



Preliminary Report

Senate Concurrent Resolution 70

provided by:

West Virginia Department of Education (WVDE)
West Virginia Department of Health and Human Resources (WVDHHR)

October 10, 2021

Purpose

Though passage of Senate Concurrent Resolution 70 (SCR70) (Appendix A), the West Virginia Legislature requested a study to examine the population of children experiencing homelessness, as defined by McKinney-Vento Homeless Assistance Act, and the services provided to those children. Specifically, the study is to include a joint report from the WVDHHR and the WVDE on:

- potential methods of ensuring that all county boards of education are using the correct definition of children experiencing homelessness when identifying these children; and
- services provided to children experiencing homelessness by the WVDHHR and WVDE, any identified service gaps or barriers, and any recommendations for statutory changes needed to overcome the service gaps or barriers.

This report is a preliminary document to provide background on the identification of children experiencing homelessness and the services that are available to them. The WVDE and WVDHHR have initiated the development of a data sharing agreement to identify possible gaps in service delivery to children experiencing homelessness. As each agency has reviewed available data and planned for data matching for this study, it has been noted that the circumstances surrounding homelessness will cause difficulty in obtaining complete data matches to conduct the study. The agencies seek additional dialog and input from the Legislature to guide the data analysis for the completion of this study.

Background on Homelessness

The causes of homelessness vary. The loss of employment, sudden or chronic illnesses, and high utility costs are all factors that can suddenly lead to housing instability and homelessness. When families face housing challenges, a child's health, safety, and wellbeing can suffer. The WVDHHR and the WVDE provide a myriad of services and supports to children and families during times of instability, but they only account for a portion of the many efforts carried out by organizations throughout the state, dedicated to preventing and ending homelessness.

Eligibility for services is dependent upon the federal and state definitions of homelessness that govern the specific programs providing the services. Therefore, it is important to understand the varying definitions of homeless across multiple federal agencies and the services that are connected to each definition.

Education Definitions and Services

Definitions:

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act - 42 U.S.C. § 11434a(2) defines “homeless children and youths” as follows:

- A. individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 11302(a)(1) of this title); and
- B. includes –
 - i. children and youths who are sharing the housing of other persons due to loss of housing, economic hardships, 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;
 - ii. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings (within the meaning of section 11302(a)(2)(C) of this title);
 - 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 6399 of title 20) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described by clauses (i) through (iii).


Subtitle VII-B of the McKinney-Vento Homeless Assistance Act - 42 U.S.C. § 11434a(6) defines “unaccompanied youth” as youth not in the physical custody of a parent or guardian.

West Virginia Code §18-8A-1 matches the McKinney-Vento Homeless Assistance Act definition for the purpose of identifying students experiencing homelessness and providing appropriate services to assure opportunities for an equal education.

When identifying students experiencing homelessness, it is important to understand the definition of homeless. The McKinney-Vento Act defines homeless children and youth as individuals who lack a fixed, regular, and adequate nighttime residence. The definition lists specific examples of living arrangements that would be considered homeless, but the list is not exhaustive. Even if a student is not living in one of the specific situations listed in the definition, the student may still be deemed McKinney-Vento eligible if he or she lacks a fixed, regular, and adequate nighttime residence.

The McKinney-Vento Act defines unaccompanied youth as “a homeless child or youth not in the physical custody of a parent or guardian” [42 USC § 11434a(6)]. Taking a closer look at the definition, two conditions must be present for a child or youth to be considered an unaccompanied youth under the McKinney-Vento Act:

1. The student’s living arrangement meets the Act’s definition of homeless, and
2. The student is not in the physical custody of a parent or guardian.



Physical custody refers to where a child or youth is physically living; a child or youth who is not in the physical custody of a parent or guardian is not living with a parent or guardian. It is important to note, however, that the presence of a custody or guardianship issue alone would not make a student eligible for McKinney-Vento services; the student’s living arrangement must also meet the definition of homelessness. The term “unaccompanied youth”, as used throughout this report, refers to youth who are both unaccompanied and experiencing homelessness.

