

**MODEL STATE ACT FOR
UNACCOMPANIED RUNAWAY AND HOMELESS YOUTH**
Proposed Long Version

Authors:

Richard A. Hooks Wayman, J.D.¹
Frank Windham²

Introduction

This Model State Act for Unaccompanied Runaway and Homeless Youth outlines critical services and interventions for runaway and homeless youth. Existing state laws were reviewed to author a comprehensive statutory framework establishing programmatic responses to end youth homelessness. In order to help state legislatures craft a model law addressing runaway and homeless youth, this article assembles statutory language from several ‘strong’ state bills already in existence. The model state act presented at the conclusion of this article substantially borrows from several state statutes currently enacted and funded.³ The Model State Act for Homeless Youth can be used in whole or in part by state legislatures and is authored to provide a framework for dialogue and improvement in state laws benefiting homeless youth.

The Goals of a State Act for Unaccompanied Runaway and Homeless Youth

Typically, the goals of enacting a statewide Runaway and Homeless Youth Act include:

- Establishing homeless youth as a priority, special needs population deserving of state policy attention and intervention;
- Defining homelessness for unaccompanied youth to determine the scope of the population and articulate eligibility standards;

¹ Richard Hooks Wayman serves as the Senior Youth Policy Analyst for the National Alliance to End Homelessness, was the former director of the StreetWorks Collaborative in Minnesota, authored the Minnesota Runaway and Homeless Youth Act, Minnesota Statute § 256K.45 (West 2008), and received his Juris Doctor with distinction in 1992 from the University of Iowa College of Law.

² Frank Windham is a graduate of the Howard University School of Law and graduated with a Bachelor of Arts degree with honors from the University of Alabama.

³ California - CAL. GOV. CODE § 11139.3, CAL. WELF. & INST. CODE §§ 1788-1789, Colorado - COLO. REV. STAT. § 19-1-116, COLO. REV. STAT. §§ 26-5.7-102-26-5.7-108, COLO. REV. STAT. §§ 26-5.9-104-26-5.9-105, Illinois - 20 ILL. COMP. STAT. ANN. 505/5, 20 ILL. COMP. STAT. ANN. 505/17, and 60 ILL. COMP. STAT. ANN. 1/215-5; Louisiana - LSA-R.S. (Title 46, Ch. 13), § 46:1351; Minnesota - M.S.A. § 256K.45; New Jersey - N.J.S.A. § 9:12A-2; New York - McKinney’s Executive Law Ch. 18, Art. 19-H, § 532; Tennessee - TN ST Title 37, Ch. 2, Pt. 5; § 37-2-501.

- Naming the responsible state agency which will administratively interpret and lead efforts under the Act;
- Specifying a spectrum of shelter, housing, and supportive services or targeted interventions for priority funding;
- Identifying data and outcome measures from which to evaluate future public investment in homeless youth services; and
- Creating a consistent revenue stream from state government, with or without leveraged local and private contributions, to expand shelter, housing, and services.

The model state act below achieves all of these goals. However, additional goals may also be achieved through a state model act for homeless youth. Below are some additional goals that are incorporated in the model state act:

- Clarifying of the right of youth to access shelter;
- Outlining the role and responsibilities of emergency shelter to receive temporary guardianship of youth in crisis;
- Framing the role of law enforcement in responding to youth who have run away;
- Clarifying the role of the child welfare system and particularly child protection and foster care in offering family preservation and family reunification or access to foster care for minors experiencing abuse and neglect and who may be homeless;
- Offering parents a formal process to temporarily transfer custody rights to third parties when barriers prevent the parent from exercising care, custody, and control of minors; and
- Encouraging youth leadership and voice in public policy matters.

MODEL STATE ACT FOR UNACCOMPANIED RUNAWAY AND HOMELESS YOUTH

A. Title, Purpose, Vision and Mission

§ 100. Short Title

State Model Act for Runaway and Homeless Youth

§ 101. Purpose of State Model Act.

(a) Purpose of Act:

(1) The [State Agency] shall be responsible for creating, maintaining, and evaluating a coordinated spectrum of services and targeted interventions to improve the safety, health, and welfare of unaccompanied homeless youth in the state. The [State Agency] shall implement the following provisions to achieve the following goals:

(A) End youth homelessness;

(B) Maintain youth in their families and communities;

(C) Facilitate the relationship building and connections between youth and permanent caring adults;

(D) Ensure coordination of services to meet the needs of older adolescents by child welfare services, treatment systems of care, and the juvenile justice system;

(E) Eliminate unnecessary categorical funding of programs by funding more comprehensive and integrated services;

(F) Close voids and gaps in services;

(G) Evaluate and improve existing services and targeted interventions;

(H) Monitor and provide technical assistance and training to community-based programs and public systems; and

(I) Encourage local volunteers and mentors.

(2) This act will assist in implementing the Foster Care Independence Act of 1999 (Public Law 106-169), the Missing, Exploited, and Runaway Children Protection Act of 1999 (Public Law 106-71), and the Runaway and Homeless Youth Act (42 U.S.C. Sec. 5701 and following).

