

Department of Legislative Services  
Maryland General Assembly  
2007 Session

FISCAL AND POLICY NOTE

House Bill 1155  
Ways and Means

(Delegate N. King)

Education, Health, and Environmental Affairs

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Education - Children with Disabilities - Unaccompanied Homeless Youth

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This bill clarifies that an unaccompanied homeless youth is one who is not in the physical custody of a parent or guardian.

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Fiscal Summary

**State Effect:** None. The bill clarifies current law.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** In State law, an “unaccompanied homeless child” is defined as a child who is considered homeless as defined by the federal McKinney-Vento Homeless Assistance Act. The existing statutory definition does not exclude a homeless child who is in the custody of a parent or guardian. By State regulation, an “unaccompanied homeless youth” means a homeless youth not in the physical custody of a parent or guardian. The McKinney-Vento Act generally defines a homeless person as an individual who lacks a fixed, regular, and adequate nighttime residence.

Public agency personnel are required to request that the local superintendent of schools appoint a parent surrogate to represent an unaccompanied homeless child if it is suspected that the child may be disabled. Homeless coordinators in local school systems help nondisabled students enroll in public schools.

**Background:** Chapter 233 of 2006 updated and clarified laws relating to educational services for children with disabilities. The law established a definition for “unaccompanied homeless child” that did not include any requirement that the child or youth actually be outside the custody of a parent or guardian. This bill would correct that oversight.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education, Department of Legislative Services

**Fiscal Note History:** First Reader - March 21, 2007  
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