than 21 years of age and who lacks a fixed, regular, and adequate nighttime residence, or has a primary nighttime residence that is a shelter designed for temporary living accommodations, or a place not designed for or ordinarily used as regular sleeping accommodations for human beings. The term does not include any individual imprisoned or otherwise detained. [Human Services Code Title, Homeless Youth]. Colo. Rev. Stat. § 26-5.7-102 (2015).
- ^ Homeless Child: A school aged child who lacks a fixed, regular, and adequate nighttime residence including a child living in a hotel, motel, or camping ground without alternative adequate accommodations, a child living in a an emergency or transitional shelter, a child who is abandoned in a hospital, a child awaiting foster care placement; or a school aged child who has a primary nighttime residence that is a shelter designed for temporary living accommodations, an institution that provides temporary shelter for those intended to be institutionalized, or a place not designed for or ordinarily used as regular sleeping accommodations for human beings. Homeless child shall not include any individual imprisoned. [Education Title]. Colo. Rev. Stat. § 22-1-102.5 (2015).

## Connecticut

- ^ Homeless Person: A person who does not have overnight shelter or sufficient resources or income to secure such shelter. [Zoning, Planning, Housing and Economic and Community Development Title]. Conn. Gen. Stat. § 8-355 (2015).
- ^ Certified Homeless Youth: A person at least 15 but less than 18 years of age, who is not in the physical custody of a parent or legal guardian and is defined as a homeless child or youth under 42 U.S.C. § 11434a(2) and who has been certified as homeless by a school district homeless liaison, director of an emergency shelter funded by United States Department of Housing and Urban Development, or director of a runaway or homeless youth center funded by the Department of Health and Human Services. [Municipalities Title, Registrars of Vital Statistics Chapter]. Conn. Gen. Stat. § 7-36 (2015).
- ^ Homeless youth: A person under twenty-one years of age who is without shelter where appropriate care and supervision are available and who lacks a fixed, regular and adequate nighttime residence, including a youth under the age of eighteen whose parent or legal guardian is unable or unwilling to provide shelter and appropriate care; [Department of Children and Families Chapter]. Conn. Gen. Stat. § 17a-62a (2015).
  - ^ Fixed, regular and adequate nighttime residence: A dwelling at which a person resides on a regular basis that adequately provides safe shelter, but does not include (A) a publicly or privately operated institutional shelter designed to provide temporary living accommodations; (B) transitional housing; (C) a temporary placement with a peer, friend or family member who has not offered a permanent residence, residential lease or temporary lodging for more than thirty days; or (D) a public or private place not designed for or ordinarily used as a regular sleeping place by human beings; *Id.*
- ^ Uncared for Child: A child or youth (A) who is homeless, (B) whose home cannot provide the specialized care that the physical, emotional or mental condition of the child or youth requires, or (C) who has been identified as a victim of trafficking, as defined in section 46a-170. [Family Law Title]. Conn. Gen. Stat. § 46b-120 (2015).
  - ^ Child: any person under eighteen years of age who has not been legally emancipated and for purposes of family with service needs matters and proceedings, child means a person who is at least seven years of age and is under eighteen years of age. *Id.*
  - ^ Youth: Any person sixteen or seventeen years of age who has not been emancipated. *Id.*

## Delaware

- ^ *Delaware does not define Homelessness or Homeless Youth. The closest definition follows.*
- ^ Dependent Child: A person is responsible for the child but does not have the ability or means to provide for the child and cannot provide the necessary care for the child's physical, emotional, or mental health, or safety and well-being; or the child is living with an adult that is not considered a relative under Delaware law, or the child has been placed with a licensed agency, which certifies that it cannot complete a suitable adoption plan. [Courts and Judicial Procedure Title, Family Court Chapter]. Del. Code. Ann. tit. 10, § 901 (2015).

## District of Columbia

- ^ Homeless: A person who lacks a fixed, regular residence that is safe and lacks the financial means to acquire such housing immediately, including any individual who is fleeing, or attempting to flee domestic violence and has no other residence or access to safe housing. Homeless also means having a primary nighttime residence that is a temporary shelter or

transitional housing or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. [Public Care Systems Chapter]. D.C. Code Ann. § 4-751.01 (2015).

- ^ Homeless Children and Youth: All children and youth under 18 years of age who are living apart from a parent or guardian, excluding those who are in the physical custody of the District, and all youth between the ages of 18 and 24 years of age who are economically or emotionally detached from their families and lack an adequate or fixed residence, including children and youth who are unstably housed, living in doubled up circumstances, in transitional housing, in shelter, or on the street. [Public Care Systems Chapter]. D.C. Code Ann. § 4-753.01.

## Florida

- ^ Homeless or Individual Experiencing Homelessness: an individual who lacks a fixed, regular and adequate nighttime residence, including individuals who are sharing housing with others due to loss of housing or economic hardship; living in motels, hotels, travel trailer parks, or camping grounds; in emergency or transitional shelters; whose primary nighttime residence is not designed for or ordinarily used as regular sleeping accommodations of human being; living in cars, public places, abandoned buildings, train or bus stations etc.; or is a migratory individual living in settings described above. The term does not include those individuals imprisoned pursuant to state or federal law. It does include individuals who have been released from jail, prison, the juvenile justice system, the child welfare system, a mental health or developmental disability facility, a residential addiction treatment program, or a hospital, for whom no residence is identified and lacks the resources necessary to obtain housing. [Social Welfare Title, Housing Chapter]. Fla. Stat. § 420.621 (2015).
- ^ Unaccompanied Homeless Youth: Is an individual that is 16 years of age or older and is certified by a school district's homeless children and youth liaison to be an unaccompanied youth eligible for services pursuant to 42 U.S.C. § 11431-35 or qualified as an unaccompanied homeless youth as defined by 42 U.S.C. § 11434a(2) and certified by the director of a emergency shelter funded by the Department of Housing and Urban Development, director of a runaway or homeless youth center funded by the Department of Health and Human Services, a clinical and licensed social worker, or a circuit court. [Domestic Relations Title, Disability of Nonage Minors Removed]. Fla. Stat. § 743.067 (2015).
- ^ Certified Homeless Youth: A minor who is a homeless child or youth, including an unaccompanied youth, as those terms are defined in 42 U.S.C. § 11434(a), and who has been certified as homeless or unaccompanied by: A school district homeless liaison; the director of an emergency shelter program funded by the United States Department of Housing and Urban Development, or the director's designee; or the director of a runaway or homeless youth basic center or transitional living program funded by the United States Department of Health and Human Services, or the director's designee. [Public Health Title, Vital Statistics Chapter]. Fla. Stat. § 382.002 (2015).
- ^ Children and Youths who are Experiencing Homelessness: Children or youth defined as homeless under 42 U.S.C. § 11434a(2), including children who are sharing housing with others due to loss of housing or economic hardship or similar reasons; children living in motels, hotels, travel trailer parks, or camping grounds; children in emergency or transitional shelters; children abandoned in hospitals; children awaiting foster care placement; children whose primary nighttime residence is not designed for or ordinarily used as regular sleeping accommodations of human being; children living in cars, public places, abandoned buildings, train or bus stations

etc.; or migratory children living in settings described above. [Education Code Title]. Fla. Stat. § 1003.01 (2015).

