

**Editorial Notes****CODIFICATION**

Section was formerly classified to section 5711 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**AMENDMENTS**

2008—Subsec. (a)(2)(B)(i). Pub. L. 110-378, §3(a)(1), added cl. (i) and struck out former cl. (i) which read as follows: “safe and appropriate shelter; and”.

Subsec. (b)(2). Pub. L. 110-378, §3(a)(2), designated existing provisions as subpar. (A), substituted “Except as provided in subparagraph (B), the” for “The”, “\$200,000” for “\$100,000”, and “\$70,000” for “\$45,000”, and added subpars. (B) and (C).

2003—Subsec. (a)(2)(C)(iv). Pub. L. 108-96, §103, added cl. (iv).

Subsec. (b)(2). Pub. L. 108-96, §104(1), substituted “The” for “Subject to paragraph (3), the”.

Subsec. (b)(3), (4). Pub. L. 108-96, §104(2), (3), redesignated par. (4) as (3) and struck out former par. (3) which read as follows: “If, as a result of paragraph (2), the amount allotted under paragraph (1) with respect to a State for a fiscal year would be less than the aggregate amount of grants made under this part to recipients in such State for fiscal year 1992, then the amounts allotted to satisfy the requirements of such paragraph shall be reduced pro rata to the extent necessary to allot under paragraph (1) with respect to such State for the fiscal year an amount equal to the aggregate amount of grants made under this part to recipients in such State for fiscal year 1992.”

1999—Subsec. (a). Pub. L. 106-71, §3(b)(1), added heading and text of subsec. (a) and struck out former subsec. (a) which read as follows: “The Secretary shall make grants to public and private entities (and combinations of such entities) to establish and operate (including renovation) local runaway and homeless youth centers to provide services to deal primarily with the immediate needs of runaway or otherwise homeless youth, and their families, in a manner which is outside the law enforcement system, the child welfare system, the mental health system, and the juvenile justice system.”

Subsec. (b)(2). Pub. L. 106-71, §3(b)(2), struck out “the Trust Territory of the Pacific Islands,” after “American Samoa,”.

Subsecs. (c), (d). Pub. L. 106-71, §3(b)(3), struck out subsecs. (c) and (d) which related to street-based services and home-based services, respectively.

1992—Subsec. (a). Pub. L. 102-586, §3(b)(1), substituted “system, the child welfare system, the mental health system, and” for “structure and”.

Subsec. (b)(2). Pub. L. 102-586, §3(b)(2)(A), substituted “\$100,000” for “\$75,000” and “\$45,000” for “\$30,000”.

Subsec. (b)(3). Pub. L. 102-586, §3(b)(2)(B), substituted “1992” for “1988” in two places.

Subsecs. (c), (d). Pub. L. 102-586, §3(b)(3), added subsecs. (c) and (d) and struck out former subsec. (c) which read as follows: “The Secretary is authorized to provide on-the-job training to local runaway and homeless youth center personnel and coordinated networks of local law enforcement, social service, and welfare personnel to assist such personnel in recognizing and providing for learning disabled and other handicapped juveniles.”

1988—Pub. L. 100-690, §7271(a), substituted “Authority to make grants” for “Grants and technical assistance” in section catchline.

Subsec. (a). Pub. L. 100-690, §7271(b), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “The Secretary is authorized to make grants and to provide technical assistance and short-term training to States, localities and private entities and coordinated networks of such entities in accordance with the provisions of this part and assistance to their families. Grants under this part shall be made equitably among the States based upon their respective

populations of youth under 18 years of age for the purpose of developing local facilities to deal primarily with the immediate needs of runaway youth or otherwise homeless youth, and their families, in a manner which is outside the law enforcement structure and juvenile justice system. The size of such grant shall be determined by the number of such youth in the community and the existing availability of services. Grants also may be made for the provision of a national communications system for the purpose of assisting runaway and homeless youth in communicating with their families and with service providers. Among applicants priority shall be given to private organizations or institutions which have had past experience in dealing with such youth.”