§ 102. State Policy; development and operation of housing for homeless youth; discrimination.

(a) It is the policy of this state and the purpose of this section to facilitate and support the development and operation of housing for homeless youth.

(b) The provision of housing for homeless youth is hereby authorized and shall not be considered unlawful age discrimination, notwithstanding any other provision of law, including, but not limited to, local housing or age discrimination ordinances.

(c) This section shall not be construed to permit discrimination against families with children.

B. Definitions

§ 103. Definitions.

As used in this act:

(a) "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) 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

(5) 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) "Supportive services" means housing, education, medical care, mental health or substance abuse assessment services or treatment, supervision by a parent or legal guardian and services, including mediation services that may assist a youth in need of services or the youth's family or legal guardian. Supportive Services also includes, but is not limited to:

(1) Programs for street and community-based outreach;

(2) Prevention services for youth and their families, including conflict mediation, parental skill building, and in-home family counseling;

(3) Early intervention services for homeless youth and their families, to ensure family preservation when in the best interest and welfare of the youth, with 24-hour access geared toward crisis or time-of-need intervention;

(3) Long-term family planning so that the youth may be returned to the home of the parent or guardian under conditions which favor long-term reunification with the family, or so the youth can be suitably placed in housing options separate from the parental or guardian home when such reunification is not possible;

(4) Screening for basic health needs and referral to public and private health providers for health care. Shelters that are not equipped to house a youth with substance addiction shall refer that youth to an appropriate clinic or facility. The shelter shall monitor the youth's progress and assist the youth with services upon his or her release from the substance abuse facility;

(5) Temporary or short-term shelter, food, and clothing;

(6) Uniform and confidential intake and records systems;

(7) Provision for aftercare services including individual and family counseling services, life skills training, educational and employment support, connection to permanent caring adults, and relationship building to community-based resources;

(8) Programs for advocacy for client population and community support; and

(9) Provisions for case management and referral from service to service.

(c) “Case manager” means an individual hired by a private, community-based nonprofit corporation or a public system, who’s primary job duty is to perform all case management functions for a youth eligible for services. Case management, at a minimum, includes: assessment of individual youth participant needs; the identification of necessary basic needs, resources, and supports to meet the best interest of youth participants; the creation of a written, individual plan with input and agreement by the youth participant; the referral to appropriate services and resources; advocacy for youth participants to access resources and services, and the keeping of written records showing progress toward individual goals in the individual plan.

(d) “Homeless youth shelter” means a facility that is licensed pursuant to [State Statute].

(e) “Family Preservation Services” means services offered to families experiencing crisis where children are either at imminent risk of placement or placed outside their homes. Offered to both birth and adoptive families, family preservation services are effective in preventing placements or offering reunification with family members. The goal is to keep children safe and avoid unnecessary removal and reduce long separations from family in out-of-home care. Family Preservation Services, as contemplated in this Act, would include the following programmatic conditions:

- (1) Immediate response to acknowledgement of familial crisis within 24 hours;
- (2) Staff being accessible 24 hours a day and 7 days a week;
- (3) Ratio of one case manager to two to four families at a given time;
- (4) Intervention interventions which entails 5 to 20 hours weekly;
- (5) Delivery of services in the home or a community setting;
- (6) Limited duration of services, typically 4 to 8 weeks;
- (7) Intensive services are followed with other supportive services;
- (8) Consistent staff assigned to each household to deliver hard and soft services;
- (9) Assistance in linking families with community resources and relationships;
- (10) Targeted and limited objectives and goals; and
- (11) Family members are taught skills and positive solutions.

(f) “Parent” means any individual holding legal and physical custody to a minor child, and may include biological parents, relative or kin with custody under a Court Order or Delegation of Parental Authority, foster parent, or public child welfare system.

C. Authorization to State Agency and Responsibilities

§ 104. State Agency Responsible for Administration of Services and Funding.

(a) There is hereby created the Office of Homeless Youth Services and led by a director which shall establish and support a comprehensive program for homeless youth in the State by contracting with organizations and agencies, licensed by the office, that provide services for homeless youth. The office shall establish licensure requirements and shall contract for programs that ensure that services, as specified by this act, are provided to homeless youth in the State in an appropriate and responsible manner. The director may establish such other requirements for the homeless youth programs as he deems necessary.⁴

(b) The Office of Homeless Youth Services shall report to the Commissioner [or Secretary] of State [Agency Name ____] and shall receive appropriations from the State and contributions from private donors to fund a spectrum of shelter, housing, and services to meet the needs of unaccompanied, homeless youth in the state. The monies shall be distributed to a spectrum of programs, as outlined in Sections 111 through 119, including, but not limited to: shelter, youth housing, drop-in centers, case management, outreach, health care, and after-care services.

(c) At a minimum, the office of homeless youth services shall have the following duties:

(1) Identify existing programs dealing with runaway and homeless youth and develop a directory of service providers.

(2) Develop resources and offer technical assistance to increase state-wide capacity and coordination of services to unaccompanied homeless youth.