Services:


Educational Stability - When addressing the needs of children and youth experiencing homelessness, the main goal of state and local education agency staff is to establish educational stability for the student as quickly as possible and to facilitate the maintenance of educational stability as the student progresses through their education. The WVDE and WVDHHR have issued joint guidance to county school districts and county child welfare agency points of contacts titled “Educational Stability for Homeless Children and Children in Foster Care which can be accessed at <https://wvde.us/wv-content/uploads/2018/11/Edu.-Stability-Homeless-and-Foster-Guidance-DHHR-and-WVDE.pdf> . This guidance addressed the educational stability process which includes:

- the Best Interest Determination process to determine where a child experiencing homelessness will attend school if their homeless situation has caused them to move away from their school of origin,
- the procedures for providing transportation to school of origin,
- immediate enrollment procedures to eliminate barriers to school enrollment often encountered by students experiencing homelessness, and
- roles for both local education and local child welfare points of contact which are designed to be a partnership to establish educational stability for children experiencing homelessness and foster children.

Identification of Children and Youth Experiencing Homelessness – the WVDE provides guidance and professional development to county school attendance directors (who are designated by West Virginia Code as the county’s Homeless Liaison) in:

- the proper identification of students experiencing homelessness,
- requirements for training school staff in the identification of students experiencing homelessness,
- the resources/services that must be provided to establish educational stability and the funding that is available to pay for resources/services,
- the procedures for addressing and resolving disputes pertaining to the determinations for providing educational stability, and
- the availability of additional resources to serve students experiencing homelessness through grant opportunities and collaboration with community based organizations.

Title I Services – Each county school district receives Title I – Part A funding from the Elementary and Secondary Education Act (ESEA) of 1965 (as amended in 2015). Title I – Part A



regulations require that each district set aside funding to support the needs of students in the district who are identified as homeless. The set aside funds are used to meet the needs of all identified students in the district regardless of the Title I status of the school the student attends. These funds can be used to support any of the following needs:


- Transportation to the school of origin,
- School supplies and equipment necessary for attending school,
- Clothing and personal hygiene items,
- Wrap around services when not available through other sources (i.e., eyeglasses, assistive technology needed for instructional purposes),
- Fees for school activities (i.e., extra-curricular, field trips, course fees, college application fees), and
- Tutoring and other extended learning opportunities.

The WVDE monitors the provision of Title I services to students experiencing homelessness through the Title I application process and the ESEA consolidated monitoring process. Any district found to be non-compliant with this requirement is required to fulfill corrective action requirements until they are compliant with the provision.

McKinney-Vento Competitive Grants – The WVDE receives approximately \$600,000 annually from the United States Department of Education through the McKinney-Vento allocation determined based on the State’s annual count of students experiencing homelessness. These funds are awarded to county school districts through a competitive grants process to build additional capacity for serving identified students. These funds may be used to:

- Increase services and resources to identified students,
- Hire tutors to serve students in homeless shelters,
- Provide additional educational resources and materials in homeless shelters,
- Hire additional professional support staff to serve students experiencing homelessness, and
- Conduct additional outreach through collaboration with community-based organizations serving students/families experiencing homelessness.

Additional COVID-19 Relief Services for Students Experiencing Homelessness - The WVDE committed \$33 million from the state activity reserve portion of the Elementary and Secondary School Emergency Relief (ESSER) funding (part of the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act of 2020), in grants to county school districts for the implementation of robust summer programming in 2021 through the Summer Sole (Student Opportunities for Learning and Engagement) Program. This included a requirement for meals and transportation to ensure that all students would have the opportunity to participate. Programs ran a minimum of four days per week for at least four weeks and provided both remediation and enrichment opportunities. The program requirements were designed to ensure that our most vulnerable students (including students experiencing homelessness) faced no barriers to participation. Any remaining funds from these grants will be carried over to afterschool and summer programs in 2021-2022 and will continue to include requirements for improving access to students experiencing homelessness.



