



Applying Research to Policy: How youth voice can shape the Runaway and Homeless Youth Act

The following example of statutory changes reflects what was learned from the 215 young people interviewed in *Missed Opportunities: Causes and Critical Conditions in Youth Pathways Through Homelessness in America*, a Voices of Youth Count report from Chapin Hall. The following examples reflect how the voices of the young people interviewed can be reflected in policy making. The below are not the only changes that could strengthen this policy, but they are presented here to open a discussion among policy makers and advocates as to how to best change this law to better serve youth.

Example text additions and changes are highlighted below:

Source: <https://www.acf.hhs.gov/fysb/resource/rhy-act> as posted and last reviewed by HHS/ACF/FYSB on May 31, 2018

Runaway and Homeless Youth Authorizing Legislation

34 USC Subtitle I, CHAPTER 111, SUBCHAPTER III: RUNAWAY AND HOMELESS YOUTH

From Title 34—CRIME CONTROL AND LAW ENFORCEMENT

Subtitle I—Comprehensive Acts

CHAPTER 111—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SUBCHAPTER III—RUNAWAY AND HOMELESS YOUTH

§11201. Findings

The Congress finds that—

- (1) youth who have become homeless or who leave and remain away from home **and their families** ~~without parental permission~~, are at risk of developing, and have a disproportionate share of, serious health, behavioral, and emotional problems, **including complex trauma**, because they lack sufficient resources to obtain care and may live on the street for extended periods thereby endangering themselves and creating a substantial law enforcement problem for communities in which they congregate;
- (2) many such young people, because of their age and situation, are urgently in need of temporary shelter and services, including services that are **developmentally and** linguistically appropriate and acknowledge the environment of youth seeking these services;

(3) rigorous qualitative research has documented that youth experiences of homelessness is fluid where many youth experience two to three different types of housing instability, including couch surfing, emergency shelters, transitional living programs, and staying on the streets.

(4) rigorous qualitative research has documented that youth often leave home because of parental rejection or discrimination, being kicked out of their home, or due to volatile and unsafe family circumstances. Furthermore, caregiver deaths can play a significant role in the housing instability in the lives of vulnerable young people.

(3) (5) services to such young people should be developed and provided using a positive youth development approach that ensures a young person a sense of—

(A) safety and structure;

(B) belonging and membership trustworthiness and transparency;

(C) self-worth and social contribution empowerment, voice and choice;

(D) independence and control over one's life collaboration and mutuality; and

(E) closeness in interpersonal relationships peer support; and

(F) inclusion regardless of cultural, historical, and gender issues.

(4) (6) in view of the interstate nature of the problem, it is the responsibility of the Federal Government to develop an accurate national reporting system to report the problem, and to assist in the development of an effective system of care (including preventive and aftercare services, emergency shelter services, extended residential shelter, and street outreach services) outside the welfare system and the law enforcement system;

(5) (7) to make a successful transition to adulthood, runaway youth, homeless youth, and other street youth need opportunities to complete high school or earn a general equivalency degree, learn job skills, and obtain employment; and

(6) (8) improved coordination and collaboration between the Federal programs that serve runaway and homeless youth are necessary for the development of a long-term strategy for responding to the needs of this population, with particular attention given to engaging child welfare, Medicaid, TANF and WIC programs.

§11202. Promulgation of rules

The Secretary of Health and Human Services (hereinafter in this subchapter referred to as the "Secretary") may issue such rules as the Secretary considers necessary or appropriate to carry out the purposes of this subchapter.

Part A—Basic Center Grant Program

§11211. Authority to make grants

(a) Grants for centers and services

(1) In general

The Secretary shall make grants to public and nonprofit private entities (and combinations of such entities) to establish and operate (including renovation) local centers to provide services for runaway and homeless youth and for the families of such youth.

(2) Services provided

Services provided under paragraph (1)—

(A) shall be provided as an alternative to involving runaway and homeless youth in the law enforcement, child welfare, mental health, and juvenile justice systems;

(B) shall, under appropriate conditions, be provided prior to more intensive involvement in prevention services through the child welfare system

~~(B)~~ (C) shall include—

- (i) safe and appropriate shelter provided for not to exceed 21 days; and
- (ii) individual, family, and group counseling, as appropriate, in order to address family conflicts, intrafamilial stigma and discrimination, and loss; and

~~(C)~~ (D) may include—

- (i) street-based services;
- (ii) home-based services for families with youth at risk of separation from the family;
- (iii) drug abuse education and prevention services; and
- (iv) at the request of runaway and homeless youth, testing for sexually transmitted diseases.

