

Definitions of Homelessness

Housing and Urban Development

Vs.

McKinney-Vento

Housing and Urban Development

- Springing from the 2009 HEARTH Act (Homeless Emergency Assistance and Rapid Transition to Housing)
- HUD has four types of homelessness:
 - Literally homeless;
 - Imminent risk of homelessness;
 - Homeless under other Federal statutes; and
 - Fleeing/attempting to flee domestic violence

Literal Homelessness

- People who are living in a place not meant for human habitation, in emergency shelter, in transitional housing, or are exiting an institution where they temporarily resided.

Imminent Risk of Homelessness

- People who are losing their primary nighttime residence, which may include a motel or hotel or a doubled-up situation, within 14 days and lack resources or support networks to remain in housing. HUD had previously allowed people who were being displaced within 7 days to be considered homeless. The proposed regulation also describes specific documentation requirements for this category.

Homeless Under Other Federal Statute

- Families with children or unaccompanied youth who are unstably housed and likely to continue in that state. This category applies to families with children or unaccompanied youth who have:
 - Not had a lease or ownership interest in a housing unit in the last 60 or more days,
 - Have had two or more moves in the last 60 days,
 - And who are likely to continue to be unstably housed because of disability or multiple barriers to employment.

Fleeing/ attempting to flee domestic violence

- People who are fleeing or attempting to flee domestic violence, have no other residence, and lack the resources or support networks to obtain other permanent housing.

What is McKinney-Vento

- The McKinney-Vento Homeless Assistance Act (McKinney-Vento Act) (42 U.S.C. § 11431-11435) is federal legislation that ensures the educational rights and protections of children and youths experiencing homelessness.
- It requires all local educational agencies (LEAs) to ensure that homeless students have access to the same free, appropriate public education, including public preschools, as provided to other children and youths. The McKinney-Vento Act defines LEAs as public school districts, direct-funded and locally funded charter schools, and county offices of education. The McKinney-Vento Act also authorizes the funding for the federal Education for Homeless Children and Youths Program.

McKinney-Vento Definition of Homelessness

- The McKinney-Vento Act defines homeless children and youths as individuals who lack a fixed, regular, and adequate nighttime residence. This definition also includes:
- Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason
- Children and youths who may be living in motels, hotels, trailer parks, shelters
- Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings
- Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings, or
- Migratory children who qualify as homeless because they are children who are living in similar circumstances listed above

Which definition do we use?

- For HUD funded activities and projects, the definition used is required to be the HUD definition.
- McKinney-Vento is used primarily in the school system when looking at children, youth, and families and appropriate interventions.
- McKinney-Vento definition of homelessness is MUCH broader than the HUD definition of literal homelessness
- When we're discussing our data about homelessness, it's important that we're comparing apples to apples and we know which type of homelessness we are discussing