American Rescue Plan-Homeless Children and Youth (ARP-HCY) funds totaling \$4,990,123 will be distributed to county school systems in the fall of 2021 using both a competitive and formula grant process to be used for the following:

- Providing wraparound services (which could be provided in collaboration with and/or through contracts with community-based organizations, and could include academic supports, trauma informed care, social-emotional support, and mental health services). Examples: tutors at local shelters, wraparound services with local Community in Schools programs and local mental health agencies, part time or full-time support personnel to serve students experiencing homelessness,
- Providing transportation to enable children and youth to attend classes and participate fully in school activities,
- Purchasing cell phones or other technological devices for unaccompanied youth to enable the youth to attend and fully participate in school activities,
- Providing access to reliable, high-speed internet for students through the purchase of internet connected devices/equipment, mobile hotspots, wireless service plans, or installation of Community Wi-Fi Hotspots (e.g., at homeless shelters), especially in underserved communities,
- Paying for short-term, temporary housing (e.g., a few days in a motel) when such emergency housing is the only reasonable option for COVID-safe temporary housing and when necessary to enable the child or youth experiencing homelessness to attend school and participate fully in school activities (including summer school), and
- Purchasing materials necessary for students to participate in school activities. Examples: school supplies, personal hygiene items, clothing, extracurricular activity fees, field trip fees, art supplies, Advance Placement and college classes fees, and special education supports.

Health and Human Services (HHS) Definitions and Services

Definitions:

The Runaway and Homeless Youth Act (RHYA) (42 U.S.C. §5732a) defines HOMELESS YOUTH as individuals who are *“less than 21 years of age...for whom it is not possible to live in a safe environment with a relative and who have no other safe alternative living arrangement.”* This definition includes only those youth who are unaccompanied by families or caregivers. This definition is used in connection with the Basic Center Program and Transitional Living Program:

- For the Basic Center Program, the homeless youth is an individual who is 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.

- For the Transitional Living Program, the age is defined as 16-21 years of age, or 22 years of age if previously in care, under certain circumstances.

The Basic Center Program services:

- Runaway Youth – means an individual who is less than 18 years of age and who absents himself or herself from home or a place of legal residence without the permission of a parent or legal guardian, and
- Youth at Risk of Separation from the Family – means an individual – (A) who is less than 18 years of age; and (B) (i) who has a history of running away from the family of such individual; (ii) whose parent, guardian, or custodian is not willing to provide for the basic needs of such individual; or (iii) who is at risk of entering the child welfare system of juvenile justice system as a result of the lack of services available to the family to meet such needs.

The Street Outreach Program (which attempts to outreach and refer youth the above- mentioned transitional living and runaway youth programs) has this definition of youth who are the target of outreach:

- Street Youth – means an individual who – (A) is – (i) a runaway youth; or (ii) indefinitely or intermittently a homeless youth; and (B) spends a significant amount of time on the street or in other areas that increase the risk to such youth as sexual abuse, sexual exploitation, prostitution, or drug abuse.

The Supplemental Nutrition Assistance Program (SNAP) – defines a person experiencing homelessness as:

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.

Additional policies apply to SNAP ABAWDS that are “chronically homeless”. The definition of chronic homelessness is the lack of consistent living arrangements, including homeless shelters, for a period of 90 days prior to the date of the determination or the client has an extended history that demonstrates a pattern suggesting the inability to find suitable, long-term housing. The definition of chronic homelessness is different from the general SNAP definition.

Additionally, USDA-FNS issued a policy memo titled “SNAP - Clarification of Policies Barriers Facing Homeless Youth” which clarifies that a homeless youth that is not under parental control of another adult should be “afforded the opportunity to apply as a one-person household.”