(3) Study the feasibility of the establishment of a web-based referral system for runaway and homeless youth including a listing of all rights and organizations that may be relevant to the homeless youth population in [Name of State], including but not limited to a listing of legal, educational, and victims' rights and organizations related thereto.

(4) Compile statistics on runaway and homeless youth.

(5) Identify existing and potential funding sources for services to runaway and homeless youth, and provide information to the public.

(6) Provide advice and technical assistance, as requested, to administrators of programs relating to runaway and homeless youth on issues relating to collaborative models of services to homeless youth to improve service coordination, decrease duplicative efforts,

⁴ Local advocates may decide not to form a separate office of Homeless Youth Services and simply obligate the state child welfare or housing finance agency to accept the role and responsibility for creating a spectrum of services to end youth homelessness.

increase specialization and effectiveness, and create common outcome measures and data collection protocols to measure success in ending youth homelessness in the State.

(7) Design models for service delivery by local communities;

(8) Develop standards necessary to achieve and maintain, on a statewide basis, more comprehensive and integrated community-based youth services;

(9) Assist local organizations in developing programs which address the problems of youths and their families through direct services, advocacy with institutions, and improvement of local conditions; and

(10) To provide information, coordination, and technical assistance as may be necessary to reduce needless expenditures associated with the provision of overlapping services and to improve the quality of services provided to homeless youth.

(11) To identify both procedural and substantive obstacles to the provision of services and to make recommendations to the entities specified in this section concerning procedural, regulatory, or statutory changes necessary to remove such obstacles.

(12) To work with entities to identify issues concerning sharing of information in providing services to homeless youth and to facilitate resolution of such information-sharing issues.

(13) To identify and remove obstacles to the provision of services.

(14) To improve the quality of services provided to homeless youth.

(15) To establish a competitive application and written application process to disburse state monies directly to community-based nonprofit corporations, including faith-based nonprofit corporations, to serve unaccompanied homeless youth.

(16) In consultation with professional youth workers, supervisors, and researchers, complete a statewide code of ethics for any funded agency or program including personnel and volunteers.

§ 105. Grant Application for Homeless Youth Services.

State funding for homeless youth services shall be awarded to community-based and faith-based organizations subject to an open, competitive and transparent application process administered by the Office of Homeless Youth Services. An application to the Office of Homeless Youth Services for a grant under this section shall, at a minimum, contain all of the following:

- (a) The amount of the grant requested and the proposed use of the grant.
- (b) A description of the applicant and a statement of the applicant's qualifications including a description of the applicant's past experience with housing rehabilitation or construction, youth services, youth leadership development, and a description of the applicant's relationship with community-based organizations.
- (c) A description of the educational and job training activities, work opportunities, and other services that will be provided to youth participants.
- (d) A description of the manner in which eligible youth will be recruited and selected, including a description of the arrangements that will be made for outreach and partnerships with community-based organizations, public schools, Native American nations and communities, public assistance agencies, courts of jurisdiction for status and youth offenders, shelters for homeless individuals and other agencies serving homeless youth, foster care agencies, and other appropriate public agencies and private entities.
- (e) A description of the special efforts that will be undertaken to recruit eligible young women as participants, including women with dependent children, including a description of how those women can receive appropriate support, including child care.
- (f) A description of how the proposed program will be coordinated with other federal and state activities including the AmeriCorps, YouthBuild, Job Corp and crime prevention programs, vocational, adult, and bilingual education programs, and other public and mental health services.
- (g) Substantive assurances that there will be a sufficient number of adequately trained supervisory personnel in the program who have received a bachelor degree and show at least five years experience in youth services.
- (h) In regard to youth housing programs, a description of the proposed construction site and evidence of site control, and a description of the proposed construction or rehabilitation activities to be undertaken and the anticipated schedule for carrying out those activities.
- (i) A description of activities that will be undertaken to develop the leadership skills of participants, including their role in decision-making impacting programmatic services and evaluation of services.
- (j) A detailed budget and description of a system of fiscal controls and auditing and accountability procedures that will be used to ensure fiscal soundness.

(k) A description of any contracts and arrangements entered into between the applicant and other entities, including all in-kind donations and grants from both public and private sources that will augment grant funds made available pursuant to this article.

(l) In regard to youth housing programs, identification and description of the financing proposed for any acquisition of property, or the rehabilitation or construction of housing.

(m) In regard to youth housing programs, identification and description of the entity that will operate and manage the property.

(n) A certification that the applicant will comply with the requirements of applicable federal laws, including the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, and that the applicant will work to further fair housing policies.

(o) A description of the qualifications and past experience of the person who will be the full-time director for the applicant's project to be funded pursuant to this section.

All organizations applying for funds under the Act shall offer assurances that their staff hold skills and life experiences which equip them to offer culturally competent services to diverse and special need populations including youth of color, youth with disabilities, undocumented youth, and lesbian, gay, bisexual, and transgender youth.

§ 106. Priority in Disbursement of Funding.