## Georgia

- ^ Homeless: Persons and families without access or reasonably expected to have access to traditional or permanent housing that can be considered safe, sanitary, decent, and affordable. [Buildings and Housing Title] Ga. Code Ann. § 8-3-301 (2015).

## Hawaii

- ^ Homeless: An individual or family who lacks a fixed, regular, and adequate nighttime residence or an individual or family who has a primary nighttime residence that is shelter that provides temporary living conditions, institution that provides temporary residence, a place not designed for or ordinarily used as sleeping accommodations for human beings. This term does not include any individual imprisoned or otherwise detained under an act of Congress or state law. [Social Services Chapter]. Haw. Rev. Stat. Ann § 346-361 (2015).

## Idaho

- ^ Homeless Child: A child without adequate shelter or other living facilities, and the lack of such shelter or other living facilities poses a threat to the health, safety, or well-being of the child. [Child Protective Act Chapter]. Idaho Code Ann. § 16-1602 (2015) (in context of the Child Protective Act).
  - ^ Child: An individual who is under the age of eighteen (18) years. *Id.*

## Illinois

- ^ Homeless Person or Individual: A homeless person is defined by the McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11302, or 42 U.S.C. 11434a(2). [Illinois Identification Card Act]. 15 Ill. Comp. Stat. Ann. 355/1A (2015) (in context of the Illinois Identification Card Act). An individual's status may be verified as homeless by a human services, legal services, or other worker that has knowledge of the individual's housing status, including but not limited to: a homeless service agency, an attorney licensed to practice in Illinois, a public school homeless liaison or school social worker, or a human services provider, funded by Illinois, to serve homeless or runaway youth, individuals with mental illness, or individuals with addiction. 355/4C.
- ^ Homeless Minor: A person at least 16, but less than 18 years of age who lacks a regular, fixed, and adequate place to live and who desires to participate in a youth transitional housing program, including a minor living in temporary shelter, a minor unable or unwilling to return to a home of a parent. The term does not include a minor in custody of the Department of Children and Families. [Families Chapter, Emancipation of Minors Act]. 750 Ill. Comp. Stat. Ann. 30/3-2.5 (2015).
- ^ Homeless Person, Child, or Youth: Includes, but is not limited to, an individual who lacks a fixed, regular and adequate nighttime place of abode; an individual who has a primary nighttime place of abode that is a supervised, temporary shelter, an institution that provides temporary residence, a place not designed or ordinarily used as a regular sleeping accommodation for human beings. [Schools Chapter]. 105 Ill. Comp. Stat. Ann. 45/1-5 (2015).

- ^ Homeless Youth: Person under 18 years old, found within the state that are not in a safe and stable living situation and cannot be reunited with their families. 20 Ill. Comp. Stat. Ann. 505/5 (2015) (in context of Children and Family Services Act).
- ^ Homeless Family: A family that lacks a fixed, regular, and adequate nighttime residence or a family that has a primary nighttime residence that is a temporary shelter, including welfare hotels, congregate shelters, and transitional housing for the mentally ill; an institution that provides a temporary residence for individuals intended to be institutionalized, or a place not designed for, or ordinarily used as, a regular sleeping accommodation. [Housing Chapter]. 310 Ill. Comp. Stat. Ann. 85/10 (2015).

## Indiana

- ^ Homeless Child: A minor who lacks fixed, regular, and adequate nighttime residence, including a child who shares a house with others because of loss of housing or economic hardship or a similar reason; lives in a hotel, motel, or campground due to the lack of alternative adequate accommodations; lives in an emergency or transitional shelter; is abandoned in a hospital or other place not intended for general habitation; is awaiting foster care placement; a child whose primary nighttime residence is a place not designed for or used as a regular sleeping accommodation for human beings' a child who lives in a car, park, abandoned building, bus station, substandard housing, or a similar situation; or a migratory child. [Education Title]. Ind. Code Ann. § 20-50-1-1 (2015).
- ^ Homeless Student: Includes students awaiting placement in foster care, but not a student who is already in foster care. [Education Title]. Ind. Code Ann. § 20-27-12-0.5 (2015).
- ^ Runaway or Homeless Youth: An individual who is at least 12, but less than 18, years old, unemancipated, mentally competent, and either has a primary nighttime residence that is a not designed for or ordinarily used as a regular sleeping accommodation for human beings or are living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or similar settings. 42 U.S.C. § 11434a(2)(B)(ii)-(iii). [Civil Procedure Title, Immunity for Youth Shelters Chapter]. Ind. Code Ann. § 34-30-25-2 (2015).

## Iowa

- ^ Homeless Person: who lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is a supervised temporary shelter, an institution that provides a temporary residence, or place not designed or ordinarily used as a regular sleeping accommodation for human beings. [Voter Registration Chapter]. Iowa Code § 48A.2 (2015).

## Kansas

- ^ Homeless Child: A child who lacks a fixed, regular, and adequate nighttime residence and whose primary nighttime residence is either a supervised temporary shelter (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); an institution that provides a temporary residence; or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. [Schools Chapter]. Kan. Stat. Ann. § 72-1046 (2015).
- ^ Homeless Children: Means homeless children and youth as defined in 42 U.S.C. § 11434a. [Schools Chapter]. Kan. Stat. Ann. § 72-962 (2015).

## Kentucky

- ^ Homeless Individual: A person who lacks a fixed, regular, or adequate nighttime residence; is at risk of becoming homeless because the residence is not safe, decent, sanitary, or secure; has a primary night time residence that is a temporary shelter, or not designed or ordinarily used as a regular nighttime sleeping accommodation for human beings; is a family or a person who does not have access to normal accommodations due to violence or the threat of violence from a cohabitant. [Economic Security and Public Welfare Title]. Ky. Rev. Stat. Ann. § 198A.700 (2015).

