

College Student Homelessness: A Hidden Epidemic

CHAD KLITZMAN*

This Note examines a surprising obstacle for an increasing number of college students: homelessness. After first offering an overview of legislation in the education field dealing specifically with the education of those experiencing homelessness, this Note then offers insights into how and why people experiencing homelessness tackle both the world of higher education and their respective institutions' capacities to service their needs both in and out of the classroom. This exploration occurs largely through interview testimony conducted by the author. Many institutions lack the resources needed to service all of a students' needs (food, clothing, etc.). After exploring the malleability of the higher education and social services systems, this Note argues that certain policy changes — legislation, community work, and change at the institutional level — would be beneficial in combatting this growing homelessness epidemic.

* The author completed the field research contained herein through his involvement in Columbia Law School's "Vision, Action, and Social Change" course, under the guidance of Professor Susan Sturm. Columbia Law School's Center for Institutional and Social Change — and its groundbreaking work at Hostos Community College through the Bronx Corridors to College Project — was also critical in connecting the author with opportunities to interview activists and students in the community. The author is grateful to both the Center and to Professor Sturm for their unwavering support of this work.

I. INTRODUCTION

Bronx native and Harvard graduate Liz Murray became homeless at the age of sixteen.¹ Forced to reside in subway stations and public parks, Ms. Murray resorted to stealing food and shoplifting self-help books to study for exams and do everything in her power to survive.² Her perseverance paid off when she gained admission to Harvard College, despite her past as, in her own words, “one of those people on the streets you walk away from.”³ Her story is now an American bestselling-book.⁴ And it is by no means an isolated tale of overcoming some of life’s most perilous obstacles.

To many, the term “homeless⁵ college student” sounds like a contradiction. Given the skyrocketing cost of a college education — even at the community college level — at first glance it would appear to be near impossible for someone experiencing homelessness to have the resources necessary to pursue a college education.⁶ However, in 2013, nearly 60,000 applicants for federal financial aid under the age of twenty-one self-identified as homeless; given that this figure does not encompass students over the

1. Joanna Walters, *Liz Murray: 'My parents were desperate drug addicts. I'm a Harvard graduate'*, THE GUARDIAN (Sep. 25, 2010), <https://www.theguardian.com/world/2010/sep/26/liz-murray-bronx-harvard> [<https://perma.cc/47SS-A8E2>].

2. *Id.*

3. *Id.*

4. *Id.*

5. While the author contends that an expansive definition of the word “homeless” is helpful in the education context, the breadth of the definition — and the broader question of how to frame the homelessness debate — is a topic that has been debated at length in the academic and political communities. See generally Nathan Thornburgh, *Defining Homelessness Down*, TIME (Jul. 30, 2008), <http://content.time.com/time/nation/article/0,8599,1827876,00.html> [<https://perma.cc/MHA2-RJ7Y>]. The term is further defined in the body of the Note. See *infra* note 11 and accompanying text.

6. Claudio Sanchez, *How The Cost Of College Went From Affordable To Sky High*, NAT'L PUB. RADIO (Mar. 18, 2014, 5:00 AM), <http://www.npr.org/2014/03/18/290868013/how-the-cost-of-college-went-from-affordable-to-sky-high> [<https://perma.cc/B2VL-X8WN>]; see also Elizabeth A. Harris, *Behind the Problem of Student Homelessness*, N.Y. TIMES (Apr. 7, 2017), <https://www.nytimes.com/2017/04/07/education/edlife/college-student-homelessness.html> [<https://perma.cc/NL4L-86AK>] (“‘Homeless college student’ seems like a contradiction in terms,” said Paul Toro, a psychology professor at Wayne State University who studies poverty and homelessness. “If you’re someone who has the wherewithal to get yourself into college, well, of course you should be immune to homelessness. But that just isn’t the case.”).

age of twenty-one, the number likely eclipses 100,000.⁷ A recent survey of community college students across the nation suggests that thirteen percent of this population is homeless.⁸ As recently as this year, a survey of community college and university students found that thirty-six percent of this population were “housing insecure” in the last year.⁹ Homelessness, which is often a proxy for a slew of other challenges, poses a serious obstacle to the achievement of a student’s academic goals.¹⁰ The term “homeless” in this Note refers to individuals who “lack a fixed, regular, and adequate nighttime residence” and includes those who: (1) “shar[e] 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; or are abandoned in hospitals;” (2) “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 . . . ;” (3) “liv[e] in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;” and (4) are “migratory children . . . living” in one of the above circumstances.¹¹

In an effort to accommodate the growing homeless population within their student bodies, colleges have begun to craft programs that address students’ non-academic needs.¹² Some programs address housing insecurity, food insecurity, child care, and health insurance coverage. But due to limited resources and staffing constraints at their colleges, homeless student populations are often left to fend for themselves. Weak academic foun-

7. John Sepulvado, *Many Students Are Young, In College and Homeless*, OREGON PUB. BROAD. (Dec. 13, 2015, 1:05 PM), <http://www.opb.org/news/article/many-students-are-young-in-college-and-homeless/> [https://perma.cc/5EL6-TX8Z].