Public or private nonprofit organizations and faith-based organizations holding a nonprofit corporation status shall be eligible to apply for funds under this Act and these organizations shall be required to annually contribute a local match of at least 25 percent in cash or in-kind contribution to the project during the term of the grant award agreement. Preference shall be given to organizations that (1) demonstrate a record of providing effective services to runaway youth or families in crisis for at least three years, (2) successfully operating a youth shelter or a transitional living facility for runaway and homeless youth, (3) demonstrate a history of collaborating with other agencies and individuals in providing such services, (4) manage existing facilities, (5) show ability to progressively decrease their reliance on resources provided under this section and to operate this project beyond the period that the organization receives funds under this section, and (6) fill existing priority service deficits or gaps as identified by the Office of Homeless Youth Services.

§ 107. Agency Role in Creating a Shelter and Housing Assessment and Improved Service Coordination

(a) The Office of Homeless Youth Services shall develop a state-wide needs assessment which shall be completed and sent to the Legislature by [Date], with preliminary information provided to the Legislature by [Date], regarding the need for youth shelters for runaway youths. The needs assessment shall identify all of the following:

(1) The capability of existing centers and shelters presently to address the needs of [State] youths, including an incidence study of the number of unaccompanied, homeless youth in the State every five years;

(2) The nature and extent of youth needs that are presently unmet or unaddressed by existing shelter and housing facilities;

(3) The number of youth who access shelter, are reunified with their parents or guardians, and subsequently reapply for shelter services on an annual basis.

(4) The nature and extent of future need for youth shelters and housing with positive youth development services;

(5) Cost estimates for addressing needs identified in subdivisions (2) and (3); and

(6) Other information, issues, and trends relevant to understanding and serving the youths under study.

D. Early Intervention Services to Divert Youth from Homelessness

§ 108. Delegation of Power by Parent or Guardian.

(a) A parent, legal custodian, or guardian of a minor or incapacitated person, by a properly executed power of attorney, may delegate to another person, for a period not exceeding one year, any powers, in whole or part, regarding care, custody, or property of the minor or ward, except the power to consent to marriage, enrollment in the United States military services, or adoption of a minor ward. Transferable custody matters may include physical custody and legal custody including but not limited to educational matters, extra curricular activities, medical exams, treatment, and procedures, and behavioral or mental health assessment and treatment.

(b) A properly executed power of attorney delegating custody of any minor over the age of 15 must be signed by both the minor and parent as indication of a mutual agreement to the transfer of custody;

(c) A parent who executes a delegation of powers under this section must mail or give a copy of the document to any other parent within 30 days of its execution unless:

- (1) The other parent does not have parenting time or has supervised parenting time; or
 - (2) There is an existing order for protection under [State Statute section cite] or a similar law of another state in effect against the other parent to protect the parent, legal custodian, or guardian executing the delegation of powers or the child.
- (c) A parent, legal custodian, or guardian of a minor youth may also delegate those powers by designating a standby or temporary custodian under [State Statute section cite].

§ 109. Family Preservation Services within Child Welfare System.

(a) The [State Child Welfare Agency] shall establish rules and regulations concerning its operation and funding of county child welfare service programs designed to meet the goals of child safety and protection, family preservation, and family reunification with the goal of decreasing out of home placements of children and youth. Services shall be available throughout the state and in sufficient supply to meet the needs of unaccompanied homeless youth and families with youth who have exhibited a runaway.

(b) If the [State Child Welfare Agency] finds that there is no appropriate program or facility within or available to the [state or local child protective agency] for a ward and that no licensed private facility has an adequate and appropriate program or none agrees to accept the ward, the [State Child Welfare Agency] shall create an appropriate individualized, program-oriented plan for such ward. The plan may be developed within the [State Child Welfare Agency] or through purchase of services to the extent that it is within its statutory authority to do.

(c) Service programs shall be available throughout the State to assist with family preservation and reunification and shall include but not be limited to the following services:

- (1) Case management;
- (2) Homemakers;
- (3) Counseling and Crisis Intervention;
- (4) Parent education;
- (5) Day care;

(6) Respite care; and

(7) Emergency assistance and advocacy.

(d) There is hereby created the Family Services Emergency Assistance Fund from which the [State Child Welfare Agency] may provide special financial assistance to families which are in economic crisis when such assistance is not available through other public or private sources and the assistance is deemed necessary to prevent dissolution of the family unit or to reunite families which have been separated due to child abuse and neglect. The [State Child Welfare Agency] shall establish administrative rules specifying the criteria for determining eligibility for and the amount and nature of assistance to be provided. The [State Child Welfare Agency] may also enter into written agreements with private and public social service agencies to provide emergency financial services to families referred by the [State Child Welfare Agency]. Special financial assistance payments shall be available to a family no more than once during each fiscal year and the total payments to a family may not exceed \$3000 [amount determined by each State] during a fiscal year.

§ 110. Early Intervention and Prevention Alternatives—Diversion from Foster Care.

(a) No later than [date], 20__, each county in the state shall assure access to intensive family preservation, family reunification, and alternative services to out-of-home placements for families with children at imminent risk of out-of-home placements. Such services may be provided to alleviate personal or family situations that present a serious and imminent threat of an out-of-home placement or to the health, safety, or welfare of the youth or family and to maintain intact families wherever possible.