(E) Exceptions to the 21 day time limit—

(i) shall include —

- (1) recent death of a parent or caregiver; and
- (2) when a youth's transition into a post-secondary educational or training opportunity is imminent.

(ii) may include —

- (1) Family homelessness;
- (2) Parental involvement in residential substance or mental health program; and
- (3) Parent incarceration.

(b) Allotment of funds for grants; priority given to certain private entities

(1) Subject to paragraph (2) and in accordance with regulations promulgated under this subchapter, funds for grants under subsection (a) shall be allotted annually with respect to the States on the basis of their relative population of individuals who are less than 18 years of age.

(2)(A) Except as provided in subparagraph (B), the amount allotted under paragraph (1) with respect to each State for a fiscal year shall be not less than \$200,000, except that the amount allotted to the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall be not less than \$70,000 each.

(B) For fiscal years 2009 and 2010, the amount allotted under paragraph (1) with respect to a State for a fiscal year shall be not less than the amount allotted under paragraph (1) with respect to such State for fiscal year 2008.

(C) Whenever the Secretary determines that any part of the amount allotted under paragraph (1) to a State for a fiscal year will not be obligated before the end of the fiscal year, the Secretary shall reallocate such part to the remaining States for obligation for the fiscal year.

(3) In selecting among applicants for grants under subsection (a), the Secretary shall give priority to private entities that have experience in providing the services described in such subsection.

§11212. Eligibility; plan requirements

(a) Runaway and homeless youth center; project providing temporary shelter; counseling services

To be eligible for assistance under section 11211(a) of this title, an applicant shall propose to establish, strengthen, or fund an existing or proposed runaway and homeless youth center, a locally controlled project (including a host family home) that provides temporary shelter, and counseling services to youth who have left home without permission of their parents or guardians or to other homeless youth.

(b) Provisions of plan

In order to qualify for assistance under section 11211(a) of this title, an applicant shall submit a plan to the Secretary including assurances that the applicant—

- (1) shall operate a runaway and homeless youth center located in an area which is demonstrably frequented by or easily reachable by runaway and homeless youth;
- (2) shall use such assistance to establish, to strengthen, or to fund a runaway and homeless youth center, or a locally controlled facility providing temporary shelter, that has—
 - (A) a maximum capacity of not more than 20 youth, except where the applicant assures that the State where the center or locally controlled facility is located has a State or local law or regulation that requires a higher maximum to comply with licensure requirements for child and youth serving facilities; and
 - (B) a ratio of staff to youth that is sufficient to ensure adequate supervision and treatment;
- (3) shall develop adequate plans for contacting the parents or other relatives of the youth and ensuring the safe return of the youth according to the best interests of the youth, for contacting local government officials pursuant to informal arrangements established with such officials by the runaway and homeless youth center and for providing for other appropriate alternative living arrangements;
- (4) shall develop an adequate plan for ensuring—
 - (A) proper relations with law enforcement personnel, health and mental health care personnel, social service personnel, school system personnel, and welfare personnel;
 - (B) coordination with McKinney-Vento school district liaisons, designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)), to assure that runaway and homeless youth are provided information about the educational services available to such youth under subtitle B of title VII of that Act [42 U.S.C. 11431 et seq.]; and
 - (C) the return of runaway and homeless youth from correctional institutions;
- (5) shall develop an adequate plan for providing counseling and aftercare services to such youth, for encouraging the involvement of their parents or legal guardians in counseling, and for ensuring, as possible, that aftercare services will be provided to those youth who are returned beyond the State in which the runaway and homeless youth center is located;
- (6) shall develop an adequate plan for establishing or coordinating with outreach programs (including the use of online resources in order to better reach and engage youth) designed to attract persons (including, where applicable, persons who are members of a cultural minority and persons with limited ability to speak English) who are eligible to receive services for which a grant under subsection (a) may be expended;
- (7) shall keep adequate statistical records profiling the youth and family members whom it serves (including youth who are not referred to out-of-home shelter services), except that records maintained on individual runaway and homeless youth shall not be disclosed without the consent of the individual youth and parent or legal guardian to anyone other than

another agency compiling statistical records or a government agency involved in the disposition of criminal charges against an individual runaway and homeless youth, and reports or other documents based on such statistical records shall not disclose the identity of individual runaway and homeless youth;

(8) shall submit annual reports to the Secretary detailing how the center has been able to meet the goals of its plans and reporting the statistical summaries required by paragraph (7);