Link to FNS memo:

<https://www.fns.usda.gov/snap/snap-clarification-policies-barriers-facing-homeless-youth>

TANF/WV WORKS - ACF allows states the flexibility to define homelessness for purposes of administering programs under the TANF block grant. WV Works does not define homelessness; that said, as TANF/WV Works serves only families with children, if a family presents for TANF services and indicates that they are experiencing homelessness or a lack of housing suitable for children, they will be immediately referred to the Bureau for Social Services for intake and evaluation.

The Emergency Assistance Program - can offer short-term, non-recurring benefits to help families experiencing or at risk of experiencing homelessness. For the purposes of this program, homelessness is defined as:

1. Facing or in immediate danger of becoming homeless; or
2. Homeless transients for which transportation arrangements to their communities are incomplete; or
3. Applicants rendered homeless because their living quarters have been destroyed.


Family Assistance Services:

Emergency Assistance - The Emergency Assistance Program is used to assist individuals and families in meeting financial crises when they are without available resources. The program is designed to provide short-term emergency financial assistance with which eligible individuals and families may obtain items or services needed to eliminate an emergency or crisis. Items of need include rent, utilities food, household supplies, clothing, transportation, and medical service. Assistance is limited to one 30 consecutive day period during any 12 consecutive months.

Supplemental Nutrition Assistance Program (SNAP) - SNAP is governed by federal law and regulations of the US Department of Agriculture, Food Nutrition Services. SNAP provides monthly benefits to help eligible households buy food. Eligibility to receive benefits is based on household size, income, assets, and some household expenses as determined by the federal government. The asset limit is \$2,250 for households.

Medicaid - Medicaid provides medical care in the community to individuals who otherwise may not be able to afford the care. A variety of services are provided, according to state and federal guidelines, depending upon the individual or family circumstances. Recipients of Supplemental Security Income (SSI) automatically qualify for Medicaid.

WV WORKS - WV WORKS provides monthly cash assistance to eligible families. Applicants are required to attend orientation to learn about available activities, services, and for an explanation of the 60-month lifetime limit for receipt of benefits. In addition, each adult or emancipated minor is required to negotiate a personal responsibility contract. This contract is an agreement between the applicant and WVDHHR which identifies goals, objectives and actions that must be taken in order to become self-sufficient. The personal responsibility contract may be



renegotiated at any time; it is an ever-changing document. Within the first 30 days a home visit will be completed by the WV WORKS Case Manager.


WV WORKS also provides support service payments to participants. Eligibility for support services may continue for a six-month period following case closure. There are lifetime limits on the amount of support service payments, but payment may be issued based on need, for the following items: clothing, tools, equipment, driver's license, chauffeur's license, commercial driver's license, professional license, relocation expenses, transportation, vehicle repair, vehicle insurance, and other incidental expenses relating to participation in an approved work activity. Bonuses are also paid based on case circumstances:

- \$100 one-time High School Diploma Achievement Bonus is paid when the TASC exam is passed or the recipient obtains a High School diploma.
- \$250 one-time Self-Sufficiency Achievement Bonus is paid for retaining full-time paid employment and maintaining WV residency during each of the six months following WV WORKS closure.
- \$250 one-time Vocational Education and Employment Achievement Bonus is paid when a vocational training graduate obtains employment within 90 days of graduation.

Low Income Energy Assistance Program (LIEAP) - LIEAP assists eligible households with the cost of home heating through direct cash payments or payments to utility companies on their behalf. A crisis component is available for households without resources facing the loss of a heating source. Eligibility for both program components is based on a combination of factors including income, type of heating payment, and total heating costs. The Division of Family Assistance operates LIEAP in each of the WVDHHR field offices for a short time each winter usually beginning with an automated payment or a mail-out to targeted households. In addition, DFA contracts with the Community Action network and with regional Agency on Aging Offices to perform outreach and accept LIEAP applications at their local sites.