(b) Two or more counties may jointly provide or purchase alternative services to families in the respective counties. Such services shall either be provided for under the plan adopted by Family Preservation Commissions in accordance with subsection (c) of this section or purchased by the county if such county does not have a Family Preservation Commission for the county. If a county purchases intensive family preservation, family reunification, or alternative services to out-of-home placements, the county shall ensure that the services purchased meet the goals of Family Preservation Commission plans, as described in subsection (c) of this section.

(c) Each county may appoint a Family Preservation Commission consisting, where possible, of a physician or a licensed health professional, an attorney, representatives of a local law enforcement agency, representatives recommended by the court and probation department, representatives from the county department of social services, a local mental health clinic, and the local public health department, a representative of a local school district specializing in special education, representatives of a local residential child care facility and a private not for profit agency providing nonresidential

services for children and families, a representative specializing in occupational training or employment programs, a foster parent, and one or more representatives of the lay community. At least fifty percent of the commission members shall represent the private sector and must include persons from communities of color. The county commissioners of two or more counties may jointly establish a Regional Family Preservation Commission. A Family Preservation Commission may be consolidated with other local advisory boards.

(d) On or before [date], 20__ the Family Preservation Commission, if established, or the County shall annually prepare a plan for the provision of family preservation services. The primary goals under the plan shall be to prevent imminent placement of children out of the home, offer family preservation services, and to reunite children who have been placed out of the home with their families. The plan shall be prepared using all available sources of information in the community, including public hearings. The plan shall specify the nature of the expenditures to be made and shall identify the services which are intended to prevent or minimize placement out of the home. The plan shall contain, whenever practicable, a vocational component to provide assistance to older children concerning a transition into the work force upon completion of school. Upon approval of the plan by the county commissioners, the counties shall submit the plan to the Office of Homeless Youth Services.

(e) Any county is hereby authorized to establish a program under which a multidisciplinary, noncategorical program fund for the county shall be created and moneys from such fund shall be used to provide child welfare services, family preservation services, and alternatives to out-of-home placements to at-risk children and their families.

(1) Except as otherwise provided by federal law, the moneys in the county's fund contributed by state agencies shall be exempt from restrictive, categorical rules otherwise governing the use of such funds.

(2) Such services shall include, but are not limited to, assessment, intervention, treatment, supervision, family preservation support, shelter, and transitional or supportive housing when and if appropriate.

(3) The fund for each county shall consist of contributions, which shall be made by any state, county, or local agency, of federal, state, or local funds appropriated to or contributed by such agencies for child welfare services for at-risk children and their families.

(A) Appropriated funds shall include, but shall not be limited to, those appropriated to county departments of social services, the state department of human services, the department of public health and environment, the department of education, the

department of public safety, the judicial department, and the job training partnership office in the governor's office. Each state agency's contribution to a county's fund shall be contingent upon and equal to contributions from the participating county and any other local agency that participates and seeks money from the fund.

(B) The fund for each county may also consist of contributions from the fund of any other participating county.

E. Shelter Services, Right to Access Shelter, and Agency Role

§ 111. Shelter Services.

(a) The Office of Homeless Youth Services shall provide or contract for a sufficient quantity of emergency shelter services to ensure every homeless youth and runaway is offered referral and walk-in access to emergency, short-term residential care. The program shall provide homeless youth and runaways with safe, dignified shelter, including private shower facilities, beds, and at least one hot meal each day.

(b) The services provided at emergency shelters shall include, but are not limited to:

(1) Family reunification services;

(2) Individual, family, and group counseling;

(3) Assistance obtaining clothing;

(4) Access to medical and dental care, mental health counseling, and addiction counseling;

(5) Education and employment services;

(6) Recreational activities;

(7) Advocacy and referral services;

(8) Independent living skills training;

(9) Aftercare and follow-up services;

(10) Transportation; and

(11) Explanation to the runaway or homeless youth of their rights, options of services, and other assistance available to the youth.

§ 112. Homeless Youth Shelters— Authority— Duties.

(a) Licensed homeless youth shelters may provide both crisis intervention services and alternative residential services to homeless youth.

(b) If a homeless youth under the age of 18 is admitted to a basic center shelter without the consent of the youth's parent or guardian, the shelter shall:

(1) Within 24 hours of admission to the shelter, notify the youth's parent or guardian, or make reasonable efforts to notify the youth's parent or guardians, concerning the youth's whereabouts, physical and emotional condition, and the circumstances surrounding the youth's placement, unless there are compelling reasons not to provide the parent or legal guardian with this information. Compelling reasons include, but are not limited to, circumstances in which the youth is or has been a victim of child abuse or neglect;

(2) Notify the youth's parent that it is the paramount concern of the facility or shelter to achieve reconciliation between the parent and the youth, to reunify the family, and to inform the parent about the alternatives that are available;

(3) Offer homeless youth admitted to a license homeless youth shelter program, 72 hours of safe harbor, with or without parental consent, unless otherwise designated by order of a court exercising jurisdiction in juvenile court regarding custody of the minor children or unless the youth participant is currently under the custody of the [State Child Welfare Agency Name] which may elect to remove the youth earlier without a court order;

(4) Arrange transportation for the youth to the residence of the youth's parent when the youth and the parent agree that the youth shall return to the home of the youth's parent. The parent shall reimburse the party who paid for the transportation costs to the extent of the parent's ability; and

(5) Arrange transportation for the youth to an alternative residential placement facility when the youth and the youth's parent agree to such placement. The parent shall reimburse the appropriate person for transportation costs if the parent's household income is 200 percent or more above the federal poverty guideline.