(9) shall demonstrate its ability to operate under accounting procedures and fiscal control devices as required by the Secretary;

(10) shall submit a budget estimate with respect to the plan submitted by such center under this subsection;

(11) shall supply such other information as the Secretary reasonably deems necessary;

(12) shall submit to the Secretary an annual report that includes, with respect to the year for which the report is submitted—

(A) information regarding the activities carried out under this part;

(B) the achievements of the project under this part carried out by the applicant; and

(C) statistical summaries describing—

(i) the number and the characteristics of the runaway and homeless youth, and youth at risk of family separation, who participate in the project; and

(ii) the services provided to such youth by the project; and

(13) shall develop an adequate emergency preparedness and management plan; and

(14) shall develop a plan to coordinate with the local child welfare agency for prevention services for youth under age 18 who are assessed to be at-risk of child welfare involvement and in need of services beyond those available through the basic center program;

(15) shall use a validated screening tool to ensure appropriate assessment of a youth's needs, unique personal attributes, family and trauma history (including the death of a parent), peer and intimate relationships, and developmental needs;

(16) shall obtain consent to share information with other federally funded homeless youth programs in other parts of the state where youth may travel without stable housing arrangements.

(c) Applicants providing street-based services

To be eligible to use assistance under section 11211(a)(2)(~~CD~~)(i) of this title to provide street-based services, the applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

(1) provide qualified supervision of staff, including on-street supervision by appropriately trained staff;

(2) provide backup personnel for on-street staff;

(3) provide initial and periodic training of staff who provide such services, including training on issues related to family conflict and trauma; and

(4) conduct outreach activities for runaway and homeless youth, and street youth;

(5) provide personnel training on how to assess which youth may not be from the area and what additional resources and supports they may need in such cases; and

(6) shall develop an adequate plan for the use of online resources in order to better reach and engage youth.

(d) Applicants providing home-based services

To be eligible to use assistance under section 11211(a) of this title to provide home-based services described in section 11211(a)(2)(~~CD~~)(ii) of this title, an applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

- (1) provide counseling and information to youth and the families (including unrelated individuals in the family households) of such youth, including services **that address relational challenges, trauma, social and emotional well-being** relating to basic life skills, interpersonal skill building, educational advancement, job attainment skills, mental and physical health care, parenting skills, financial planning, and referral to sources of other needed services;
- (2) provide directly, or through an arrangement made by the applicant, 24-hour service to respond to family crises (including immediate access to temporary shelter for runaway and homeless youth, and youth at risk of separation from the family);
- (3) establish, in partnership with the families of runaway and homeless youth, and youth at risk of separation from the family, objectives and measures of success to be achieved as a result of receiving home-based services;
- (4) establish, in partnership with the local child welfare agency, a plan for prevention services to be provided to youth under age 18, and their families, who are assessed to be at-risk of child welfare involvement and in need of services beyond those available through these home-based services.**
- ~~(4)~~ **(5)** provide initial and periodic training of staff who provide home-based services, **including training on issues related to family conflict and trauma; and**
- ~~(5)~~ **(6)** ensure that—
 - (A) caseloads will remain sufficiently low to allow for intensive (5 to 20 hours per week) involvement with each family receiving such services; and
 - (B) staff providing such services will receive qualified supervision.

(e) Applicants providing drug abuse education and prevention services

To be eligible to use assistance under section 11211(a)(2)(~~CD~~)(iii) of this title to provide drug abuse education and prevention services, an applicant shall include in the plan required by subsection (b)—

- (1) a description of—
 - (A) the types of such services that the applicant proposes to provide;
 - (B) the objectives of such services; **and**
 - (C) how the program will ensure all youth are safe, valued, affirmed and have opportunities to have a voice in how services are delivered;**
 - ~~(C)~~ **(D)** the types of information and training to be provided to individuals providing such services to runaway and homeless youth; and
- (2) an assurance that in providing such services the applicant shall conduct outreach activities for runaway and homeless youth, **including offering resources online and through social media.**

§11213. Approval of applications

(a) In general

An application by a public or private entity for a grant under section 11211(a) of this title may be approved by the Secretary after taking into consideration, with respect to the State in which such entity proposes to provide services under this part—

- (1) the geographical distribution in such State of the proposed services under this part for which all grant applicants request approval; and
- (2) which areas of such State have the greatest need for such services.

(b) Priority

In selecting applications for grants under section 11211(a) of this title, the Secretary shall give priority to—

- (1) eligible applicants who have demonstrated experience in providing services to runaway and homeless youth; and
- (2) eligible applicants that request grants of less than \$200,000.