## Louisiana

- ^ Homeless: Lacking a fixed, regular, and adequate nighttime residence. For purposes of access to childcare for homeless families, children and youth experiencing the conditions outline in 42 U.S.C. § 11434a are included in the term “homeless.” [Public Welfare and Assistance Title]. La. Rev. Stat. Ann. § 46:1443.1 (2014).
- ^ Homeless Youth: A person under the age of 21, without a place of shelter where supervision and care are available. [Runaway and Homeless Youth Law]. La. Rev. Stat. Ann. § 46:1352 (2014).

## Maine

- ^ Homeless: A person or family that lacks, or is in imminent danger of losing legal access to a fixed, regular, and adequate nighttime residence; or a person or family that has a primary nighttime residence that is a supervised temporary shelter, including welfare hotels and transitional housing for people with mental illness or substance abuse problems, an institution that provides temporary residence, or a place not designed for or ordinarily used as a regular sleeping accommodation for human beings. [Affordable Housing Partnership Chapter]. Me. Rev. Stat. Ann. Tit. 30-A, § 5002 (2015).
- ^ Homeless Student: A person eligible to attend elementary or secondary school who lacks a fixed, regular, and adequate nighttime residence; is a child or youth who is sharing the house of other person due to loss of housing or economic hardship or similar reason; is living in a hotel, motel, trailer park, or camping ground; is living in an emergency or transitional shelter; is abandoned in a hospital; or is awaiting foster care placement; who is living in a car, park, abandoned building, substandard housing, bus or train station; who has a primary nighttime residence that is not designed for or ordinarily used as a regular sleeping accommodation for human beings; who is a migratory child. [Education Title]. Me. Rev. Stat. Ann. Tit. 20-A, § 1 (2015).
- ^ Homeless Youth: A person 21 years old or younger, who is unaccompanied by a parent or guardian and is without shelter and appropriate care and supervision, whose parent or guardian is unable or unwilling to provide shelter and care, or who lacks a fixed, regular, and adequate nighttime residence. The term does not include a person incarcerated or otherwise detained under state or federal law. [Health and Welfare Title]. Me. Rev. Stat. Ann. Tit. 22, § 4099-D (2015).
  - ^ Fixed, adequate, and nighttime residence: A dwelling at which a person resides on a regular basis that adequately provides safe shelter. It does not include an institutional temporary shelter; transitional housing; temporary placement with a friend or family member who has not offered a permanent residence, residential lease or temporary lodging for more than 30 day; or a place not designed for or ordinarily used as a regular sleeping accommodation for human beings. *Id.*

## Maryland

- ^ Unaccompanied Homeless Youth: A homeless youth, not in the physical custody of a parent or guardian, as defined by 42 U.S.C. § 11434a. Md. Code Ann. [Educ.] § 8-412 (2015).
- ^ Homeless: Lacking a fixed, regular, and adequate nighttime residence; or having a primary nighttime residence that is a supervised temporary shelter or a place not designed for or ordinarily used as a regular sleeping accommodation for human beings. Md. Code Ann. [Crim. Law] § 10-301 (2015).

## Massachusetts

- ^ Unaccompanied homeless youth: A person 24 years of age or younger who is not in the physical custody or care of a parent or legal guardian and who lacks a fixed, regular nighttime residence; provided, however, that “unaccompanied homeless youth” shall not include a person incarcerated or otherwise detained under federal or state law. [Commission for the study and making of recommendations relative to services for unaccompanied homeless youth]. Mass. Ann. Laws ch. 6, § 16W (2015).

## Michigan

- ^ Homeless Child: (1) A district shall allow a homeless child who is residing in the district to enroll in the district in accordance with state law and with subtitle B of title VII of the Stewart B. McKinney homeless assistance act, Public Law 100-77, 42 U.S.C. 11431 to 11435. (2) As used in this section, “homeless child” means a school-age child who is homeless, as defined in section 103 of title I of Public Law 100-77, 42 U.S.C. 11302, or who is the child of a homeless individual, as defined in 42 U.S.C. 11302. [Schools and School Aid Chapter]. Mich. Comp. Laws Serv. § 388.1763a (2015).

## Minnesota

- ^ Homeless Individual or Person: An individual who lacks a fixed, regular, and adequate nighttime residence, and an individual who has a primary nighttime residence that is a supervised temporary shelter; an institution that provides temporary residence; a place not designed for or ordinarily used as a regular sleeping accommodation for humans. The term does not include an individual imprisoned or otherwise detained under federal or state law. [Workforce Development Chapter, Youth Employment]. Minn. Stat. § 116L.361 (2015).
- ^ Long-term Homelessness: Lacking a permanent place to live continuously for one year or more or at least four times in the past three years. [Services for Homeless Families and Youth Chapter]. Minn. Stat. § 256K.26 (2015).
- ^ Homeless Youth: A person 24 years or younger, unaccompanied by a parent or guardian, without appropriate shelter, care, and supervision, whose parent is unable or unwilling to provide shelter and care, or who lacks a fixed, regular, and adequate nighttime residence. The following are not fixed, regular or adequate night time residences: supervised temporary shelter; institution that provides temporary accommodations; transitional housing; a temporary placement with a peer, friend, or family member that has not offered permanent residence, a residential lease, or temporary lodging for more than 30 days; or a place not designed for or ordinarily used as a regular sleeping accommodation for humans. The term does not contain persons incarcerated or otherwise detained under federal or state law. Services for Homeless Families and Youth Chapter]. Minn. Stat. § 256K.45 (2015).

- ^ Youth at Risk of Homelessness: A person 24 years or younger whose status or circumstances indicate a significant danger of experiencing homelessness. Indications include: youth exiting out-of-home placements; youth who previously were homeless; youth whose parents or primary caregivers are or were previously homeless; youth who are exposed to abuse and neglect in their homes; youth who experience conflict with parents due to chemical or alcohol dependency, mental health disabilities or other disabilities; and runaways. Services for Homeless Families and Youth Chapter]. Minn. Stat. § 256K.45 (2015).