8. SARA GOLDRICK-RAB ET AL., WIS. HOPE LAB, HUNGRY TO LEARN: ADDRESSING FOOD AND HOUSING INSECURITY AMONG UNDERGRADUATES 2 (2015), http://wihopelab.com/publications/Wisconsin_hope_lab_hungry_to_learn.pdf [https://perma.cc/TB24-GAWQ].

9. SARA GOLDRICK-RAB ET AL., WIS. HOPE LAB, STILL HUNGRY AND HOMELESS IN COLLEGE 1 (2018), <http://wihopelab.com/publications/Wisconsin-HOPE-Lab-Still-Hungry-and-Homeless.pdf> [https://perma.cc/R3VT-5W7D].

10. *Id.*

11. 42 U.S.C. § 11434a(2) (2012). Note that the term “homeless” may also be used to refer to an individual who is not currently homeless but who has experienced homelessness in the past.

12. RASHIDA CRUTCHFIELD ET AL., SERVING DISPLACED AND FOOD INSECURE STUDENTS IN THE CSU 1 (2015), <https://presspage-production-content.s3.amazonaws.com/uploads/1487/cohomelessstudy.pdf?10000> [https://perma.cc/584P-M9YC].

dations, limited family support, and lack of awareness of available financial resources — combined with cumbersome program rules and regulations — can make the college experience extraordinarily difficult.¹³

This Note analyzes how personal experiences, institutional practices, and the governing structures of the higher education and social services systems affect a homeless college student's ability to succeed both in and out of the college classroom. I conducted field research through interviews¹⁴ with policymakers and activists across the country and students in both Manhattan and the Bronx, where nearly forty-seven percent of the population reports being worried about becoming homeless.¹⁵

I was connected with most of my interview subjects through the network built by the Center for Institutional and Social Change at Columbia Law School and its work in the South Bronx through the Bronx Corridors to College Success Project.¹⁶ One such entity in this network, Grace Outreach,¹⁷ is an organization that serves low-income women of all ages “who seek to enhance their academic skills, pursue higher education and find employment.” They paired me with eight young women in their twenties who agreed to participate in a focus group on housing during their lunch hour in March of 2017. These women all had experiences dealing with homelessness or housing insecurity, even

13. U.S. GOV'T ACCOUNTABILITY OFF., GAO-16-343, HIGHER EDUCATION: ACTIONS NEEDED TO IMPROVE ACCESS TO FEDERAL FINANCIAL ASSISTANCE FOR HOMELESS AND FOSTER YOUTH 19 (2016) [hereinafter GAO HIGHER EDUCATION REPORT].

14. To understand the patterns of interaction between students, staff, and government actors, the author conducted both unstructured and structured interviews with students, administrators, policy makers, nonprofit actors, and school support staff. Interviewees were asked a series of questions related to the specific inquiries central to this Note — motivating factors for attending college, patterns interaction once enrolled in college, systems design and recommendations. To preserve confidentiality, when possible, the participants are referred to by their role, e.g. Student; Administrator, etc. Testimony taken from the main Focus Group, described further in the paragraph, will be designated as such. Notes from these interviews, which were taken by hand by the author and a colleague to facilitate an open dialogue, will be on file with the *Columbia Journal of Law and Social Problems*.

15. SUSAN STURM & MOLLY DELANO, BRONX CORRIDORS TO COLLEGE: MAPPING NEEDS, CAPACITIES, AND DRIVERS 21 (May 27, 2015) (unpublished manuscript on file with author); see also BOOM! HEALTH, *Homelessness*, <http://www.boomhealth.org/issues/homelessness> [https://perma.cc/3SX5-FXNS] (last visited May 16, 2018).

16. See *supra* note 1.

17. See generally GRACE OUTREACH, <http://graceoutreachbronx.org/> [https://perma.cc/K8F8-7Y99] (last visited May 16, 2018).

though they had places to live at the time.¹⁸ The interviews from this focus group constitute the bulk of the statements obtained from students. Testimony from a Columbia Law School student who grappled with homelessness and testimony from nonprofit actors with on-the-ground experience dealing with individuals experiencing homelessness are also included in this Note.

This research reveals that homeless college students are most likely to succeed when their respective institutions are able to provide them with the support services they need, such as on-campus support staff or partnerships with community organizations and social services agencies.¹⁹ Recognizing that it is not enough to merely serve homeless student populations, this Note also offers recommendations regarding how to best transition students out of homelessness. Employing a pathways approach²⁰ and relying heavily on personal interviews, this Note analyzes the structural and legal underpinnings of the education and social services systems.²¹ The Note also analyzes how these structures affect students experiencing homelessness.