Emergency Low Income Energy Assistance Program - Application for Emergency LIEAP must be made in person at a WVDHHR office when a household receives a termination notice from the home heating vendor or runs out of, or is nearly out of, bulk fuel. Applicants must verify that this is a true home heating emergency as defined by WVDHHR policy. Any additional information required to determine eligibility must be provided within five business days from the date of application. Failure to provide requested verification will result in denial of the Emergency LIEAP application. Households may be referred for energy conservation and/or money management counseling when available.

20% Discount Program - The Special Reduced Residential Service Rate Program (20% Utility Discount Program) was established by statute to assist certain eligible participants in receiving a 20% discount from their electric, gas, and/or water companies. WV American Water (WVAW) is currently the only water company participating in the program. To be eligible for this rate reduction, one must be a recipient of either SNAP and be 60 years of age or older, SSI and be 18 years of age or older, or WV WORKS. For gas and electric, one must be a recipient of one of these programs during November, December, January, February, and March to get the discount



for that month. The WVAW program runs year-round. The electric, gas, and/or water companies will be responsible for determining eligibility for the Special Reduced Residential Service Rate.

School Clothing Voucher Program - The Bureau for Family Assistance begins accepting applications for school clothing allowance July 1st prior to each school year. Eligible children will receive a \$200 benefit towards the purchase of appropriate school clothing or piece goods for families who sew clothing for their children. School clothing allowance program recipients will receive an electronic benefit transfer (EBT) card in place of the traditional paper voucher. This system change allows for both online transactions and increased choice of vendors when purchasing school clothing or piece goods.


Non-Emergency Medical Transportation (NEMT) - NEMT reimburses recipients of Medicaid and the Children with Special Health Care Needs programs for the cost of transportation associated with receiving medical services. Payments are made to the client or transportation providers and can include meals, lodging and turnpike tolls when required.

Family Resource Networks (FRNs) – FRNs are organizations that respond to the needs and opportunities of the community. Partnering with community members and public and private organizations, WVFRN members develop innovative projects and provide needed resources for their local areas. The FRNs in West Virginia maintain a website for resource guides of local community resources that individuals and families can access.

Child Welfare Services:

Child Protective Services (CPS) - CPS investigates allegations of child abuse and neglect and assesses for safety concerns within the family. When CPS identifies safety concerns, a case is opened for ongoing services. Depending on the level of intervention needed, services could be provided to the family with or without having the child(ren) placed in foster care. Services include the use of many community services as well as socially necessary services. Community services could include but are not limited to mental and behavioral health services for the family and child(ren), housing assistance, food assistance, medical care, domestic violence services, utility assistance, and legal services. Socially necessary services could include but are not limited to such services as parenting, supervised visitation, and safety services.

Youth Services – Youth Services are provided to a child and family when the child has been charged with a status offense or juvenile delinquency. Youth Services can also become involved with a child and family when the family requests assistance in finding services for a child’s mental or behavioral health needs. Community services could include but are not limited to mental and behavioral health services for the family and child(ren), housing assistance, food assistance, medical care, domestic violence services, utility assistance, and legal services. Socially necessary services could include but are not limited to such services as parenting, supervised visitation, and safety services.



Foster Care Services – Foster Care Services are provided to children involved with Child Protective Services who could not be safely maintained with their families as well as to children ordered into departmental custody through juvenile delinquency and status court proceedings.

Foster Youth Initiative (FYI) - FYI is funded by Housing and Urban Development and provides vouchers to landlords who can provide housing for transitioning foster youth at risk of homelessness and would provide priority housing to at-risk transitioning youth.

Trafficking Services - CPS assesses the needs of human trafficking victims and assures services are provided to minor trafficking victims and those where an attempt to traffic is determined, as they are defined as abused and/or neglected children. Services for their immediate needs include ensuring their safety, obtaining any medical treatment they need for physical or sexual trauma, food, clothing, and shelter. Other services may include but are not limited to mental health needs that can include comprehensive trauma-informed services that are specialized to the needs of child victims of sexual abuse and exploitation or child sex trafficking victims' legal services, education services, and life skills for teens.