Subsec. (b). Pub. L. 100-690, §7271(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The Secretary is authorized to provide supplemental grants to runaway centers which are developing, in cooperation with local juvenile court and social service agency personnel, model programs designed to provide assistance to juveniles who have repeatedly left and remained away from their homes or from any facilities in which they have been placed as the result of an adjudication and to the families of such juveniles.”

1984—Subsec. (a). Pub. L. 98-473, §651(a), in first sentence, substituted “private entities and coordinated networks of such entities” for “nonprofit private agencies and coordinated networks of such agencies” and inserted “and assistance to their families”.

Subsec. (b). Pub. L. 98-473, §651(b), inserted “and to the families of such juveniles”.

1980—Subsec. (a). Pub. L. 96-509, §18(c)(1)-(4), designated existing provision as subsec. (a), inserted “equitably among the States based upon their respective populations of youth under 18 years of age” after “shall be made”, “”, and their “families,” after “homeless youth”, and provision that grants also be made for the provision of a national communications system to assist runaway and homeless youth in communicating with their families and with service providers.

Subsecs. (b), (c). Pub. L. 96-509, §18(c)(5), added subsecs. (b) and (c).

1977—Pub. L. 95-115 substituted “technical assistance and short-term training to States, localities and nonprofit private agencies and coordinated networks of such agencies in” for “technical assistance to localities and nonprofit private agencies in”, “needs of runaway youth or otherwise homeless youth in” for “needs of runaway youth in”, and “such youth” for “runaway youth” in two places.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 1988 AMENDMENT**

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 11101 of this title.

**EFFECTIVE DATE OF 1984 AMENDMENT**

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 11101 of this title.

**EFFECTIVE DATE OF 1977 AMENDMENT**

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115 and repealed by Pub. L. 100-690, title VII, §7266(2), Nov. 18, 1988, 102 Stat. 4449, formerly set out as a note under section 11101 of this title.

**§ 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 pro-

grams 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.

**(c) Applicants providing street-based services**

To be eligible to use assistance under section 11211(a)(2)(C)(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; and

(4) conduct outreach activities for runaway and homeless youth, and street 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)(C)(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 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) provide initial and periodic training of staff who provide home-based services; and

(5) 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)(C)(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) 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.

(Pub. L. 93-415, title III, §312, Sept. 7, 1974, 88 Stat. 1130; Pub. L. 95-115, §7(a)(2), (3), Oct. 3, 1977, 91 Stat. 1058; Pub. L. 96-509, §18(d), Dec. 8, 1980, 94 Stat. 2762; Pub. L. 98-473, title II, §652, Oct. 12, 1984, 98 Stat. 2123; Pub. L. 100-690, title VII, §7271(c)(1)-(3), Nov. 18, 1988, 102 Stat. 4453; Pub. L. 102-586, §3(c), Nov. 4, 1992, 106 Stat. 5019; Pub. L. 106-71, §3(c), Oct. 12, 1999, 113 Stat. 1036; Pub. L. 108-96, title I, §§105, 106, 109, Oct. 10, 2003, 117 Stat. 1168, 1169; Pub. L. 110-378, §3(b), Oct. 8, 2008, 122 Stat. 4069.)

**Editorial Notes**

**REFERENCES IN TEXT**

The McKinney-Vento Homeless Assistance Act, referred to in subsec. (b)(4)(B), is Pub. L. 100-77, July 22, 1987, 101 Stat. 482. Subtitle B of title VII of the Act is classified generally to part B (§11431 et seq.) of sub-

chapter VI of chapter 119 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 11301 of Title 42 and Tables.

**CODIFICATION**

Section was formerly classified to section 5712 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

**AMENDMENTS**

2008—Subsec. (b)(13). Pub. L. 110-378 added par. (13).

2003—Subsec. (a). Pub. L. 108-96, §105, substituted “services to youth” for “services to juveniles” and “homeless youth” for “homeless juveniles”.

