

TITLE 42 - THE PUBLIC HEALTH AND WELFARE
CHAPTER 119 - HOMELESS ASSISTANCE
SUBCHAPTER VI - EDUCATION AND TRAINING
Part B - Education for Homeless Children and Youths

§ 11434a. Definitions

For purposes of this part:

- (1) The terms “enroll” and “enrollment” include attending classes and participating fully in school activities.
- (2) The term “homeless children and youths”—
 - (A) means 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 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 are awaiting foster care placement;
 - (ii) children and youths 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 (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 part because the children are living in circumstances described in clauses (i) through (iii).
- (3) The terms “local educational agency” and “State educational agency” have the meanings given such terms in section 7801 of title 20.
- (4) The term “Secretary” means the Secretary of Education.
- (5) The term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.
- (6) The term “unaccompanied youth” includes a youth not in the physical custody of a parent or guardian.

(Pub. L. 100–77, title VII, § 725, as added Pub. L. 107–110, title X, § 1032, Jan. 8, 2002, 115 Stat. 2005.)

Prior Provisions

A prior section 11434a, Pub. L. 100–77, title VII, § 725, as added Pub. L. 103–382, title III, § 323, Oct. 20, 1994, 108 Stat. 3965, defined terms, prior to the general amendment of this part by Pub. L. 107–110.

Another prior section 11434a, Pub. L. 100–77, title VII, § 725, as added Pub. L. 101–645, title VI, § 613(2), Nov. 29, 1990, 104 Stat. 4743, related to reports by Comptroller General, prior to the general amendment of this part by Pub. L. 103–382.

A prior section 725 of Pub. L. 100–77 was renumbered section 726 and was classified to section 11435 of this title, prior to the general amendment of this part by Pub. L. 103–382.