## Mississippi

- ^ *Mississippi does not define Homelessness or Homeless Youth. The closest definition follows.*
- ^ Neglected Child: A child: (i) Whose parent, guardian or custodian or any person responsible for his care or support, neglects or refuses, when able so to do, to provide for him proper and necessary care or support, or education as required by law, or medical, surgical, or other care necessary for his well-being; (ii) Who is otherwise without proper care, custody, supervision or support; or (iii) Who, for any reason, lacks the special care made necessary for him by reason of his mental condition, whether the mental condition is having mental illness or having an intellectual disability; or (iv) Who, for any reason, lacks the care necessary for his health, morals or well-being. [Public Welfare Title, Youth Court Chapter] Miss. Code Ann. § 43-21-105 (2015).
  - ^ Child: A person who has not reach his eighteenth birthday. *Id.*

## Missouri

- ^ Homeless: An involuntary state characterized by a lack of habitable housing or shelter. [Homeless Assistance Program]. Mo. Rev. Stat. § 67.1062 (2015).
- ^ Homeless Child or Youth: A person less than 21 years of age who lacks a fixed, regular, and adequate nighttime residence, including a child or youth who is sharing the housing of other people because of loss of housing or economic hardship or a similar reason; is living in motels, hotels, or camping grounds; is living in emergency or transitional shelters; is abandoned in hospitals; or is awaiting foster care placement; has a primary night time residence that is not designed for or ordinarily used as a regular sleeping accommodation for human beings; is living in cars, parks, abandoned buildings, substandard housing, bus or train stations etc.; or is a migratory child or youth. [Education and Libraries Chapter]. Mo. Rev. Stat. § 167.020 (2015).

## Montana

- ^ Homeless Child: A child defined as homeless under the Stewart B. McKinney Homeless Assistance Act [Public Law 100-77]. [Education Title]. Mont. Code Ann. § 20-5-101 (2015).

## Nebraska

- ^ Homeless Individual: Persons who lack a fixed, regular, and adequate nighttime residence and who are living in a publicly or privately subsidized hotel, motel, shelter, or other temporary living quarters or any place not designated for or ordinarily used as regular sleeping accommodations for human beings. The term does not include individuals in prison or detained pursuant to state or federal law. [Public Assistance Chapter]. Neb. Rev. Stat. Ann. § 68-1062 (2014).

## Nevada

- ^ Homeless Child: A child who is in the legal or physical custody of an agency which provides child welfare services and is awaiting foster care placement shall be deemed to be homeless for the purposes of the federal McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. § 11301. [Public Welfare Title]. Nev. Rev. Stat. Ann. § 432B.135 (2014).
- ^ Runaway or Homeless Youth: A youth who is under 18 years of age and lives in a situation described in 42 U.S.C. § 11434a(2)(B)(ii)-(iii): has a primary nighttime residence that is a not designed for or ordinarily used as a regular sleeping accommodation for human beings or are living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or similar settings; with or without the consent or knowledge of his or her parent, guardian, or custodian. [Approved Youth Shelters]. Nev. Rev. Stat. Ann. § 244.424 (2014).
  - ^ Youth: 12 years of age or older, unemancipated, and legally competent. [Approved Youth Shelters]. Nev. Rev. Stat. Ann. § 244.426.

## New Hampshire

- ^ Homeless Children and Youths: Individuals who lack a fixed, regular, and adequate nighttime residence, including children and youths who are sharing housing of others 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; are awaiting foster care placement; have a primary nighttime residence that is a place not designed for or ordinarily used as a regular sleeping accommodation for human beings; are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or migratory as defined by 20 U.S.C. § 6399, who qualify as homeless because they are living in conditions described above. [Education Title]. N.H. Rev. Stat. Ann. § 193:12 (2015).
- ^ Homeless Prevention Fund: The fund shall be administered in a way that prioritizes households that include a minor child or children and the household is homeless or at risk of homelessness due to severe rent burden. Minor means a person under 18 years of age. [Housing and Redevelopment Title]. N.H. Rev. Stat. Ann. § 204-C:81 (2015).

## New Jersey

- ^ Homeless Person: An individual living outside, or in a building not meant for human habitation or which the person has no legal right to occupy, in an emergency shelter, or in a temporary housing program which may include a transitional and supportive housing program if habitation time limits exist, or temporarily in the home of another household, or in a motel. [Department of Community Affairs Chapter]. N.J. Rev. Stat. § 52:27D-287c (2015).
- ^ Homeless Person: A person without a domicile who is unable to secure permanent and stable housing as determined by the commissioner of the New York Department of Social Services and the New Jersey Commissioner of Community Affairs. [Interstate and Port Authorities Commission Title]. N.J. Rev. Stat. § 32:32-2 (2015).
- ^ Homeless Youth: A person 21 years or younger who is without shelter where appropriate care and supervision are available. [Children's Shelter Chapter]. N.J. Rev. Stat. § 9:12A-4 (2015).
- ^ Runaway or Homeless Youth: A person under the age of 18, who is absent from his legal residence without the consent of his parents or legal guardian, or who is without a place of shelter where supervision and care are available. [Public Moneys and Financial Statements Chapter]. N.J. Rev. Stat. § 40:5-2.10b (2015).

## New Mexico

- ^ *New Mexico does not define Homelessness or Homeless Youth. The closest definition follows.*
- ^ Neglected Child: A child:(1) who has been abandoned by the child's parent, guardian or custodian; (2) who is without proper parental care and control or subsistence, education, medical or other care or control necessary for the child's well-being because of the faults or habits of the child's parent, guardian or custodian or the failure or refusal of the parent, guardian or custodian, when able to do so, to provide them; (3) who has been physically or sexually abused, when the child's parent, guardian or custodian knew or should have known of the abuse and failed to take reasonable steps to protect the child from further harm; (4) whose parent, guardian or custodian is unable to discharge that person's responsibilities to and for the child because of incarceration, hospitalization or physical or mental disorder or incapacity. [Children's Code]. N.M. Stat. Ann. § 32A-4-2 (2015)

## New York

- ^ Homeless Person: An undomiciled person who is unable to secure permanent and stable housing without special assistance, as determined by the commissioner. [Homeless Housing and Assistance Program Title]. N.Y. Soc. Serv. Law § 42 (2015).
- ^ Homeless Child: [Effective until June 30, 2016] A child or youth who lacks a fixed, regular, and adequate night-time residence, including a child or youth who is: (i) sharing the housing of other persons due to a loss of housing, economic hardship or a similar reason; (ii) living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; (iii) abandoned in hospitals; (iv) awaiting foster care placement; or (v) a migratory child, as defined in subsection two of section thirteen hundred nine of the Elementary and Secondary Education Act of 1965,<sup>1</sup> as amended, who qualifies as homeless under any of the provisions of clauses (i) through (iv) of this subparagraph or subparagraph two of this paragraph; or a child or youth who has a primary nighttime location that is: (i) a supervised publicly or privately operated shelter designed to provide temporary living accommodations including, but not limited to, shelters operated or approved by the state or local department of social services, and residential programs for runaway and homeless youth established pursuant to article nineteen-H of the executive law; or(ii) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train stations or similar setting. N.Y. Educ. Law § 3209 (2015).
  - ^ [Effective June 30, 2016] A child who lacks a fixed, regular, and adequate nighttime residence; or a child who has a primary nighttime location that is a temporary shelter, including shelters operated by or approved by the state or local department of social services, and residential programs for runaway and homeless youth, or a place not designed for or ordinarily used as a regular sleeping accommodation for human beings including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train stations or similar setting. N.Y. Educ. Law § 3209 (2015).
- ^ Homeless Children: A person as defined by N.Y. Educ. Law § 3209, over the age of 5 and under the age of 21, who has not received a high school diploma, shall be entitled to attend a public school without the payment of tuition. N.Y. Educ. Law § 3202 (2015).