Transitioning Youth – a transitioning youth is an individual with a transfer plan to move to an adult setting who meets one of the following conditions:


- 1.) Is 18 years of age but under 21 years of age, was in departmental custody upon reaching 18 years of age and committed an act of delinquency before reaching 18 years of age, remains under the jurisdiction of the juvenile court, and requires supervision and care to complete an education or treatment program, which was initiated prior to the 18th birthday; or
- 2.) Is 18 years of age but under 21 years of age, was adjudicated abused, neglected, or in departmental custody upon reaching 18 years of age and enters into a contract with the department to continue in an educational, training, or treatment program which was initiated prior to the 18th birthday.

Vouchers for Emergency Shelter - Vouchers done through a DF-67 form through the Bureau of Social Services to provide immediate shelter in a motel, hotel, or a homeless shelter for individuals and families. The DF-67 can also be used for a first month's rent, security deposit for housing, food, transportation, and other necessary items as needed for individuals and families experiencing homelessness.

Special Medical Cards - Special medical cards can be issued through the Bureau of Social Services for individuals who do not have some type of medical insurance coverage to obtain specific medical and/or mental health services from a specific provider. Each Bureau of Social Services program (CPS, Youth Services, Homeless Services, Adult Protective Services) has specific policies and procedures regarding the issuance of special medical cards.

Youth Housing and Services Navigators (YHSN)

Youth Housing and Services Navigators are charged with identifying unaccompanied (under age 18), transition youth (18-24 year old's), and parenting or pregnant youth under 25 years of age who are at-risk



or experiencing homelessness in target regions throughout the WV Balance of State (BoS) Continuum of Care (CoC), guiding these youth from the street, school, foster care, youth shelters, adult shelters, incarceration and the mental health system from their current placements toward the WV BoS Coordinated Entry System and ultimately permanent housing. YHSN work collaboratively with the WVCEH Director of Youth Programs and WV BoS Youth Action Board to maintain and enhance relationships with youth with lived experience, youth providers, and housing partners, at both the state level and locally in assigned service area (CoC region), to ensure that youth are prioritized accordingly for housing resources with the goal of developing a youth services and housing model to expand upon throughout each region of the WV BoS catchment area. YHSN are tasked with local coordination of the designated DHHR county office(s) and Public Housing Authorities (PHAs) to assist with housing location and stabilization services for youth eligible for the Foster Youth to Independence Initiative vouchers, bridging the gap from foster care to stable housing.

Other Services:

Expanded School Mental Health (ESMH) – ESMH is a comprehensive system of behavioral health services and programs that builds on core services provided by schools. ESMH includes the full continuum of prevention, early intervention, and treatment. Prevention strategies work by either increasing protective factors (e.g., resiliency, social involvement, recognition of positive behavior) or decreasing risk factors (e.g., preventing early initiation of substance use, rebelliousness, low socioeconomic status). The West Virginia Bureau for Behavioral Health (BBH) partners with the WVDE to provide ESMH in select schools in Cabell, Clay and Harrison Counties.

The Family Advocacy Support and Training (FAST) – The FAST program is a statewide parent and youth network that engages families in the planning, management and evaluation of their child’s mental health treatment and service needs. FAST has four regional advocates, an attorney, and a statewide resource specialist and serves all 55 West Virginia counties. The FAST program also Helps resolve legal concerns that directly impact a child's academic success, including difficulties with accessing appropriate education services, issues of custody and adoption, and acquisition of benefits, transportation, and housing.