§11214. Grants to private entities; staffing

Nothing in this subchapter shall be construed to deny grants to private entities which are fully controlled by private boards or persons but which in other respects meet the requirements of this subchapter and agree to be legally responsible for the operation of the runaway and homeless youth center and the programs, projects, and activities they carry out under this subchapter. Nothing in this subchapter shall give the Federal Government control over the staffing and personnel decisions of facilities receiving Federal funds under this subchapter.

Part B—Transitional Living Grant Program

§11221. Authority for program

The Secretary is authorized to make grants and to provide technical assistance to public and nonprofit private entities to establish and operate transitional living youth projects for homeless youth.

§11222. Eligibility

(a) In general

To be eligible for assistance under this part, an applicant shall propose to establish, strengthen, or fund a transitional living youth project for homeless youth and shall submit to the Secretary a plan in which such applicant agrees, as part of such project—

- (1) to provide, by grant, agreement, or contract, shelter (such as group homes, including maternity group homes, host family homes, and supervised apartments) and provide, by grant, agreement, or contract, services, (including information and counseling services in basic life skills which shall include money management, budgeting, consumer education, and use of credit, parenting skills (as appropriate), interpersonal/relational skill building, educational advancement, job attainment skills, and mental and physical health care) to homeless youth;
- (2) to provide such shelter and such services to individual homeless youth throughout a continuous period not to exceed 540 days, or in exceptional circumstances 635 days, except that a youth in a program under this part who has not reached 18 years of age on the last day

of the 635-day period may, in exceptional circumstances and if otherwise qualified for the program, remain in the program until the youth's 18th birthday;

(A) to allow youth, under most circumstances, the flexibility to re-enter the program after a premature exit in order to successfully complete their eligible time allowance.

(3) to provide, directly or indirectly, on-site supervision at each shelter facility that is not a family home;

(4) that such shelter facility used to carry out such project shall have the capacity to accommodate not more than 20 individuals (excluding staff);

(5) to provide a number of staff sufficient to ensure that all homeless youth participating in such project receive adequate supervision and services;

(6) to provide develop a written transitional living plan to in partnership with each youth based on an thorough assessment of such youth's needs, unique personal attributes, family and trauma history, peer and intimate relationships, and developmental needs, designed to help the transition from supervised participation in such project to independent living or another appropriate living arrangement;

(7) to develop an adequate plan to ensure proper referral of homeless youth to social service, law enforcement, educational (including post-secondary education), vocational, training (including services and programs for youth available under the Workforce Innovation and Opportunity Act), welfare (including programs under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996), legal service, and health care programs and to help integrate and coordinate such services for youths;

(8) to provide for the establishment of outreach programs, including the appropriate use of online and social media methods of engagement, designed to attract individuals who are eligible to participate in the project;

(9) to obtain consent to share information with other federally funded homeless youth programs in other parts of the state where youth may travel without stable housing arrangements.

~~(9)~~ (10) to submit to the Secretary an annual report that includes information regarding the activities carried out with funds under this part, the achievements of the project under this part carried out by the applicant and statistical summaries describing the number and the characteristics of the homeless youth who participate in such project, and the services provided to such youth by such project, in the year for which the report is submitted;

~~(10)~~ (11) to implement such accounting procedures and fiscal control devices as the Secretary may require;

~~(11)~~ (12) to submit to the Secretary an annual budget that estimates the itemized costs to be incurred in the year for which the applicant requests a grant under this part;

~~(12)~~ (13) to keep adequate statistical records profiling homeless youth which it serves and not to disclose the identity of individual homeless youth in reports or other documents based on such statistical records;

~~(13)~~ (14) not to disclose records maintained on individual homeless youth without the informed consent of the individual youth to anyone other than an agency compiling statistical records;

~~(14)~~ (15) to provide to the Secretary such other information as the Secretary may reasonably require;

(15) (16) to coordinate services with McKinney-Vento school district liaisons, designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)), to assure that runaway and homeless youth are provided information about the educational services available to such youth under subtitle B of title VII of that Act [42 U.S.C. 11431 et seq.]; and
(16) to develop an adequate emergency preparedness and management plan.

(b) Priority

In selecting eligible applicants to receive grants under this part, the Secretary shall give priority to entities that have experience in providing to homeless youth shelter and services of the types described in subsection (a)(1).