- ^ Homeless Youth: A person under the age of 21 who is in need of services and is without a place of shelter where supervision and care are available. [Runaway and Homeless Youth Act]. N.Y. Exec. Law § 532-a (2015).

### North Carolina

- ^ Homeless: Individuals who lack a fixed, regular, and adequate nighttime residence or are included in the definition of homeless children and youths in the McKinney-Vento Homeless Education Assistance Improvements Acts of 2001. The term does not include persons who are imprisoned or otherwise detained pursuant to federal or State law. [Elementary and Secondary Education Chapter]. N.C. Gen. Stat. § 115C-366 (2015).
- ^ Unaccompanied Youth: Youths who are not in the physical custody of a parent or guardian as defined in the McKinney-Vento Homeless Education Assistance Improvements Act of 2001. *Id.*

### North Dakota

- ^ Homeless Child: A homeless individual as described in the Stewart B. McKinney Homeless Assistance Act [Pub. L. 100-77, section 103(a); 42 U.S.C. § 11302] and as defined in rules adopted by the superintendent of public instruction. [Elementary and Secondary Education Title]. N.D. Cent. Code § 15.1-19-08 (2015).

### Ohio

- ^ Homeless Children: Defined as homeless children and youth under the McKinney-Vento Homeless Assistance Act [42 U.S.C. § 11434a.]. [Education—Libraries Title]. Ohio Rev. Code Ann. § 3323.01 (2015).

### Oklahoma

- ^ Homeless Individual or Family: Any person who lacks a fixed, regular, and adequate nighttime residence, or has as a primary nighttime residence a temporary shelter, or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings—including those families and persons who do not have access to normal accommodations as a result of violence or a threat of violence from a cohabitant, or is in imminent danger of becoming homeless. [Oklahoma Homeless Prevention Act]. Okla. Stat. tit. 74, § 2900.1 (2015).

### Oregon

- ^ Homelessness: The lack of a decent, safe, stable and permanent place to live that is fit for human habitation. [Public Health and Safety Title]. Or. Rev. Stat. § 458.528 (2015).
- ^ Runaway and Homeless Youth: Not defined but specifies categories of ages (0-17 and 18-20) to organize policies and services... [Human Services; Juvenile Code; Corrections Title]. Or. Rev. Stat. § 417.799 (2015).

### Pennsylvania

- ^ Homeless Children and Youth: An individual who lacks a fixed, regular, and adequate nighttime residence. This term includes children and youth in any of the following: who are sharing the housing of another person due to loss of housing, economic hardship, or a similar reason; who are living in a hotel, motel, trailer park, or camping ground due to the lack of alternative adequate accommodations; who are living in an emergency or transitional shelter; who are abandoned in a hospital; who are awaiting foster care placement; who have a primary

nighttime residence that is a place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or who are living in a car, park, public space, abandoned building, substandard housing, bus or train station or similar setting. Migratory children qualify as homeless if the child is living in one of the above circumstances. [P.S. Children Title]. 11 Pa. Cons. Stat. § 875-103 (2015).

### Rhode Island

- ^ *Rhode Island does not define Homelessness or Homeless Youth. The closest definition follows.*
- ^ Wayward Child: child means and includes any child who has deserted his or her home without good or sufficient cause. [Delinquent and Dependent Children Chapter]. R.I. Gen. Laws § 14-1-3 (2015).

### South Carolina

- ^ Homeless Child: Homeless as defined in the McKinney-Vento Homeless Assistance Act [Public Law 100-77]. [Education Title]. S.C. Code Ann. § 59-63-31 (2015).
- ^ Homeless: For purposes of housing, South Carolina follows the HUD definition of homelessness. [Housing and Redevelopment Title]. S.C. Code Ann. § 31-22-20 (2015).

### South Dakota

- ^ *South Dakota does not define Homelessness or Homeless Youth. The closest definition follows.*
- ^ Abused or Neglected Child: A child who is homeless, without proper care, or not domiciled with the child's parent, guardian, or custodian through no fault of the child's parent, guardian, or custodian. [Minor's Title, Protection of Children from Abuse or Neglect Chapter]. S.D. Codified Laws § 26-8A-2 (2015).

### Tennessee

- ^ *Tennessee does not define Homelessness or Homeless Youth. The closest definition follows.*
- ^ Runaway: Any person under eighteen (18) years of age who is away from the home or residence of such person's parents or guardians without such parents' or guardians' consent. [Juvenile Title]. Tenn. Code Ann. § 37-2-502 (2015).

### Texas

- ^ *Texas does not define Homelessness as its own term. The closest definition follows.*
- ^ Homeless Shelter: A shelter or other facility to provide temporary living accommodations to individuals who lack a fixed regular and adequate residence. Tex. Alco. Bev. Code Ann. § 109.36 (2015).

### Utah

- ^ Person who is Homeless: An individual whose primary nighttime residence is a permanent housing, permanent supportive, or transitional facility: in other words, a facility located within the state, that provides supervision of residents of the facility, and that is a temporary shelter including welfare hotel, congregate shelter, or transitional housing for the mentally ill and that receives federal homeless assistance funding distributed by the United States Department of Housing and Urban Development, or an emergency shelter that receives homeless assistance funding from a county, a city, or a town. [Training and Workforce Improvement Act]. Utah Code Ann. § 35A-5-302 (2014).

## Vermont

- ^ A Child of Homeless Parents: A child whose parents lack a fixed, regular, and adequate residence; or have a primary nighttime residence in a temporary shelter such as public assistance hotels, emergency shelters, battered women's shelters, and transitional housing facilities, or a place not designed for or ordinarily used as a regular sleeping accommodation for human beings. [Education Title]. Vt. Stat. Ann. tit. 16, § 1075 (2015).