(6) Upon request by the youth, the youth will be allowed to return to the home environment at any time.

(7) Offer youth participants safe, dignified shelter, including private shower facilities, beds, clean linen each day, and at least one hot meal each day.

(c) Any homeless youth under the age of 18 admitted to a licensed homeless youth shelter pursuant to this article and who is not, with the parent's or guardian's consent, returned to the home of the youth's parent or is not placed in a voluntary alternative residential placement pursuant to [State Statute Section ____] within 72 hours, shall reside at a facility or shelter described in section 111 of this Act for a period not to exceed thirty (30) days from the time of intake except as otherwise provided in this section. A licensed homeless youth shelter shall make a concerted effort to achieve a reconciliation between the youth and the parent or guardian. If a reconciliation and voluntary return of the youth have not been achieved within seventy two hours, excluding Saturdays, Sundays, and legal holidays, from the time of intake, then the director of the facility or shelter, or other person in charge, shall provide the youth and the youth's parent with a statement identifying:

- (1) The availability of counseling services;
- (2) The availability of longer term residential arrangements; and
- (3) The possibility of referral to the county department.

(d) The licensed homeless youth shelter may arrange for the establishment of a supervised independent living arrangement or may arrange a voluntary residential agreement between the youth and a relative or other responsible adult, a licensed child care facility, or a public or private landlord if the youth is under the age of 18 and has been admitted to a licensed homeless youth shelter and:

- (1) Two weeks have passed since admission;
- (2) The youth's parent cannot be found after diligent effort by the facility or shelter to locate such parent, the youth's parent has failed to respond to a notice sent by the facility or shelter, or the youth's parent has renounced responsibility for the youth; and
- (3) The youth has no suitable place to live other than the home of the youth's parent.

(e) A supervised independent living arrangement can only be established pursuant to [State Statute Section ____] if:

- (1) The youth has not been deemed to be dependent on controlled substances or alcohol and is in need of treatment;

(2) The youth is not currently demonstrating behavior that poses a danger to the youth or others;

(3) The youth is not engaging in persistent high-risk behavior that renders the youth inappropriate for an independent living arrangement through a placement alternative commission plan pursuant to section 107, or foster care placement through the county department; and

(4) The youth has the ability and capacity to manage his or her own affairs, demonstrates emotional independence, and has the opportunity and ability to achieve financial independence through legitimate activities and life skills, including the following:

(A) Educational accomplishments or a plan for achieving educational goals;

(B) A vocational plan or goal; and

(C) An opportunity or ability to achieve adequate housing and living arrangements apart from the youth's parent, guardian, or custodian.

(f) For the purposes of this article,

(1) A voluntary residential agreement shall not require the county department to assume custody of the youth or to exercise any parental power or control over the youth or require medical assistance.

(2) A person assuming responsibility for the youth shall have the authority to:

(A) Enroll the youth in the school district in which the youth resides, pursuant to the voluntary residential agreement and consent to extra-curricular and out-of-school time activities; and

(B) Authorize and obtain preventive medical and dental care, counseling, and treatment for the youth.

(g) If the homeless youth is in the legal care or custody of the [State's child welfare and county child protective services agency], the [County child protective service agency] in consultation with the basic center shelter, shall determine what services shall be provided to the youth. The services may include, but are not limited to: crisis intervention services, continued temporary placement in the basic center shelter for up to 30 days, placement in an alternative living arrangement or referral to a youth housing program or to other appropriate organizations and agencies.

(h) When the licensed homeless youth shelter has reason to believe that the youth is an abused or neglected child as defined in [State Statute], the basic center shelter shall report the allegation to the [State or local child protective services] pursuant to [State Statute Section ____]. A homeless youth may remain at a basic center shelter for up to 30 days pending the [State or local child protective service's] disposition of any case originated pursuant to this subsection.

(i) If reunification with the parent or legal guardian is not in the youth's best interest or not possible because the youth's parent or legal guardian cannot be located, the local child protective services unit, in consultation with the basic center shelter, shall determine what services shall be provided to the youth. The services may include, but are not limited to, crisis intervention services and continued temporary placement in the basic center shelter for up to an additional 30 days.

(j) In the case of a homeless youth from another state who is under the age of 18, a basic center shelter shall notify the office of homeless youth services, as soon as practicable, but within 24 hours of the youth's admission to the basic center shelter. The office of homeless youth services shall facilitate the youth's return home to his parent or legal guardian or make other suitable care arrangements for the youth.

