



McKinney-Vento and Refugee and Other Newcomer Students: Unaccompanied Youth

McKinney-Vento Homeless Liaisons are responsible for identifying students experiencing homelessness including refugees, other newcomers, and **unaccompanied homeless youth**. While the term **unaccompanied youth** refers to an immigration status and the term **unaccompanied homeless youth (UHY)** refers to an identification under the McKinney-Vento Act, there are intersections between these terms. It is important for McKinney-Vento Homeless Liaisons to be aware of these intersecting identities to best meet the unique needs of this population.

UNDER MCKINNEY-VENTO

An unaccompanied homeless youth is a child or youth without a fixed, regular, and adequate nighttime residence and not in the physical custody of a parent or legal guardian.

Youth leave home or may be forced to leave home for many reasons.

More information about unaccompanied youth is available on [SchoolHouse Connection's website](#).

Many youth who are unaccompanied in *their immigration status* also meet the definition of unaccompanied youth under McKinney-Vento

IMMIGRATION STATUS

Unaccompanied youth are children or youth who come to the U.S. alone, living with relatives, friends, or others.

Sponsors:

Some unaccompanied youth stay with a sponsor.

Sponsors do not have legal guardianship.

Living with a sponsor does not automatically mean fixed, regular, and adequate nighttime residence.

Often sponsors allow youth to stay with them under certain conditions such as paying back immigration expenses, contributing to household expenses, etc.

Financial obligations may make it difficult for unaccompanied youth to attend and engage in school.



Meeting the Needs of Unaccompanied Homeless Youth Under the Law:

- **Enrollment:**

- a. An unaccompanied homeless youth is a child or youth of any age who meets the definition of homeless under McKinney-Vento and is not in the physical custody of a parent or legal guardian¹. An unaccompanied homeless youth can be a student of any age.
- b. Unaccompanied homeless youths are:
 - i. immediately enrolled in school²;
 - ii. have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including through implementation of partial credit procedures³;
 - iii. are informed of their status as independent students and are able to obtain assistance from the local educational agency (LEA) McKinney-Vento Homeless Liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid (FAFSA)⁴.
- c. Lack of a legal guardian or guardianship documents cannot delay or prevent the enrollment of an unaccompanied homeless youth [42 U.S.C. §§11432(g)(3)(C), (g)(1)(H)(iv)]

- **Medical Care:**

- a. In Arizona, a “homeless minor” may give consent for hospital, medical, and surgical care; Parental consent is not needed⁵. Additional information can be found on [SchoolHouse Connection’s State Laws on Minor Consent for Routine Medical Care webpage](#).

- **Vital Records:**

- a. An unaccompanied youth who is at least 16 years old may receive a certified copy of the child’s certificate of birth without parent/guardian signature⁶.
 - b. An unaccompanied youth who is at least 16 years old may receive a non-operating identification license without parent/guardian signature⁷. Additional information can be found on [SchoolHouse Connection’s State Laws on Vital Records webpage](#).
- Liaisons may encounter questions that have already been answered on [SchoolHouse Connection’s Unaccompanied Youth Q&A page](#). Liaisons are encouraged to review these frequently asked questions for additional information.

¹ 42 U.S.C. §11434A(6)

² 42 U.S.C. §§11432(g)(3)(C), (g)(1)(H)(iv)

³ 42 U.S.C. §11432(g)(1)(F)(ii)]

⁴ 42 U.S.C. §11432(g)(6)(A)(x)(III)

⁵ Ariz. Rev. Stat. §44-132

⁶ A.R.S. § 36-324

⁷ A.R.S. § 28-3165



Best Practices and Considerations in Supporting Unaccompanied Homeless Youth:

1. Use a caregiver or educational guardianship form

The McKinney-Vento Act does not require the use of a caregiver or educational guardianship form. However, many LEAs choose to use such documentation to have a record of an emergency contact for the unaccompanied homeless youth. These forms do not give legal guardianship to the caregiver.

- Work with the youth to identify who would be an appropriate caregiver. The youth may not feel comfortable or safe listing the person they are temporarily staying with as a caregiver, and instead prefer a friend or family member.

2. Build trust

Unaccompanied homeless youth may be hesitant to share information about living situations. Let youth know about their privacy and confidentiality rights.

- Prioritize communicating with the youth in their native language. Train translators, interpreters, and other bilingual staff to understand the McKinney-Vento Act so youth can hear about it in a language they understand.
- Resource: [6 Things to Know About Privacy, FERPA, and Homelessness](#)

3. Understand the vulnerabilities of unaccompanied homeless youth

Labor trafficking and illegal child labor are a reality for many immigrant youth. A youth may be released into the care of a sponsor however, these situations can change or quickly become unsafe or result in labor trafficking.

- Support the youth and their sponsor's family as much as possible by offering information about educational rights and services as well as connections to other community resources.
- Work with the youth to identify a caregiver or emergency contact; the sponsor may not be a safe or trusted individual for the youth.

4. Work with unaccompanied youth using a trauma-informed lens

School staff may never know the extent of the trauma that students and families have experienced and the effects it can have.

- Provide mental health supports at school, utilizing bilingual mental health professionals to provide a safe space to process trauma.

5. Look for opportunities to award partial credits or find creative pathways to graduation

Older unaccompanied homeless youth may enroll in school already behind in their progress toward graduation.

- Reach out to the previous school where the youth attended, even if it is in another country. Using translators and interpreters, have conversations with the school



about classes and coursework or request transcripts. Award full or partial credits for work completed at the prior school.

- Get creative in supporting progress toward graduation. For example, if unaccompanied youth have financial obligations to meet, consider awarding credits for work experience or apprenticeships.
- Resource: [Awarding and Accepting Partial Credits for Students Experiencing Homelessness](#)

Resources:

- [Arizona Department of Education Homeless Education Program webpage](#)
- [Arizona Department of Education Refugee Student Support webpage](#)
- [SchoolHouse Connection's Immigration Q&A page](#)