## Virginia

- ^ Homeless Person: Persons who resided in a domestic violence shelter or homeless shelter at any time during the 12 months preceding the lease terms. [Taxation Title]. Va. Code Ann. § 58.1-339.9 (2015).
- ^ Homeless Child or Youth: A person who lacks a fixed, regular, and adequate nighttime residence; including children and youths and unaccompanied youths who are not in the physical custody of their parents who are (a) sharing the housing of other persons due to loss of housing, economic hardship, or other causes; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations or in emergency, congregate, temporary, or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; (b) are living in an institution as a temporary residence for individuals with mental illness; (c) have a primary nighttime residence that is a place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or (d) are living in parked cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and migratory children who are deemed homeless because they are living in the above listed conditions. [Education Title]. Va. Code Ann. § 22.1-3 (2015).

## Washington

- ^ Child, Juvenile, Youth, and Minor: Any unemancipated individual who is under the chronological age of eighteen years. PREVENTION AND PROTECTION—HOMELESS YOUTH, 2015 Wash. Legis. Serv. Ch. 69 (S.S.S.B. 5404) (WEST).
- ^ Homeless: Without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415, Title III, September 7, 1974, 88 Stat. 1129. *Id.*
- ^ Street Youth: A person under the age of eighteen who lives outdoors or in another unsafe location not intended for occupancy by the minor and who is not residing with his or her parent or at his or her legally authorized residence. *Id.*
- ^ Unaccompanied: A youth or young adult experiencing homelessness while not in the physical custody of a parent or guardian. *Id.*
- ^ Young Adult: A person between eighteen and twenty-four years of age. *Id.*
- ^ Homeless Person: An individual living outside or in a building not meant for human habitation or which they have no legal right to occupy, in an emergency shelter, or in a temporary housing program, which may include a transitional and supportive housing program if habitation time limits exist. This definition includes substance abusers, people with mental illness, and sex offenders who are homeless. [Homeless Housing and Assistance]. Wash. Rev. Code Ann. § 43.185C.010 (2015).

## West Virginia

- ^ Homeless Child: A child who lacks a fixed, regular, and adequate nighttime residence; or a child whose primary nighttime residence is a temporary shelter, including welfare hotels, congregate shelters, and transitional housing for the mentally ill; an institution that provides for individuals intended to be institutionalized; a place not designed for or ordinarily used as a regular sleeping accommodation for human beings. The term does not include any individual imprisoned or otherwise detained pursuant to an act of Congress or a state law. [Education Chapter]. W.Va. Code Ann. § 18-8A-1 (2015).

## Wisconsin

- ^ Homeless Individual: Has the meaning given in 42 USCS § 11302. [Social Services Chapter]. Wis. Stat. § 46.28 (2015).
- ^ Homeless Family: A family that must leave its current housing because it is uninhabitable as determined by a local building inspector, a local health department, or another appropriate local authority; the family is facing a financial crisis that makes it very difficult for the family to make a rent payment, mortgage payment or property tax payment and the family has been notified that it will be required to leave its current housing if it does not make that payment immediately; the family has a current residence that is a temporary shelter such as a motel, hotel, shelter facility or transitional shelter facility; a member of the family was a victim of domestic abuse; the family is without a fixed, regular, and adequate nighttime residence; or the family is living in a place not designed for or ordinarily used as a regular sleeping accommodation. [Social Services Chapter]. Wis. Stat. § 49.138 (2015).
- ^ Homeless Pupil: an individual who is included in the category of homeless children and youths, as defined in 42 USC 11434a (2). [Schools Chapter]. Wis. Stat. § 118.51 (2015).

## Wyoming

- ^ *Wyoming does not define Homelessness or Homeless Youth. The closest definition follows.*
- ^ Neglect: A failure or refusal by those responsible for the child's welfare to provide adequate care, maintenance, supervision, education or medical, surgical or any other care necessary for the child's well-being. [Children Title, Protection Chapter]. Wyo. Stat. Ann. § 14-3-202 (2015).

## American Samoa

- ^ *American Samoa does not define Homelessness or Homeless Youth.*

## Guam

- ^ Homeless: Families or individuals who are economically disadvantaged and have no access to shelter. [Health and Safety]. Guam Code Ann. tit. 10 § 17101 (2014).

## Northern Marianas

- ^ *Northern Marianas does not define Homelessness or Homeless Youth.*

## Puerto Rico

- ^ Homeless Persons or Population: Also commonly known as street dwellers, includes all persons who: (1) do not have (a) the fixed, regular or adequate home in which to live or stay at night; or (2) whose home is: (a) publicly or privately supervised housing designed to provide emergency or transitory shelter, including those institutions devoted to providing transitory shelter for

persons with mental health conditions or other special-need groups and who originally live on the streets; (b) an institution which provides temporary shelter to those individuals on the process of being de-institutionalized; (c) a public or private place not designed and not suitable for human habitation or ordinarily used for human beings; (d) a room, including the living room, of a private residence, to be used on a temporary basis as a shelter, an made available as a charitable act, on the condition that said use is to be short-termed and may be terminated at any time, with or without prior notice. The term also includes all persons that fall under the definition of homeless in the Stewart B. McKinney-Vento Homeless Assistance Act. [Public Welfare and Charitable Institutions]. P.R. Laws Ann. tit. 8, § 1006 (2011).