§ 113. Taking Youth Into Custody--transporting to residence or child care facility or homeless youth shelter.

(a) A law enforcement officer may take a youth into temporary custody without an order of the court under the following circumstances:

(1) If a law enforcement agency has been contacted by the youth's parent and informed that the youth is absent from parental custody without consent; or

(2) If an officer has reasonable cause to believe, considering the youth's age, the youth's location, and the time of day, the youth is in circumstances that constitute a danger to the youth's safety.

(b) A law enforcement officer taking a youth into custody pursuant to this section shall inform the youth of the reason for such custody and shall comply with either of the following:

(1) The officer shall transport the youth to the home of the youth's parent. The officer releasing the youth into the custody of the youth's parent shall inform the parent of the reason for taking the youth into custody and shall inform the youth and the parent of the nature and location of any family reconciliation services available in their community; or

(2) The officer shall take the youth to a licensed child care facility or to a licensed homeless youth shelter if:

(A) The youth evinces fear or distress at the prospect of being returned to the home of the youth's parent and the officer believes it will be in the best interest of the youth to not be immediately returned to their parent(s);

(B) It is not practical to transport the youth to the home of the youth's parent; or

(C) There is no parent available to accept custody of the youth.

F. Spectrum of Services and Housing

§ 114. Street and Community Outreach Services

The Office of Homeless Youth Services may provide or contract for street and community outreach services. Street- and community-based outreach services may be performed by adult or peer youth leaders who go into the community to contact youth, build relationships, refer to services, and conduct interim case management services. Outreach services shall be targeted to street and community-based locations, including schools, youth centers, recreation centers, commercial areas, and entertainment venues, where youth congregate. Outreach should only be completed in teams of two or more with sufficient resources to distribute food, clothing, personal hygiene, condoms, and referral materials. Any outreach personnel shall receive training and hold skills to show the ability to conduct informal counseling, harm reduction assessment, crisis intervention services, and navigation of public assistance systems for the benefit of youth participants.

§ 115 Community-based Drop-in Program.

The Office of Homeless Youth Services may provide or contract for community-based drop-in programs. Youth drop-in centers shall provide a homeless youth with walk-in access to physical spaces offering safety from exploitation in the community or on the streets, including crisis intervention counseling, food, clothing, low barrier access to emergency, short-term residential care. Drop-in program services shall be offered 12 continuous hours each day, seven-day a week. The services offered by the program shall provide a homeless youth with a stable out-of-home placement and help reunite the youth with his parent or legal guardian, except in the case where family reunification is not in the youth's best interest. All homeless youth accessing drop-in programs shall be allowed immediate access to one-on-one case management services on a self-referral basis.

(a) The services provided at the drop-in center, as determined by the department's contract, may include, but are not limited to, the following core services:

- (1) Family reunification services;
- (2) Conflict resolution or mediation counseling;
- (3) Assistance in obtaining temporary emergency shelter;
- (4) Immediate provision of food and clothing;
- (5) Assistance in obtaining medical care or mental health counseling;
- (6) Toilet, showers, and personal hygiene products;
- (7) Counseling regarding violence, prostitution, substance abuse, sexually transmitted diseases, and pregnancy;
- (8) Referrals to other agencies that provide support services to homeless youth, youth at risk of homelessness, and runaways;
- (9) Assistance with education, employment, and independent living skills;
- (10) Rapid rehousing services;
- (11) Aftercare services;
- (12) Specialized services for highly vulnerable runaways and homeless youth, including teen parents, emotionally disturbed and mentally ill youth, and sexually exploited youth; and
- (13) Homelessness prevention.

§ 116. Youth Housing Programs with Positive Youth Development Services.

The Office of Homeless Youth Services may provide or contract for youth housing services coupled with positive youth development services. Youth housing programs may encompass various structural elements and programmatic services, and may include: rapid rehousing, host homes, shared homes, scattered site apartments, and apartment buildings. A youth housing program shall provide residential care and voluntary access to services for a minimum period of 24 months to a homeless youth 16 to 24 years of age who has not been successful in finding a family housing option and requires long-term housing support.

The program shall assist in the maintenance of a homeless youth in a living arrangement with rental assistance and related services. The youth housing program shall offer positive youth development services, connect youth with consistent, caring adults in the community, and prepare the youth for independence and self-sufficiency through the direct provision of, or through referrals to, other organizations and agencies for services, as determined by the office's contract, which may include:

- (a) Educational assessment and referrals to educational programs;
- (b) Career planning, employment, work skill training, and independent living skills training;
- (c) Job placement;
- (d) Budgeting and money management;
- (e) Assistance in securing housing appropriate to needs and income;
- (f) Counseling regarding violence, prostitution, substance abuse, sexually transmitted diseases, and pregnancy;
- (g) Referral for medical services or chemical dependency treatment;
- (h) Parenting skills;
- (i) Self-sufficiency support services or life skill training;
- (j) Rapid rehousing;
- (k) Aftercare and follow-up services; and
- (l) Homelessness prevention.

