

**Homeless Definitions for Children and Youth under other Federal Statutes Specified in the HEARTH Act**

<p>Runaway and Homeless Youth Act (42 USC 5701 et seq.)</p>	<p>Head Start Act (42 USC 9831 et seq.)</p>	<p>Subtitle No of the Violence Against Women Act of 1994 (42 USC 14043e et seq.)</p>	<p>Section 330 of the Public Health Service Act (42 USC 245b)</p>	<p>Food and Nutrition Act of 2008 (7 USC 2011 et seq.)</p>	<p>section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);</p>
<p>HOMELESS YOUTH.—The term “homeless”, used with respect to a youth, means an individual— (A) who is— (i) less than 21 years of age, or, in the case of a youth seeking shelter in a center under part A, less than 18 years of age or is less than a higher maximum age if the State where the center is located has an applicable State or local law (including a regulation) that permits such higher maximum age in compliance with licensure requirements for child- and youth-serving facilities; and (ii) for the purposes of part B, not less than 16 years of age and either (i) less than 22 years of age; or (ii) not less than 22 years of age, as the expiration of the maximum period of stay permitted under section 322(a)(2) if such individual commences such stay before reaching 22 years of age; (B) for whom it is not possible to live in a safe environment with a relative; and (C) who has no other safe alternative living arrangement.</p>	<p>(11) The term “homeless children” has the meaning given the term “homeless children and youths” in Section 725(2) of the McKinney-Vento Homeless Assistance Act (see last column)</p>	<p>the terms ‘homeless’, ‘homeless individual’, and ‘homeless person’ — “(A) mean an individual who lacks a fixed, regular, and adequate nighttime residence; and “(B) includes— “(i) an individual who— “(i) is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; “(ii) is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations; “(iii) is living in an emergency or transitional shelter; “(iv) is abandoned in a hospital; or “(v) is awaiting foster care placement; “(ii) an individual who has 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; or “(iii) migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965; 20 U.S.C. 6399) who qualify as homeless under this section because the children are living in circumstances described in this paragraph;</p>	<p>(5) Definitions for purposes of this section: (A) Homeless individual: The term “homeless individual” means an individual who lacks housing (without regard to whether the individual is a member of a family), including an individual whose primary residence during the night is a supervised public or private facility that provides temporary living accommodations and an individual who is a resident in transitional housing.</p>	<p>“Homeless individual” means - (1) an individual who lacks a fixed and regular nighttime residence; or (2) an individual who has a primary nighttime residence that is - -(A) a supervised publicly or privately operated shelter (including a welfare hotel or congregate shelter) designed to provide temporary living accommodations; (B) an institution that provides a temporary residence for individuals intended to be institutionalized; (C) a temporary accommodation for not more than 90 days in the residence of another individual; or (D) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.</p>	<p>(2) The term “homeless children and youths”— (A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); 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; are abandoned in hospitals; or are awaiting foster care placement; (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 (within the meaning of section 103(a)(2)(C)); (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).</p>