## Virgin Islands

^ *Virgin Islands does not define Homelessness or Homeless Youth*

# ANALYSIS OF STATE DEFINITIONS OF HOMELESSNESS AND HOMELESS YOUTH

ISSUE	STATES	NOTES
<b>GENERAL</b>		
<i>No Definition of Homelessness or Homeless Youth, Child, Minor or Student</i>	Alabama, Alaska, Arkansas, Delaware, Mississippi, New Mexico, Oregon, Rhode Island, South Dakota, Tennessee, Wyoming, [American Samoa, Northern Marianas, Virgin Islands]	
<i>Definition of Homeless Youth, Child or Minor</i>	Arizona, California, Colorado, Connecticut*, District of Columbia, Florida, Idaho, Illinois, Indiana, Kansas, Louisiana, Maine, Massachusetts, Maryland, Michigan, Minnesota, Missouri, Montana, Nevada, New Hampshire, New Jersey, New York, North Carolina*, North Dakota, Ohio, Pennsylvania, South Carolina, Vermont*, Virginia, Washington, West Virginia	*Connecticut also defines “uncared for child” which includes homeless children. *North Carolina defines Unaccompanied Youth. *Vermont defines “a child of homeless parents.”
<i>Definition of Homelessness but no definition of Youth, Child or Minor</i>	Georgia, Hawaii, Iowa, Kentucky, Nebraska, Oklahoma*, Texas*, Utah, Wisconsin*, [Guam, Puerto Rico]	*Oklahoma defines homeless family but not youth or child. *Wisconsin defines homeless family and pupil but not youth or child. *Texas defines homeless as lacking fixed regular and adequate housing within the definition of “Homeless Shelter.”
<i>Definition of Homeless Youth, Child or Minor but no definition of Homeless Person</i>	Arkansas, Colorado, Idaho, Indiana, Kansas, Massachusetts, Michigan, Montana, Nevada, New Hampshire, North Dakota, Ohio, Pennsylvania, Vermont*, West Virginia	*Vermont defines “a child of homeless parents.”

CONTENT AND CONTEXT OF DEFINITION		
<i>General definition of Homeless that refers to Youth, Children or Minors</i>	-Florida: Homeless includes those released from the juvenile system and the child welfare system. -Louisiana: Homeless includes homeless children as defined by McKinney-Vento 11434a -North Carolina: Homeless includes homeless children as defined by McKinney-Vento 11434a	
<i>Only a definition of homeless Youth, Child or Minor in the context of education</i>	Kansas, Maryland, Michigan, Missouri, Montana, New Hampshire*, North Carolina, North Dakota, Ohio, South Carolina, Vermont, Virginia, West Virginia, Wisconsin	*New Hampshire also mentions, but does not define, children in homeless households, in context of NH homeless prevention fund.
<i>Definition of Homeless Family or Definition of Homeless Family Included in definition of Homeless, but no specific mention of Youth, Child or Minor</i>	California, Georgia, Hawaii, Illinois, Kentucky, Louisiana, Maine, Oklahoma, Wisconsin, [Guam]	
<i>Definition of Homeless mentions legal rights or access</i>	Maine, New Jersey, Washington	
<i>Definition of Homeless mentions violence or domestic violence</i>	District of Columbia, Kentucky, Oklahoma, Virginia	
<i>Definition of Homeless mentions safety or stability</i>	Connecticut, District of Columbia, Georgia, Idaho*, Illinois, Kentucky, Maine, Oregon, Washington	*Idaho's definition of Homeless Child requires that the lack of shelter of living facilities is a threat to the child's safety rather than recognize that the shelter itself may be unsafe.
<i>Definition of Homeless Youth, Child or Minor mentions physical custody</i>	California, Connecticut, Maryland, Nevada, Virginia, Washington,	
<i>Definition of Homeless Child or Minor specifies age</i>	-Arizona: Homeless Minor is under 18. -Idaho: Homeless Child is under 18. -Illinois: Homeless Minor is at least 16, but under 18. * -Missouri: Homeless Child or Youth is under 21. -New York: Homeless Child is over 5, but under 21. -Washington: Homeless Child, Juvenile, Youth or Minor is under 18.	*Illinois definition is in context of Emancipation of Minors Act

<p><i>Definition of Homeless Youth specifies age</i></p>	<ul style="list-style-type: none"> <li>-California: Homeless Youth is 24 or younger, or emancipated and under 18.</li> <li>-Colorado: Homeless Youth is at least 11, but under 21.</li> <li>-Connecticut: Homeless Youth is at least 15, but under 18, OR under 21. *</li> <li>-Florida: Homeless Youth is 16 or older.</li> <li>-Illinois: Homeless Youth is under 18.</li> <li>-Indiana: Homeless Youth is at least 12, but under 18.</li> <li>-Louisiana: Homeless Youth is under 21.</li> <li>-Maine: Homeless Youth is 21 or younger.</li> <li>-Massachusetts: Homeless Youth is 24 or younger.</li> <li>-Minnesota: Homeless Youth is 24 or younger.</li> <li>-Missouri: Homeless Child or Youth is under 21</li> <li>-Nevada: Homeless Youth is under 18, but Youth is older than 12.</li> <li>-New Jersey: Homeless Youth is 21 or younger OR under 18. *</li> <li>-New York: Homeless Youth is under 21.</li> <li>-Oregon: Homeless Youth is 20 and under. *</li> <li>-Washington: Homeless Child, Juvenile, Youth or Minor is under 18 and Young Adult is between 18 and 24.</li> </ul>	<p>*Connecticut: for statistics 15 to under 18, for RHY services under 21.</p> <p>*New Jersey: for shelters 21 or younger, for funds for RHY programs under 18,</p> <p>*Oregon Juvenile Code within Human services does not define Homeless Youth but does specify age groups for policy and service,</p>
<p><i>Definition of Homeless Youth, Child or Minor mentions parent, custodian or guardian</i></p>	<p>Arizona, California, Connecticut, Illinois, Maine, Massachusetts, Maryland, Minnesota, Nevada, New Jersey, Vermont, Virginia, Washington,</p>	
<p><i>Doubled Up or Sharing Others' Housing is part of Homeless definition outside of education</i></p>	<ul style="list-style-type: none"> <li>-California: Homeless child or youth includes sharing housing because loss of housing or economic hardship or similar reason</li> <li>-Connecticut: Homeless youth includes residing in a temporary placement with a peer, friend or family member who has not offered a permanent residence, residential lease or temporary lodging for more than thirty days</li> <li>-District of Columbia: Homeless children and youth includes living in doubled up circumstances</li> <li>-Florida: Homeless includes sharing housing with others due to loss of housing or economic hardship or similar reasons</li> <li>-Maine: Homeless youth includes in a temporary placement with a peer, friend or family member who has not offered a permanent residence, residential lease or temporary lodging for more than thirty days; Homeless student includes sharing housing because loss of housing or economic hardship or similar reason</li> </ul>	