(c) Definition

In this part—

- (1) the term "maternity group home" means a community-based, adult-supervised transitional living arrangement that provides pregnant or parenting youth and their children with a supportive and supervised living arrangement in which such pregnant or parenting youth are required to learn parenting skills, including child development, family budgeting, health and nutrition, and other skills to promote their long-term economic independence in order to ensure the well-being of their children, and address any interpersonal trauma that might interfere with being an effective parent; and
- (2) the term "exceptional circumstances" means circumstances in which a youth would benefit to an unusual extent from additional time in the program.

Part C—National Communications System

§11231. Authority to make grants

The Secretary shall make grants for a national communication system to assist runaway and homeless youth in communicating with their families and with service providers. The Secretary shall give priority to grant applicants that have experience in providing telephone, online and social media services to runaway and homeless youth.

Part D—Coordinating, Training, Research, and Other Activities

§11241. Coordination

With respect to matters relating to the health, education, employment, and housing of runaway and homeless youth, the Secretary—

- (1) in conjunction with the Attorney General, shall coordinate the activities of agencies of the Department of Health and Human Services with activities under any other Federal juvenile crime control, prevention, and juvenile offender accountability program and with the activities of other Federal entities;
- (2) shall coordinate the activities of agencies of the Department of Health and Human Services with the activities of other Federal entities and with the activities of entities that are eligible to receive grants under this subchapter; and

(3) shall consult, as appropriate, the Secretary of Housing and Urban Development to ensure coordination of programs and services for homeless youth.

§11242. Grants for technical assistance and training

The Secretary may make grants to statewide and regional nonprofit organizations (and combinations of such organizations) to provide technical assistance and training to public and private entities (and combinations of such entities) that are eligible to receive grants under this subchapter, for the purpose of **implementing in a trauma-and evidence-informed manner, carrying out** the programs, projects, or activities for which such grants are made.

§11243. Authority to make grants for research, evaluation, demonstration, and service projects

(a) Authorization; purposes

The Secretary may make grants to States, localities, and private entities (and combinations of such entities) to carry out research, evaluation, demonstration, and service projects regarding activities under this subchapter designed to increase knowledge concerning, and to improve services for, runaway youth and homeless youth.

(b) Selection factors; priority

In selecting among applications for grants under subsection (a), the Secretary shall give priority to proposed projects relating to—

- (1) youth who repeatedly leave and remain away from their homes;
- (2) transportation of runaway youth and homeless youth in connection with services authorized to be provided under this subchapter;
- (3) the special needs of runaway youth and homeless youth programs in rural areas;
- (4) the special needs of programs that place runaway youth and homeless youth in host family homes;
- (5) staff training in—
 - (A) the behavioral and emotional effects of sexual abuse and assault, severe forms of trafficking in persons (as defined in section 7102(9) of title 22), and sex trafficking (as defined in section 7102(10) of title 22);
 - (B) responding to youth who are showing effects of sexual abuse and assault, severe forms of trafficking in persons (as defined in section 7102(9) of title 22), or sex trafficking (as defined in section 7102(10) of title 22); and
 - (C) agency-wide strategies for working with runaway and homeless youth who have been sexually victimized, including such youth who are victims of trafficking (as defined in section 7102(15) of title 22);
- (6) innovative methods of developing resources that enhance the establishment or operation of runaway and homeless youth centers;
- (7) training for runaway youth and homeless youth, and staff training, related to preventing and obtaining treatment for infection by the human immunodeficiency virus (HIV);
- (8) increasing access to quality health care (including behavioral health care) for runaway youth and homeless youth;

- (9) increasing access to education for runaway youth and homeless youth, including access to educational and workforce programs to achieve outcomes such as decreasing secondary school dropout rates, increasing rates of attaining a secondary school diploma or its recognized equivalent, or increasing placement and retention in postsecondary education or advanced workforce training programs; and
- (10) providing programs, including innovative programs, that assist youth in obtaining and maintaining safe and stable housing, and which may include programs with supportive services that continue after the youth complete the remainder of the programs.

(c) Applicant experience and diversity

In selecting among applicants for grants under subsection (a), the Secretary shall—

- (1) give priority to applicants who have experience working with runaway or homeless youth; and
- (2) ensure that the applicants selected—
 - (A) represent diverse geographic regions of the United States; and
 - (B) carry out projects that serve diverse populations of runaway or homeless youth.