Subsec. (b)(2)(A). Pub. L. 108-96, §106, inserted “, 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” after “youth”.

Subsec. (b)(4)(B). Pub. L. 108-96, §109, substituted “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;” for “personnel of the schools to which runaway and homeless youth will return, to assist such youth to stay current with the curricula of those schools;”.

1999—Subsec. (b)(8). Pub. L. 106-71, §3(c)(1)(A), substituted “paragraph (7)” for “paragraph (6)”.

Subsec. (b)(12). Pub. L. 106-71, §3(c)(1)(B)-(D), added par. (12).

Subsecs. (c) to (e). Pub. L. 106-71, §3(c)(2), added heading and text of subsecs. (c) to (e) and struck out former subsecs. (c) and (d) which related to street-based service projects and home-based service projects, respectively, but which specified more detailed lists of services applicants were to provide in order to qualify for assistance.

1992—Subsec. (a). Pub. L. 102-586, §3(c)(1), substituted “project (including a host family home) that provides” for “facility providing”.

Subsec. (b)(2). Pub. L. 102-586, §3(c)(2)(A), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “shall have a maximum capacity of no more than twenty children, with a ratio of staff to children of sufficient proportion to assure adequate supervision and treatment;”.

Subsec. (b)(3). Pub. L. 102-586, §3(c)(2)(B), substituted “parents or other relatives of the youth and ensuring” for “child’s parents or relatives and assuring” and “youth” for “child” after “the” in two places.

Subsec. (b)(4). Pub. L. 102-586, §3(c)(2)(C), amended par. (4) generally. Prior to amendment, par. (4) read as follows: “shall develop an adequate plan for assuring proper relations with law enforcement personnel, social service personnel, school system personnel, and welfare personnel, and the return of runaway and homeless youth from correctional institutions;”.

Subsec. (b)(5). Pub. L. 102-586, §3(c)(2)(D), substituted “providing counseling and aftercare services to such youth, for encouraging the involvement of their parents or legal guardians in counseling, and for ensuring” for “aftercare counseling involving runaway and homeless youth and their families within the State in which the runaway and homeless youth center is located and for assuring” and “youth” for “children” after “those”.

Subsec. (b)(6). Pub. L. 102-586, §3(c)(2)(G), added par. (6). Former par. (6) redesignated (7).

Subsec. (b)(7). Pub. L. 102-586, §2(c)(2)(E), (F), redesignated par. (6) as (7) and substituted “youth and family members whom it serves (including youth who are not

referred to out-of-home shelter services)" for "children and family members which it serves".

Subsec. (b)(8) to (11). Pub. L. 102-586, §3(c)(2)(F), redesignated pars. (7) to (10) as (8) to (11), respectively.

Subsecs. (c), (d). Pub. L. 102-586, §3(c)(2)(H), added subsecs. (c) and (d).

1988—Subsec. (a). Pub. L. 100-690, §7271(c)(1), (2), substituted "section 5711(a) of this title" for "this part" and "runaway and homeless youth center" for "runaway center".

Subsec. (b). Pub. L. 100-690, §7271(c)(1), (3)(A), substituted "section 5711(a) of this title" for "this part" and "including assurances that the applicant" for "meeting the following requirements and including the following information. Each center" in introductory provisions.

Subsec. (b)(1). Pub. L. 100-690, §7271(c)(3)(B), substituted "shall operate a runaway and homeless youth center" for "shall be" and "runaway and homeless youth" for "runaway youth".

Subsec. (b)(3). Pub. L. 100-690, §7271(c)(3)(C), substituted "runaway and homeless youth center" for "runaway center".

Subsec. (b)(4). Pub. L. 100-690, §7271(c)(3)(D), substituted "runaway and homeless youth" for "runaway youths".

Subsec. (b)(5). Pub. L. 100-690, §7271(c)(3)(C), (E), substituted "runaway and homeless youth" for "runaway youth" and substituted "runaway and homeless youth center" for "runaway center" in two places.