	<ul style="list-style-type: none"> <li>-Minnesota: Homeless youth includes those in temporary placement with a peer, friend or family member who has not offered a permanent residence, residential lease or temporary lodging for more than thirty days</li> <li>-Pennsylvania: Homeless child or youth if sharing housing because loss of housing or economic hardship or similar reason</li> </ul>	
<i>Definition of Homeless mentions exiting foster care, juvenile justice or child welfare</i>	<ul style="list-style-type: none"> <li>-California: Homeless youth includes those no longer eligible for foster care based on age</li> <li>-Florida: Homeless includes individuals who have been released from the juvenile justice system or the child welfare system</li> </ul>	
<i>Definition of Homeless includes those Awaiting Foster Care Placement</i>	<ul style="list-style-type: none"> <li>-Colorado: Homeless child includes those awaiting foster care placement</li> <li>-Florida: Homeless child or youth includes those awaiting foster care placement</li> <li>-Indiana: Homeless child/student includes those awaiting foster care placement.</li> <li>-Maine: Homeless student includes those awaiting foster care placement</li> <li>-Missouri: Homeless child or youth includes those awaiting foster care placement</li> <li>-Nevada: Homeless child includes those awaiting foster care placement</li> <li>-New Hampshire: Homeless child or youth includes those awaiting foster care placement</li> <li>-Pennsylvania: Homeless child or youth includes those awaiting foster care placement</li> <li>-Virginia: Homeless child or youth includes those awaiting foster care placement</li> </ul>	

<b>RELATIONSHIP TO FEDERAL DEFINITIONS</b>		
<i>Cites McKinney Vento Definition 11434a (or 11434a AND 11302)</i>	<ul style="list-style-type: none"> <li>-California: Cites 11434a for services to homeless</li> <li>-Florida: Cites 11434a for education</li> <li>-Illinois: Cites 11434a for Illinois identification cards.</li> <li>-Montana: Cites public law 100-77 for education [11434a].</li> <li>-Nevada: Cites 11434a(2)(b)(ii)-(iii) for immunity of civil liability for youth shelters</li> <li>-North Carolina: Cites McKinney-Vento Homeless Education Assistance Improvements Acts of 2001 [11434a].</li> <li>-Ohio: Cites 11434a for education</li> </ul>	

	<p>-South Carolina: Cites to public law 100-77 for education [11434a].</p> <p>-Washington: Cites to PL 100-77 and RHYA for Homeless Youth statute.</p> <p>-Puerto Rico: Cites to McKinney-Vento Homeless Assistance Act for public welfare/homeless assistance.</p> <p>-Wisconsin: Cites to 11434a to define homeless pupil for education.</p>	
<i>Cites ONLY McKinney Vento Definition 11302 within education</i>	<p>-Michigan: Cites 11302 to define homeless child in education. *</p> <p>-North Dakota: Cites 11302 to define homeless child in education.</p>	*Within the statute Michigan cites to 11434a but defines homeless child under 11302.
<i>Adopts 11434 language without a cite, within education</i>	Indiana, Maine, Missouri, New Hampshire, Virginia, <i>New York until 06/2016</i>	
<i>References HUD</i>	Connecticut, Florida, South Carolina, Utah	

## SUMMARY OF FINDINGS

\* When computing percentages and referring to “states” in this summary we are including the District of Columbia and U.S. territories.

- 25% of states have no statutory definition of homelessness or of homeless youth, child or minor.
- About 20% of states have a statutory definition of homelessness or homeless family, but no definition of homeless youth, child or minor.
- Just over 28% of states define Homeless Youth by age, but the variation is vast:
  - 4 states define Homeless Youth as 24 or younger;
  - 2 states define Homeless Youth as 21 or younger;
  - 6 states define Homeless Youth as under 21;
  - 3 states define Homeless Youth as under 18; and
  - 1 S state defines Homeless Youth as 16 or older.
- 12.5% of states use statutory language to include being “doubled up” in their definitions of homelessness outside of their educational definitions.
- 16% of States codified Youth Awaiting Foster Care Placements in their definitions of Homeless Child or Youth.
- Just over 28% of states either cite to, or adopt, the language of the McKinney-Vento Act’s educational provisions in their definitions of Homeless Children and Youth; though the purposes for doing so vary:
  - 10 states cite or adopt the language for educational services;

- 4 states cite the language for homeless services generally;
  - 1 state cites the language for services to aid in obtaining identification cards; and
  - 1 state cites the language when providing immunity from civil liability for youth shelters.
- Almost 11% of states either reference the Department of Housing and Urban Development (HUD), or adopt language from the HEARTH Act (which HUD operates under) in their definition of homelessness.
  - 16% of states specifically address safety and stability in their definitions.

While it is clear that some states touch more than one of these categories, it is also clear that youth in a particular living arrangement may not be able to access the same services in one state that they could in a neighboring state. This may cause some youth, including minors, to cross state lines in order to try to access programs unavailable to them in their home state, making themselves more vulnerable to potential support networks closer to “home.” It is imperative that we get all states on the same page and establish consistency so that we can achieve the ultimate goal of creating a country where vulnerable and homeless youth can escape the dangers of the streets and access youth-appropriate services, safety, hope and healing.

## MODEL DEFINITION

It is recommended that both state and local governments pass legislation to codify all three definitions below. To implement a fuller piece of legislation that provides resources for housing and services targeting to serve unaccompanied homeless youth, youth at risk of homelessness and runaway youth, see NN4Y publication: Model Legislation to Provide Housing and Services to Runaway and Homeless Youth (RHY).

### § [###] Definitions

(a) “**Unaccompanied homeless youth**” means a person 24 years of age or younger who is unaccompanied by a parent or guardian and is without shelter where appropriate care and supervision are available, whose parent or legal guardian is unable or unwilling to provide shelter and care, or who lacks a fixed, regular, and adequate nighttime residence. The following are not fixed, regular, or adequate nighttime residences:

- (1) a supervised publicly or privately operated shelter designed to provide temporary living accommodations;
- (2) an institution or a publicly or privately operated shelter designed to provide temporary living accommodations;
- (3) transitional housing;
- (4) living in hotels;
- (5) temporarily living with other people who have not offered permanent residence, or a residential lease; or
- (6) a public or private place not designed for, nor ordinarily used as, a regular sleeping accommodation for human beings.

“Homeless youth” does not include persons incarcerated or otherwise detained under federal or state law.

(b) “**Youth at risk of homelessness**” means a person 24 years of age or younger whose status or circumstances indicate a significant danger of experiencing homelessness in the near future. Status or circumstances that indicate a significant danger may include:

- (1) youth exiting out-of-home placements;
- (2) youth who previously were homeless;
- (3) youth whose parents or primary caregivers are or were previously homeless;
- (4) youth who are exposed to abuse and neglect in their homes;
- (5) youth who experience conflict with parents; and
- (6) runaways.

(c) “**Runaway**” means an unmarried child under the age of 18 years who is absent from the home of a parent or guardian or other lawful placement without the consent of the parent, guardian, or lawful custodian.