§11244. Demonstration projects to provide services to youth in rural areas

- (a)(1) The Secretary may make grants on a competitive basis to States, localities, and private entities (and combinations of such entities) to provide services (including transportation) authorized to be provided under part A, to runaway and homeless youth in rural areas.
- (2)(A) Each grant made under paragraph (1) may not exceed \$100,000.
- (B) In each fiscal year for which funds are appropriated to carry out this section, grants shall be made under paragraph (1) to eligible applicants to carry out projects in not fewer than 10 States.
- (C) Not more than 2 grants may be made under paragraph (1) in each fiscal year to carry out projects in a particular State.
- (3) Each eligible applicant that receives a grant for a fiscal year to carry out a project under this section shall have priority to receive a grant for the subsequent fiscal year to carry out a project under this section.
- (b) To be eligible to receive a grant under subsection (a), an applicant shall—
 - (1) submit to the Secretary an application in such form and containing such information and assurances as the Secretary may require by rule; and
 - (2) propose to carry out such project in a geographical area that—
 - (A) has a population under 20,000;
 - (B) is located outside a Standard Metropolitan Statistical Area; and
 - (C) agree to provide to the Secretary an annual report identifying—
 - (i) the number of runaway and homeless youth who receive services under the project carried out by the applicant;
 - (ii) the types of services authorized under part A that were needed by, but not provided to, such youth in the geographical area served by the project;
 - (iii) the reasons the services identified under clause (ii) were not provided by the project; and
 - (iv) such other information as the Secretary may require.

§11245. Periodic estimate of incidence and prevalence of youth homelessness

(a) Periodic estimate

Not later than 2 years after October 8, 2008, and at 5-year intervals thereafter, the Secretary, in consultation with the United States Interagency Council on Homelessness, shall prepare and submit to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary of the Senate, and make available to the public, a report—

- (1) by using the best quantitative and qualitative social science research methods available, containing an estimate of the incidence and prevalence of runaway and homeless individuals who are not less than 13 years of age but are less than 26 years of age; and
- (2) that includes with such estimate an assessment of the characteristics of such individuals.

(b) Content

The report required by subsection (a) shall include—

- (1) the results of conducting a survey of, and direct interviews with, a representative sample of runaway and homeless individuals who are not less than 13 years of age but are less than 26 years of age, to determine past and current—
 - (A) socioeconomic characteristics of such individuals; and
 - (B) barriers to such individuals obtaining—
 - (i) safe, quality, and affordable housing;
 - (ii) comprehensive and affordable health insurance and health services; and
 - (iii) incomes, public benefits, supportive services, and connections to caring adults; and
- (2) such other information as the Secretary determines, in consultation with States, units of local government, and national nongovernmental organizations concerned with homelessness, may be useful.

(c) Implementation

If the Secretary enters into any contract with a non-Federal entity for purposes of carrying out subsection (a), such entity shall be a nongovernmental organization, or an individual, determined by the Secretary to have appropriate expertise in quantitative and qualitative social science research.

Part E—Sexual Abuse Prevention Program

§11261. Authority to make grants

(a) In general

The Secretary may make grants to nonprofit private agencies for the purpose of providing street-based services to runaway and homeless, and street youth, who have been subjected to, or are at risk of being subjected to, sexual abuse, prostitution, sexual exploitation, severe forms of trafficking in persons (as defined in section 7102(9) of title 22), or sex trafficking (as defined in section 7102(10) of title 22).

(b) Priority

In selecting applicants to receive grants under subsection (a), the Secretary shall give priority to public and nonprofit private agencies that have experience in providing services to **employing**

young people with lived experience, and partnering in a respectful way with runaway and homeless, and street youth.

Part F—General Provisions

§11271. Assistance to potential grantees

The Secretary shall provide informational assistance to potential grantees interested in establishing runaway and homeless youth centers and transitional living youth projects.

§11272. Lease of surplus Federal facilities for use as runaway and homeless youth centers or as transitional living youth shelter facilities

(a) Conditions of lease arrangements

The Secretary may enter into cooperative lease arrangements with States, localities, and nonprofit private agencies to provide for the use of appropriate surplus Federal facilities transferred by the General Services Administration to the Department of Health and Human Services for use as runaway and homeless youth centers or as transitional living youth shelter facilities if the Secretary determines that—

- (1) the applicant involved has suitable financial support necessary to operate a runaway and homeless youth center or transitional living youth project, as the case may be, under this subchapter;
- (2) the applicant is able to demonstrate the program expertise required to operate such center in compliance with this subchapter, whether or not the applicant is receiving a grant under this part; and
- (3) the applicant has consulted with and obtained the approval of the chief executive officer of the unit of local government in which the facility is located.

