

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

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**Introduction**

This Model State Act for Unaccompanied Runaway and Homeless Youth outlines critical services and interventions for runaway and homeless youth. The Model State Act for Homeless Youth can be used by state legislatures and is authored to provide a framework for dialogue and improvement in state laws benefiting 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;
- 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 except for specific language related to creating a dedicated funding stream. Given the variations in state financing systems, this language will have to be determined by state appropriators.

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**§ 100. Short Title**

State Model Act for Runaway and Homeless Youth

**§ 102. Definitions**

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

**(a) Homeless youth**

"Homeless youth" means a person 21 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. "Homeless youth" does not include a person incarcerated or otherwise detained under federal or state law.

**Alternative – up to age 24**

**(a) Homeless youth.** "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.

**(b) Fixed, regular and adequate nighttime residence**

"Fixed, regular and adequate nighttime residence" means a dwelling at which a person resides on a regular basis that adequately provides safe shelter. "Fixed, regular and adequate nighttime residence" does not include a publicly or privately operated institutional shelter designed to provide temporary living accommodations; transitional housing; a temporary placement with a peer, friend or family member who has not offered a permanent residence, residential lease or temporary lodging for more than 30 days; or a public or private place not designed for, nor ordinarily used as, a regular sleeping accommodation for human beings.

**Alternative**

**2. 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 14 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.

**(c) Runaway**

"Runaway" means an unmarried child under 18 years of age who is absent from the home of a parent or guardian or other lawful placement without the consent of the parent, guardian or lawful custodian.

**(d) Supportive Services**

"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.

**(e) Case Management**

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.

**(f) Homeless Youth Shelter**

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

**(g) Family Preservation Services**

“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.

**§ 103. Comprehensive program for homeless youth**

The [STATE NAME] Department of Human Resources shall establish and support a comprehensive program for homeless youth in the State by contracting with organizations and agencies licensed by the Department to provide an array of resources to homeless youth, including: street outreach, shelter, family preservation services, supportive services, case management services and transitional living services. The Department shall by rule establish licensure requirements and shall establish performance-based contracts with organizations and agencies to provide the following programs and services:

**ALTERNATIVE**

**§ 103. State Agency Responsible for Administration of Services and Funding**

(a) There is hereby created the [STATE NAME] Office of Homeless Youth Services under the Governor's Children's Cabinet 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.<sup>1</sup>

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

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

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

(9) 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.

(10) 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.

(11) Offer funding to a spectrum of services to unaccompanied, homeless youth, including the following services and resources:

**(a) Street and community outreach program.** The Department (or 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.

**(b) 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. 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.

**(c) Emergency shelter program.** The Department (or Office of Homeless Youth Services) may provide or contract for emergency shelter programs to provide homeless youth and runaway youth with referrals and walk-in access to short-term residential care on an emergency basis. The program must provide homeless youth and runaways with safe, dignified, voluntary housing, including private shower facilities, beds and at least one meal each day, and assist a runaway with reunification with family or a legal guardian when required or appropriate. The services provided at emergency shelters may include, but are not limited to, family reunification services or referral to safe, dignified housing; individual, family and group counseling; assistance obtaining clothing; access to medical and dental care and mental health counseling; education and employment services; recreational activities; case management, advocacy and referral services; independent living skills training; and aftercare, follow-up services and transportation;

**ALTERNATIVE – shelter as a right**

**(c) Emergency Shelter programs and services**

(1) 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.

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

- a. Family reunification services;

- b. Individual, family, and group counseling;
- c. Assistance obtaining clothing;
- d. Access to medical and dental care, mental health counseling, and addiction counseling;
- e. Education and employment services;
- f. Recreational activities;
- g. Advocacy and referral services;
- h. Independent living skills training;
- i. Aftercare and follow-up services;
- j. Transportation; and
- k. Explanation to the runaway or homeless youth of their rights, options of services, and other assistance available to the youth.

**(d) Community-based Drop-in Program**

The Department (or Office of Homeless Youth Services) may provide or contract for youth drop-in centers to provide walk-in access to crisis intervention and ongoing supportive services to homeless youth. 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. 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.

**(e) Youth Housing Programs with Positive Youth Development Services**

The Department (or Office of Homeless Youth Services) may provide or contract for youth housing services coupled with positive youth development services to help homeless youth find and maintain safe, dignified housing. 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:

- (1) Educational assessment and referrals to educational programs;
- (2) Career planning, employment, work skill training, and independent living skills training;
- (3) Job placement;
- (4) Budgeting and money management;
- (5) Assistance in securing housing appropriate to needs and income;

(6) Counseling regarding violence, prostitution, substance abuse, sexually transmitted diseases, reproductive health, conflict resolution, interpersonal relationships, and mental health;

(7) Referral for medical care or chemical and alcohol dependency treatment; and

(8) Parenting support.

**(f) Case Management Services**

The Department (or 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.

**(g) Health Care Services**

The Department (or 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.

**§ 104. Data collection**

The Department (or Office of Homeless Youth Services) shall collect data from its licensed organizations and agencies to ensure that appropriate and high-quality services are being delivered to homeless youth, youth at risk of homelessness and runaways and shall use the data to monitor the success of the contracts and programs as well as changes in the rates of homelessness among youth in the State or trends requiring a systemic public response. 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.

**§ 105. Rules**

The Department (or Office of Homeless Youth Services) shall adopt rules as may be necessary for the effective administration of the comprehensive program under section 103.