Housing and Urban Development (HUD) Definitions and Services

Definitions:

HUD defines homelessness for their program in four categories:

Category 1: Literally Homeless - Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- (i) Has a primary nighttime residence that is a public or private place not meant for human habitation;

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- (ii) Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (include congregate shelters, transitional housing, and hotels/motels paid for by charitable organizations or by federal, state and local government programs); or
 - (iii) Is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

Category 2: Imminent Risk of Homelessness - Individual or family who will imminently lose their primary nighttime residence, provided that:

- (i) Residence will be lost within 14 days of the date of application for homeless assistance;
- (ii) No subsequent residence has been identified; and
- (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing.

Category 3: Homeless Under Other Federal Statutes - Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

- (i) Are defined as homeless under the other listed federal statutes;
- (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;
- (iii) Have experienced persistent instability as measured by two moves or more during the preceding 60 days; and
- (iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers.

Category 4: Fleeing/Attempting to Flee Domestic Violence - Any individual or family who:

- (i) Is fleeing or attempting to flee their housing or the place they are staying because of domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions related to violence that has taken place in the house or has made them afraid to return to the house, include:
 - Trading sex for housing
 - Trafficking
 - Physical abuse
 - Violence (or perceived threat of violence) because of the youth's sexual orientation;
- (ii) Has no other residence; and
- (iii) Lacks the resources or support networks to obtain other permanent housing.



Other Partners that WVDHHR and WVDE work with to Address Homelessness

The WVDHHR and WVDE work closely with the West Virginia Coalition to End Homelessness and the Housing and Urban Development programs housed in the West Virginia Department of Economic Development (WVDED). As the work on this study is completed, additional information on the services provided by these partners will be added to the report.

Next Steps

Upon completion of a data sharing agreement, the WVDE will share data with WVDHHR on students identified as homeless under the McKinney-Vento definition from the 2020-2021 school year with the intent to determine what wraparound services these students and their families received from the WVDHHR. It is understood that complete data matching between the two agencies' data systems may be a barrier to creating a complete picture of the services provided. For that reason, the WVDHHR and WVDE seek dialog and input from the Legislature to design specific study parameters with an anticipated completion date of December 2021.

Appendix A

SENATE CONCURRENT RESOLUTION 70
(By Senators Azinger, Beach, Boley, Clements, Grady,
Plymale, Roberts, Romano, Stollings, Unger, and Rucker)
[Originating in the Committee on Education; reported on
April 6, 2021]

Requesting the Joint Committee on Government and Finance to study and examine the population of children experiencing homelessness, as defined by McKinney-Vento Homeless Assistance Act, and the services provided to those children.

Whereas, “Children experiencing homelessness” is defined as a child who lacks a fixed, regular, and adequate nighttime residence. In accordance with McKinney-Vento Homeless Assistance Act, as amended by the Every Student Success Act, a child experiencing homelessness includes children: (i) 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 awaiting foster care placement; (ii) children 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 who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; (iv) migratory children; and (v) children not in the physical custody of a parent or guardian; and


Whereas, Children experiencing homelessness are at greater risk of entering the child welfare system or juvenile justice system; being victims of sex trafficking; suffering from mental health and behavioral health issues; and experiencing significant disruptions in their education; and

Whereas, Both the West Virginia Department of Education and West Virginia Department of Health and Human Resources provide services to this vulnerable population, which are funded by both state and federal funds; and

Whereas, Coordinating the services provided by the West Virginia Department of Education and West Virginia Department of Health and Human Resources will ensure that all children experiencing homelessness will be served and will expose any gaps or barriers in providing such services, if any; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is hereby requested to study and examine the population of children experiencing homelessness, as defined by McKinney-Vento Homeless Assistance Act, and the services provided to those children; and, be it



Further Resolved, That the examination at least include requesting a joint report from the West Virginia Department of Health and Human Resources and the West Virginia Department of Education on potential methods of ensuring that all county boards of education are using the correct definition of children experiencing homelessness when identifying these children; the services provided to homeless children by the West Virginia Department of Health and Human Resources and West Virginia Department of Education; any identified service gaps or barriers; and any recommendations for statutory changes needed to overcome the service gaps or barriers, if necessary; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2022, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report, and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.