(b) Period of availability; rent-free use; structural changes: Federal ownership and consent

- (1) Each facility made available under this section shall be made available for a period of not less than 2 years, and no rent or fee shall be charged to the applicant in connection with use of such facility.
- (2) Any structural modifications or additions to facilities made available under this section shall become the property of the United States. All such modifications or additions may be made only after receiving the prior written consent of the Secretary or other appropriate officer of the Department of Health and Human Services.

§11273. Reports

(a) In general

Not later than April 1, 2000, and biennially thereafter, the Secretary shall submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate, a report on the status, activities, and accomplishments of entities that receive grants under parts A, B, C, D, and E, with particular attention to—

- (1) in the case of centers funded under part A, the ability or effectiveness of such centers in—
 - (A) alleviating the problems of runaway and homeless youth;

- (B) if applicable or appropriate, reuniting such youth with their families and encouraging the resolution of intrafamily problems through counseling and other services;
 - (C) strengthening family relationships and encouraging stable living conditions for such youth; and
 - (D) assisting such youth to decide upon a future course of action; and
- (2) in the case of projects funded under part B—
- (A) the number and characteristics of homeless youth served by such projects;
 - (B) the types of activities carried out by such projects;
 - (C) the effectiveness of such projects in alleviating the problems of homeless youth;
 - (D) the effectiveness of such projects in preparing homeless youth for self-sufficiency;
 - (E) the effectiveness of such projects in assisting homeless youth to decide upon future education, employment, and independent living;
 - (F) the ability of such projects to encourage the resolution of intrafamily problems through counseling and development of self-sufficient living skills; and
 - (G) activities and programs planned by such projects for the following fiscal year.

(b) Contents of reports

The Secretary shall include in each report submitted under subsection (a), summaries of—

- (1) the evaluations performed by the Secretary under section 11277 of this title; and
- (2) descriptions of the qualifications of, and training provided to, individuals involved in carrying out such evaluations.

§11274. Federal and non-Federal share; methods of payment

(a) The Federal share for the renovation of existing structures, the provision of counseling services, staff training, and the general costs of operations of such facility's budget for any fiscal year shall be 90 per centum. The non-Federal share may be in cash or in kind, fairly evaluated by the Secretary, including plant, equipment, or services.

(b) Payments under this section may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

§11275. Restrictions on disclosure and transfer

Records containing the identity of individual youths pursuant to this chapter may under no circumstances be disclosed or transferred to any individual or to any public or private agency.

§11276. Consolidated review of applications

With respect to funds available to carry out parts A, B, C, D, and E, nothing in this subchapter shall be construed to prohibit the Secretary from—

- (1) announcing, in a single announcement, the availability of funds for grants under 2 or more of such parts; and
- (2) reviewing applications for grants under 2 or more of such parts in a single, consolidated application review process.

§11277. Evaluation and information

(a) In general

If a grantee receives grants for 3 consecutive fiscal years under part A, B, C, D, or E (in the alternative), then the Secretary shall evaluate such grantee on-site, not less frequently than once in the period of such 3 consecutive fiscal years, for purposes of—

- (1) determining whether such grants are being used for the purposes for which such grants are made by the Secretary;
- (2) collecting additional information for the report required by section 11275 of this title; and
- (3) providing such information and assistance to such grantee as will enable such grantee to improve the operation of the centers, projects, and activities for which such grants are made.

(b) Cooperation

Recipients of grants under this subchapter shall cooperate with the Secretary's efforts to carry out evaluations, and to collect information, under this subchapter.

§11278. Performance standards

(a) Establishment of performance standards

Not later than 1 year after October 8, 2008, the Secretary shall issue rules that specify performance standards for public and nonprofit private entities and agencies that receive grants under sections 11211, 11221, and 11261 of this title.

(b) Consultation

The Secretary shall consult with representatives of public and nonprofit private entities and agencies that receive grants under this subchapter, including statewide and regional nonprofit organizations (including combinations of such organizations) that receive grants under this subchapter, and national nonprofit organizations concerned with youth homelessness, in developing the performance standards required by subsection (a).

(c) Implementation of performance standards

The Secretary shall integrate the performance standards into the processes of the Department of Health and Human Services for grantmaking, monitoring, and evaluation for programs under sections 11211, 11221, and 11261 of this title.