§ 117. Case Management Services.

The Office of Homeless Youth Services may provide or contract for case management services to unaccompanied homeless youth. Case management services shall include, but are not limited to nonjudgmental engagement, individual assessment, youth participant input into written individual case plans with identified outcome goals, case review and tracking, low-barrier referral to basic needs and necessary supportive services, evaluation of individual progress in reaching written outcome goals, advocacy to assist youth in accessing mainstream benefits and resources, and after care support

and services. Case management services shall report on progress toward family preservation, reunification with family, placement with kinship provider, and enrollment in youth housing programs.

§ 118. Health Care Services.

The Office of Homeless Youth Services may provide or contract for health care services to homeless youth. Each youth shelter and drop-in center shall provide screening for basic health needs and referral to public and private health providers for health care. Shelter personnel shall work with public health insurance options to assist youth with timely applications and efficient enrollment to health insurance coverage. Shelters that are not equipped to house a youth with substance abuse problems shall refer that youth to an appropriate clinic or facility. The shelter shall monitor the youth's progress and assist the youth with services upon his or her release from the substance abuse facility.

G. Data Collection and Evaluation to Legislature

§ 119. Reporting Requirements.

The Office of Homeless Youth Services shall on or before [Date decided by State Legislature], and on or before [Date decided by State Legislature], prepare a written report, which shall be made available electronically to the governor and to the general public concerning the performance of the Office of Homeless Youth Services and whether the office is effectively and efficiently meeting the purposes and goals specified in section 101. In addition, each project shall be responsible for evaluating the effectiveness of its programs and services by offering measurable outcome goals relevant to all services funded by the State.

§ 120. Outcomes.

The Office of Homeless Youth Services shall require applicants to identify, in their applications, measurable outcomes by which the Office of Homeless Youth Services will measure the success of the applicant's project. The Department (or Office of Homeless Youth Services) shall identify common outcome measures to be utilized by each grantee with the goal of decreasing the incidence of youth homeless in [STATE NAME], improving access to housing and residential stability, reducing the harm and level of risk faced by unaccompanied, homeless youth, and improving the health and positive development of youth participants. These measurable outcomes shall include, but not be limited to the number of clients served; the percentage of clients who are successfully returned to the home of a parent or guardian or to an alternate living condition when reunification is not possible; the number of youth assisted in obtaining access to housing, health care, educational, and vocational services; reductions in harmful or at-

risk behavior; and the number of youth supported in building relationships with permanent, caring adults. The outcome goals shall also include those purposes reviewed in Section 101.

H. Youth Empowerment and Involvement in Community System Change

§ 121. County Committee on Youth.

(a) The county board may appoint a county committee on youth comprised of not less than 5 members. The board shall fix the length of the committee members' terms at one, 2, and 3 years initially, staggering the terms so that after the initial appointments, the term of each member shall be for 3 years and so that the smallest possible portion of the terms on the committee will expire in any single calendar year.

(b) The county committee on youth may provide programs to combat and prevent juvenile delinquency, child abuse and exploitation, and to meet the basic and development needs of local youth, including housing.

(c) The county committee on youth may cooperate with other governmental entities and with any other organizations, associations, agencies, or persons in fostering, developing, and providing local programs designed to combat and prevent juvenile delinquency, child abuse and exploitation, and to meet the basic and developmental needs of local youth.

(d) The county committee on youth, with the approval of the county board, may contract with other governmental entities and with any other organizations, associations, agencies, or persons to provide programs to combat and prevent juvenile delinquency, child abuse and exploitation, to provide needed or required transportation services, and to meet the basic and developmental needs of local youth.

(e) Members of the county committee on youth shall serve without compensation but shall be allowed necessary expenses incurred in the performance of their duties under this Section.

(f) The members of the county committee on youth shall select one of their members to serve as chairperson and may elect other officers they deem necessary.

(g) The county committee shall seek data and evaluation from county systems on outcomes related to youth welfare, delinquency, abuse, exploitation and basic needs, and make recommendations to the County [Board of Commissioners or Council], where necessary, to changes in policy, practices, and funding priorities by the county to meet the outcome goals of the county committee.

§ 122. Youth and Community Services Program.

The Office of Homeless Youth Services shall develop a State-wide program for youth and community services which will assure that youth who come into contact or may come into contact with the child welfare and the juvenile justice systems will have access to needed community, prevention, diversion, emergency and independent living services.

(a) The goals of the program shall be to:

- (1) Maintain children and youths in their own community;
- (2) Eliminate unnecessary categorical funding of programs by funding more comprehensive and integrated programs;
- (3) Encourage local volunteers and voluntary associations in developing programs aimed at preventing and controlling juvenile delinquency;
- (4) Address voids in services and close service gaps;
- (5) Develop program models aimed at strengthening the relationships between youth and their families and aimed at developing healthy, independent lives for homeless youth;
- (6) Contain costs by redirecting funding to more comprehensive and integrated community-based services; and
- (7) Coordinate education, employment, training and other programs for youths with other State agencies.