

Foster Care & Education

Q&A

WHAT CHILD WELFARE ADVOCATES CAN DO FOR UNACCOMPANIED YOUTH

Q: Who are unaccompanied youth?

A: As defined by the McKinney-Vento Act, unaccompanied youth are young people experiencing homelessness who are not in the physical custody of a parent or guardian. Each year, 1.6-1.7 million youth run away from home or are forced out of their homes by parents, guardians or other caretakers. The vast majority has experienced grave abuse and/or neglect in their homes. Youth may move among friends' houses or stay in shelters, parks, abandoned buildings, motels, vehicles, or other temporary, inadequate places.

Q: What are unaccompanied youth's experiences while homeless?

A: Youth who are homeless on their own struggle daily to meet their most basic needs. They are frequently victimized. As many as half report being robbed or assaulted, one in ten report being raped, and one in 100 die while homeless, the majority from suicide.

Q: Are unaccompanied youth in the care of the child welfare system?

A: Many unaccompanied youth are, or have been, in out-of-home care. Some youth technically are in out-of-home care, but have run away from foster care placements and become homeless. Others have had foster care cases closed or abuse or neglect allegations dismissed, only to become homeless. Many youth have emancipated from foster care into homelessness.

While there is no definitive estimate of the number of unaccompanied youth who are receiving or have received services from the child welfare system, studies

have indicated that 61% of homeless 18- and 19-year olds have been in foster care at some point.

Q: Why aren't more unaccompanied youth in the care of the child welfare system?

A: Some unaccompanied youth do not receive child welfare services because they have not experienced abuse or neglect, but rather have become separated from caring parents due to poverty, illness, or other factors outside the family's control. However, the vast majority has experienced abuse and/or neglect, and providing for their safety and well-being falls within the obligation of the child welfare system. These youth fall through the cracks primarily for two reasons.

First, child welfare agencies often hesitate to take custody of older youth. Appropriate placements are scarce, and achieving permanency is challenging. Second, many unaccompanied youth strive to avoid entering the child welfare system, due to loyalty to parents, fear of retribution against themselves or siblings, unwillingness to relinquish control over their lives, or mistrust of the child welfare system.

Nonetheless, unaccompanied youth are in desperate need of services. To ensure these young people's safety and well-being, while also recognizing the system's challenges, child welfare agencies should be creative, but zealous, in serving unaccompanied youth. The child welfare system can provide services without necessarily taking youth into custody. Through deliberate partnerships with the health and mental health systems, housing agencies, schools, family courts, juvenile justice courts, and other youth-serving organizations, child



welfare agencies can lead the way in serving unaccompanied youth.

Q: How can child welfare agencies help unaccompanied youth without taking them into custody?

A: Most importantly, child welfare professionals can respect youth’s strengths and the solutions youth have developed for themselves. When advocates treat young people as equal partners, the resources of the child welfare system can provide unaccompanied youth with immediate safety and practical tools for long-term success. For example, child welfare agencies can:

- Open housing and other independent living programs for foster youth to unaccompanied youth who are not in the custody of the child welfare system.
- Brainstorm with youth about housing possibilities, including independent or transitional living programs, apartments, or long-term arrangements with friends, mentors, or appropriate family members.
- Enable and preserve informal custody arrangements that are working for youth. Connect caregivers with financial resources, mental health services, and other supports.
- Provide youth with immediate support to meet their basic needs, such as food, clothing, and hygiene.
- Secure physical and mental health care for youth.

Q: How can child welfare agencies, attorneys, judges, and other advocates help unaccompanied youth who are in out-of-home care?

A: Again, it is critical to respect the wishes and goals of youth in care. Advocacy should focus on providing stable placements that work for youth, meeting current needs (including physical and mental health care), and planning for the future. To that end, advocates working with the youth should:

- Keep youth’s cases open when it appears the youth will not find permanency before they emancipate from care, to preserve their rights to the continued support of the child welfare system. Cases can be kept open even when youth have run away from placements.

- Ensure youth who exit foster care at age 16 or older receive the independent living services and education support to which they are entitled under recent amendments to Title IV-E (HR 6893).

- Extend custody after a youth reaches the age of emancipation, as permitted under federal law, to ensure ongoing support for housing, basic needs, and education.

- Support youth’s educational success. The McKinney-Vento Act and the Fostering Connections Act (HR 6893) impose requirements on schools and child welfare agencies to enroll youth in school immediately and keep youth stable in one school even when they move around. The Individuals with Disabilities Education Act gives unaccompanied youth the right to expedited appointment of a temporary surrogate parent to make special education decisions, as well as other rights. Judges may wish to appoint educational advocates for youth with disabilities.

Q: How can transition planning prevent youth in out-of-home care from becoming homeless?

A: Generally, transition planning is required to begin when a youth in care turns 16. However, successful planning usually requires more time, as well as a coordinated effort among child welfare, schools, housing agencies, health and mental health care systems, and other agencies. Effective transition planning can ensure youth have successful experiences while in care and move to independence with confidence and success. Child welfare advocates can:

- Start transition planning early, at least at age 14, and plan for both short- and long-term goals.
- Secure housing that youth can enter immediately upon leaving care.
- Help youth secure stable employment or another source of livable income.
- Emphasize high school graduation and post-secondary education. The Chafee Foster Care Independence Program offers financial, housing, counseling, employment, education, and other support and services to help youth achieve their educational goals.