Subsec. (b)(6). Pub. L. 100-690, §7271(c)(3)(D), (E), substituted "individual runaway and homeless youth" for "individual runaway youths" in two places and "against an individual runaway and homeless youth" for "against an individual runaway youth".

1984—Subsec. (b)(2). Pub. L. 98-473, §652(1), substituted "proportion" for "portion".

Subsec. (b)(3). Pub. L. 98-473, §652(2), struck out "(if such action is required by State law)" before "and assuring".

Subsec. (b)(4). Pub. L. 98-473, §652(3), inserted "school system personnel".

Subsec. (b)(5). Pub. L. 98-473, §652(4), substituted "families" for "parents".

Subsec. (b)(6). Pub. L. 98-473, §652(5), substituted "family members" for "parents".

1980—Subsec. (a). Pub. L. 96-509, §18(d)(1), substituted "center" for "house" and inserted "or to other homeless juveniles" after "parents or guardians".

Subsec. (b). Pub. L. 96-509, §18(d)(2), substituted "center" for "house" wherever appearing, and in par. (4) inserted reference to social service personnel and welfare personnel.

1977—Subsec. (b)(5), (6). Pub. L. 95-115 substituted "aftercare services" for "aftercase services" in par. (5), and "the consent of the individual youth and parent or legal guardian" for "parental consent" in par. (6).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 11101 of this title.

##### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 11101 of this title.

##### EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115 and repealed by Pub. L. 100-690, title VII, §7266(2), Nov. 18, 1988, 102 Stat. 4449, formerly set out as a note under section 11101 of this title.

### § 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.

(Pub. L. 93-415, title III, §313, Sept. 7, 1974, 88 Stat. 1131; Pub. L. 95-115, §7(a)(4), Oct. 3, 1977, 91 Stat. 1058; Pub. L. 96-509, §18(e), Dec. 8, 1980, 94 Stat. 2762; Pub. L. 98-473, title II, §653, Oct. 12, 1984, 98 Stat. 2123; renumbered §316 and amended Pub. L. 100-690, title VII, §§7271(c)(1), 7275(a), Nov. 18, 1988, 102 Stat. 4453, 4457; renumbered §313 and amended Pub. L. 102-586, §3(d), (g)(2)(D), Nov. 4, 1992, 106 Stat. 5022, 5025; Pub. L. 106-71, §3(d), Oct. 12, 1999, 113 Stat. 1037.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 5713 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

##### PRIOR PROVISIONS

A prior section 313 of Pub. L. 93-415 was classified to section 5712a of Title 42, The Public Health and Welfare, prior to repeal by Pub. L. 102-586.

##### AMENDMENTS

1999—Pub. L. 106-71 inserted section catchline and amended text generally. Prior to amendment, text read as follows: "An application by a State, locality, or private entity for a grant under section 5711(a), (c), or (d) of this title may be approved by the Secretary only if it is consistent with the applicable provisions of section 5711(a), (c), or (d) of this title and meets the requirements set forth in section 5712 of this title. Priority shall be given to grants smaller than \$200,000. In considering grant applications under section 5711(a) of this title, priority shall be given to organizations which have a demonstrated experience in the provision of service to runaway and homeless youth and their families."

1992—Pub. L. 102-586, §3(d), substituted "section 5711(a), (c), or (d) of this title" for "section 5711(a) of this title" in two places in first sentence and substituted "\$200,000" for "\$150,000" in second sentence.

1988—Pub. L. 100-690, §7271(c)(1), substituted "section 5711(a) of this title" for "this part" in three places.

1984—Pub. L. 98-473 substituted "private entity" for "nonprofit private agency".

1980—Pub. L. 96-509 substituted "\$150,000" for "\$100,000" and "organizations which have a demonstrated experience in the provision of service to runaway and homeless youth and their families" for "any applicant whose program budget is smaller than \$150,000".