§11279. Definitions

In this subchapter:

(1) Drug abuse education and prevention services

The term "drug abuse education and prevention services"—

- (A) means services to runaway and homeless youth to prevent or reduce the illicit use of drugs by such youth; and
- (B) may include—
 - (i) individual, family, group, and peer counseling;
 - (ii) drop-in services;
 - (iii) assistance to runaway and homeless youth in rural areas (including the development of community support groups);
 - (iv) information and training relating to the illicit use of drugs by runaway and homeless youth, to individuals involved in providing services to such youth; and
 - (v) activities to improve the availability of local drug abuse prevention services to runaway and homeless youth.

(2) Home-based services

The term "home-based services"—

- (A) means services provided to youth and their families for the purpose of—
 - (i) preventing such youth from running away, or otherwise becoming separated, from their families; and
 - (ii) assisting struggling caregivers to provide an environment to which it is safe for youth to return;
 - ~~(ii)~~ (iii) assisting runaway youth to return to their families; and
- (B) includes services that are provided in the residences of families (to the extent practicable), including—
 - (i) intensive individual and family counseling to address issues including complex trauma, intra-familial stigma and discrimination, grief and loss; and
 - (ii) training relating to life skills and parenting.

(3) Homeless youth

The term "homeless", used with respect to a youth, means an individual—

- (A) who is—
 - (i) less than 21 years of age, or, in the case of a youth seeking shelter in a center under part A, 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; and
 - (ii) for the purposes of part B, not less than 16 years of age and either—
 - (I) less than 22 years of age; or
 - (II) not less than 22 years of age, as of the expiration of the maximum period of stay permitted under section 11222(a)(2) of this title if such individual commences such stay before reaching 22 years of age;
- (B) for whom it is not possible to live in a safe environment with a relative; and
- (C) who has no other safe alternative living arrangement.

(4) Runaway youth

The term "runaway", used with respect to a 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.

(5) Street-based services

The term "street-based services"—

- (A) means services provided to runaway and homeless youth, and street youth, in areas where they congregate, designed to assist such youth in making healthy personal choices regarding where they live and how they behave; and
- (B) may include—
 - (i) identification of and outreach to runaway and homeless youth, and street youth, including the use of online and social media methods of engagement;
 - (ii) crisis intervention and counseling;

- (iii) information and referral for housing;
- (iv) information and referral for transitional living and health care services;
- (v) advocacy, education, and prevention services related to—
 - (I) alcohol and drug abuse;
 - (II) sexual exploitation;
 - (III) sexually transmitted diseases, including human immunodeficiency virus (HIV); and
 - (IV) physical and sexual assault.

(6) Street youth

The term "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 for sexual abuse, sexual exploitation, prostitution, or drug abuse.

(7) Transitional living youth project

The term "transitional living youth project" means a project that provides shelter and services designed to promote a transition to self-sufficient living and to prevent long-term dependency on social services.

(8) Youth at risk of separation from the family

The term "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 or juvenile justice system as a result of the lack of services available to the family to meet such needs.

§11280. Authorization of appropriations

(a) In general

(1) Authorization

There are authorized to be appropriated to carry out this subchapter (other than section 11245 of this title and part E) \$140,000,000 for fiscal year 2009, and such sums as may be necessary for fiscal years 2010, 2011, 2012, and 2013.

(2) Allocation

(A) Parts A and B

From the amount appropriated under paragraph (1) for a fiscal year, the Secretary shall reserve not less than 90 percent to carry out parts A and B.

(B) Part B

Of the amount reserved under subparagraph (A), 45 percent and, in those fiscal years in which continuation grant obligations and the quality and number of applicants for parts A and B warrant not more than 55 percent, shall be reserved to carry out part B.

(3) Parts C and D

(A) In general

In each fiscal year, after reserving the amounts required by paragraph (2), the Secretary shall use the remaining amount (if any) to carry out parts C and D (other than section 11245 of this title).

(B) Periodic estimate

There are authorized to be appropriated to carry out section 11245 of this title such sums as may be necessary for fiscal years 2009, 2010, 2011, 2012, and 2013.

(4) Part E

There are authorized to be appropriated to carry out part E \$25,000,000 for fiscal year 2009 and such sums as may be necessary for fiscal years 2010, 2011, 2012, and 2013.

(b) Separate identification required

No funds appropriated to carry out this subchapter may be combined with funds appropriated under any other Act if the purpose of combining such funds is to make a single discretionary grant, or a single discretionary payment, unless such funds are separately identified in all grants and contracts and are used for the purposes specified in this subchapter.

§11281. Restriction on use of funds

(a) In general

None of the funds contained in this subchapter may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Separate accounting

Any individual or entity who receives any funds contained in this subchapter and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this subchapter.