

**The Most Frequently Asked Questions on the Education Rights of Children in Homeless Situations:
Access to Higher Education**

This document is an excerpt from “The Most Frequently Asked Questions on the Education Rights of Children in Homeless Situations,” published by the National Association for the Education for Homeless Children and Youth (NAEHCY) and the National Law Center on Homelessness & Poverty (NLCHP) in September 2016. To download the entire document, see http://www.naehcy.org/sites/default/files/dl/legis/2016-09-16_FAQ_FINAL.pdf

The answers are general responses based on federal statutes, regulations, and guidance; relevant case law; and best practices from across the country. It cannot be emphasized enough that these are general responses, and that answers could change based on the facts of a particular case. McKinney-Vento issues require a case-specific inquiry. This document is meant to provide basic information and tools to assist parents, youth, liaisons, administrators and advocates in understanding the McKinney-Vento Act and related laws.

127. Can students experiencing homelessness request waivers of fees for SAT and ACT testing and college applications?

A: Yes. Students should be eligible for waivers for all of those fees, due to their income level and/or their homelessness. However, SAT and ACT waivers are available only when a student is enrolled in high school. School counselors should be familiar with the procedures for fee waivers. More information is also available at <http://www.act.org/aap/pdf/feewaiver.pdf> and <http://www.collegeboard.com/student/testing/sat/calenfees/feewaivers.html>.

128. What must an LEA do to help prepare youth experiencing homelessness for college?

A. LEAs must ensure that counselors provide advice to McKinney-Vento youth to help prepare and improve their readiness for college. 42 U.S.C. 11432(g)(1)(K). The local liaison, along with guidance counselors and other LEA staff tasked with college preparation, should ensure that all high school students experiencing homelessness receive information and individualized counseling regarding college readiness, college selection, the application process, financial aid, and the availability of on-campus supports. 2016 Guidance, Q-1.

129. What must LEA liaisons do to assist unaccompanied homeless youth to apply for financial aid for post-secondary education?

A. Local liaisons must ensure that unaccompanied homeless youth are informed of their status as independent students for college financial aid. See Question 130. In addition, liaisons must assist youths to receive verification of their independent student status for federal student aid purposes. 42 U.S.C. 11432(g)(6)(A)(x)(III); 2016 Guidance, Q-2.

130. Can unaccompanied homeless youth apply for federal financial aid (through the Free Application for Federal Student Aid, or FAFSA) without providing information about their parents' income and their parents' signature?

A: Yes. Generally, youth under age 24 must provide parental information when completing the FAFSA. However, under the Higher Education Act, youth who are both (1) unaccompanied and (2) homeless (or self-supporting and at risk of homelessness) can apply for federal aid independently, without parental information or signature. Their eligibility must be verified, in the year in which the youth completes the FAFSA, by (1) a McKinney-Vento liaison; (2) a U.S. Department of Housing and Urban Development homeless assistance program director or his/her designee; (3) a Runaway and Homeless Youth Act program director or his/her designee; or (4) a financial aid administrator.

For youth who do not have, and cannot obtain, verification from their liaison or a shelter provider (for example, youth who have graduated from high school, were not identified as homeless in high schools, or did not stay in a shelter), the college financial aid administrator must make a determination of homelessness based on the legal definitions of "unaccompanied" and "homeless." In these instances, a financial aid administrator may make a determination of homeless status on the basis of a documented interview. U.S. Department of Education, *Federal Student Aid Application and Verification Guide*, 2016-2017. Financial aid administrators, McKinney-Vento liaisons and shelter staff should verify homelessness by consulting with and gathering information from the youth; they should not require the youth to provide extensive documentation "proving" homelessness. July 2015 Dear Colleague Letter from the U.S. Department of Education at <https://ifap.ed.gov/dpccletters/GEN1516.html>. More information about helping unaccompanied youth apply for financial aid is available at http://www.naehcy.org/higher_ed.html.

131. Who can make a determination of homeless and unaccompanied status once a youth is no longer in high school?

A. A local liaison may continue to make a determination of a youth's status as either unaccompanied and homeless, or as self-supporting and at risk of being homeless, for federal student aid purposes for as long as the liaison has access to the information necessary to make such a determination for a particular youth. 2016 Guidance, Q-2. If a liaison does not have the information that is necessary to make the determination, either because the youth become homeless after high school, or because the liaison is no longer familiar with the youth's circumstances, the financial aid administrator must make the determination. A tool to assist financial aid administrators to make determinations of unaccompanied and homeless status is available at http://www.naehcy.org/higher_ed.html.

132. A student answered "yes" to the questions on the FAFSA about being a homeless unaccompanied youth. Now the financial aid office is asking the student for a determination of a student's homeless status from the McKinney-Vento liaison or shelter director. What kind of documentation must the liaison or shelter director (or designee) provide to satisfy this requirement?

A: There is no specific documentation that a liaison or a shelter provider must provide to a financial aid office. A sample template for this purpose is available on the NAEHCY web site at

http://www.naehcy.org/higher_ed.html. Financial aid administrators, McKinney-Vento liaisons, and shelter directors should meet to establish an expeditious process, including standard forms.

133. Are there other circumstances in which a youth can apply for financial aid without parental signature or financial information?

A: Yes. Youth who meet the federal definition of “independent student” can fill out the FAFSA without their parents. Independent students include students who are 24 years of age or older, orphans, a youth who was in foster care at any time after the age of 13, a youth who was a ward or dependent of the court, emancipated youth, veterans, graduate students, and youth who are married, have children or other legal dependents that they support. A financial aid administrator at a college can also designate a student as independent for “other unusual circumstances”, through a process known as a dependency override. Youth should contact the financial aid administrator at the college of their choice for more information about this process. 20 U.S.C. 1087vv(d)

134. What address should a youth experiencing homelessness use on the FAFSA and college applications?

A: By definition, students experiencing homelessness are likely to lack a stable address. For the FAFSA, college applications, and similar documents, homeless students should use a safe, reliable mailing address, where they will be able to retrieve mail on an on-going basis with a minimal risk of mail being lost or stolen. This can be the address of a relative or friend who has given them permission to use it, or it can be their school’s address, as long as they have contacted the school for permission and instructions for insuring that mail they receive at the school reaches them. U.S. Department of Education, *Federal Student Aid Application and Verification Guide*, 2016-2017.

135. A student’s FAFSA has been rejected. What should the student do?

A: There are many reasons a FAFSA may be rejected. The student should contact the Federal Student Aid Information Center at (800) 433-3243 to find out the specific problem with the student’s FAFSA. The college financial aid administrator also may be able to help. FAFSA corrections can be made on-line via the federal financial aid website, which also contains detailed instructions and answers to Frequently Asked Questions. The site is: <http://www.fafsa.ed.gov/>.

136. Are there other college access programs from which youth experiencing homelessness might benefit?

A: Yes. The Federal TRIO programs consist of programs that support at-risk junior high and high school students to graduate from high school, enter college, and complete their degrees. These programs include Talent Search, Upward Bound, Student Support Services, Educational Opportunity Centers and Staff Development Activities. The Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP) program also can support McKinney-Vento students. Students experiencing homelessness are at great risk of academic failure due to their extreme poverty and residential instability, and are now explicitly recognized as eligible populations in these federal programs.