

## **FAFSA and Unaccompanied Youth Basics**

**Q: What does the College Cost Reduction and Access Act of 2007 (CCRAA) say about unaccompanied homeless youth?**

**A:** The CCRAA<sup>i</sup> expanded the definition of “independent student” to include unaccompanied homeless youth. Specifically, the CCRAA states that youth who are 1) unaccompanied and homeless, or 2) unaccompanied, self-supporting and at-risk of homelessness at any time during the school year in which they sign the FAFSA, are considered independent.

**Q: How is “unaccompanied homeless youth” defined for the FAFSA?**

**A:** An unaccompanied homeless youth is a youth who meets the McKinney-Vento education definition of homeless (lacking fixed, regular and adequate housing) and is not living in the physical custody of a parent or guardian. The legal definition of homeless includes youth who:

(A) Lack a fixed, regular, and adequate nighttime residence; and

(B) Includes-- (i) children and youths who

- are sharing the housing of other persons 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;

(ii) 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;

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings....

Students who would be homeless but for living in a dormitory are to be considered homeless, as are students fleeing an abusive parent and living in a homeless situation, even if their parents would provide a place to live. A youth is 21 years old or younger or still enrolled in high school.

**Q: What do “self-supporting” and “at-risk of homelessness” mean?**

**A:** Self-supporting is when a student pays for his own living expenses, including housing. At-risk of homelessness is when a student’s housing may cease to be fixed, regular and adequate, such as a student who is being evicted.

**Q: Who determines if a youth meets the definition of unaccompanied and homeless?**

**A:** The student’s status as an unaccompanied homeless youth must be verified, during the school year in which he or she applies for aid, by one of following:

- McKinney-Vento school district liaison;

- Director of a shelter or transitional living program funded by the Department of Housing and Urban Development (HUD) or designee;
- Director of a shelter or transitional living program funded by the Runaway and Homeless Youth Act (RHYA) or designee; or
- Financial Aid Administrator (FAA).

**Q: How does a youth indicate homelessness on the FAFSA?**

**A:** The FAFSA contains three questions that ask specifically about homelessness. Those questions are:

- At any time on or after July 1, 2015, did your high school or school district homeless liaison determine that you were an unaccompanied youth who was homeless?
- At any time on or after July 1, 2015, did the director of an emergency shelter or transitional housing program funded by the U.S. Department of Housing and Urban Development (HUD) determine that you were an unaccompanied youth who was homeless?
- At any time on or after July 1, 2015, did the director of a runaway or homeless youth basic center or transitional living program determine that you were an unaccompanied youth?

**Q: What if the student was a homeless unaccompanied youth off and on and I am not sure if s/he will be an accompanied homeless youth when they start college in the fall?**

**A:** A student is independent if at any time on or after July 1 (July 1, 2015 for students completing the FAFSA during the 2016-2017 school year), irrespective of whether the student is currently homeless or at risk thereof, s/he is determined to be an unaccompanied homeless youth by a school district homeless liaison, the director (or designee) of an emergency shelter program funded by the Department of Housing and Urban Development (HUD), or the director (or designee) of a runaway or homeless youth basic center or transitional living program.

**Q: What if the relatives or family the student is living with received legal guardianship but not custody?**

**A:** A foster parent or a legal guardian is not treated as a parent for FAFSA purposes. If a student is living with her grandparents or other relatives, their data should not be reported on the FAFSA as parental data unless they have adopted the student.

**Q: How is this different from professional judgment?**

**A:** If the student does not have documentation from any of the relevant authorities, the FAA must determine if he/she is an unaccompanied youth who is homeless or is self-supporting and at risk of being homeless. This is not a dependency override or an exercise of professional judgment. It is important to examine students' living situations and claims on a case-by-case basis. The determination may be based on a documented interview with the student if there is no written documentation available.

**Q: What if the student is over 21 and not yet 24?**

**A:** Students who are older than 21 but not yet 24 and who **ARE** unaccompanied and homeless or self-supporting and at risk of being homeless qualify for a dependency override.

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<sup>i</sup> All legal statements in this brief are from the CCRAA and the AVG 2015-16, pages 21-26.