Part II of this Note examines the legislative landscape on this issue, outlining federal laws and proposals related to both homeless student populations and homelessness more broadly. Part III explores the external and internal motivating factors affecting a homeless student's decision to seek a college education. Part IV provides an analysis of patterns of interaction between homeless students and school personnel, followed by an analysis of how students and colleges interact with government-sponsored social services programs. Part V examines the governing structures of

18. Some of the participants in the focus group were, at the time of the interview, residing in halfway houses or government housing.

19. CRUTCHFIELD ET AL., *supra* note 12, at 1 (“Students who experienced food and/or housing instability reported high levels of stress and the need for single points of contact and the recommendation was that the CSU system promote linkages and collaboration among various actors, including financial aid administrators, housing administrators, and community programs, to accommodate student need.”).

20. In the context of housing, “pathways” refers to the varying household forms that individuals experience and the routes they take over time. *See generally* DAVID CLAPHAM, *THE MEANING OF HOUSING: A PATHWAYS APPROACH* (2005). This Note explores the routes taken by college students by first analyzing their experiences in secondary school before proceeding to the admissions process and then college itself.

21. Robert W. Gordon, *Lawyers, Scholars, and the “Middle Ground,”* 91 MICH. L. REV. 2075, 2087 (1993) (“Sometimes I think I would happily trade a whole year’s worth of the doctrinal output turned out regularly by smart law review editors and law teachers for a single solid piece describing how some court, agency, enforcement process, or legal transaction actually works.”).

the higher education and social services systems, and these systems' respective capacities to adapt to changing conditions in light of the existence of desk-clerk law.²² Finally, Part VI argues for the creation of support networks and legislative initiatives at various levels of government to combat this issue.

II. LEGISLATIVE OVERVIEW

This Part provides an overview of the legislative framework affecting homeless college students. Sections of the McKinney-Vento Homeless Assistance Act cover the educations of those experiencing homelessness.²³ But aside from these regulations, little exists on the books to aid those aiming to attend college while facing homelessness. One of the challenges inherent to the issue of college student homelessness is its failure to gain traction as a "legitimate" political issue.²⁴ Homelessness more broadly only gained political traction relatively recently, after policymakers relented to persistent advocacy efforts and public pressures.²⁵ The homeless student population constitutes just a small fraction of the total homeless population, making the task of garnering political support for the issue all the more difficult.²⁶

Homelessness among young people first came into the spotlight a little over thirty years ago, when Congress enacted the McKinney-Vento Homeless Assistance Act. Enacted in 1987, this Act provided for the allocation of federal money for homeless

22. Elizabeth F. Emens, *Changing Name Changing: Framing Rules and the Future of Marital Names*, 74 U. CHI. L. REV. 761, 765 (2007) (explaining that in the context of changing names once you get married, "desk-clerk law" refers to advice given by the government functionaries who answer public inquiries at state and local agencies that frequently mislead people"); see also Lynn M. LoPucki, *Systems Approach to Law*, 82 CORNELL L. REV. 479, 480 (1997) ("The principal functions of legal scholarship are to describe institutions, to explain their existence, and to recommend changes."); Edward L. Rubin, *The New Legal Process, the Synthesis of Discourse, and the Microanalysis of Institutions*, 109 HARV. L. REV. 1393, 1435 (1996).

23. 42 U.S.C. §§ 11431–11435 (2012).

24. Maria Foscarinis, *Beyond Homelessness: Ethics, Advocacy, and Strategy*, 12 ST. LOUIS U. PUB. L. REV. 37, 43 (1993).

25. *Id.*

26. On any given night in 2017, nearly 554,000 people across the United States were homeless. Eli Day, *The Number of Homeless People in America Increased for the First Time in 7 Years*, MOTHER JONES (Dec. 21, 2017), <https://www.motherjones.com/politics/2017/12/the-number-of-homeless-people-in-america-increased-for-the-first-time-in-7-years/>.

shelter programs.²⁷ The Act also created the Education for Homeless Children and Youth (EHCY) Program, which affords homeless students certain protections that make the school enrollment process less cumbersome.²⁸ Realizing that a lack of administrative clarity was having a deleterious effect on learning outcomes, Congress sought to craft a set of standards that enabled states, districts, and schools to better service homeless students.²⁹

Most recently amended by the Every Student Succeeds Act,³⁰ EHCY remains in place today. In FY2015, Congress appropriated about \$65 million to administer this program; during the 2013–2014 school year alone, about 1.3 million homeless children and youth were identified through this program.³¹ One key element of the program is the designation of a McKinney-Vento liaison in all school districts so that homeless students have a dedicated resource available to assist them meet their needs through twelfth grade.³² While no such designated post is present across most college campuses, the administrative apparatus set out in McKinney-Vento offers a compelling model for higher education — an area where, at least in the context of homelessness, federal programs leave much to be desired.

Once homeless students reach college-age, few guidelines exist aside from those associated with the Free Application for Federal Student Aid (FAFSA). FAFSA is the application students submit while applying for federal student aid.³³ For the purposes of aid eligibility calculations, most college students are considered financially “dependent” on their parents or guardians.³⁴ Being

27. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 5 n.8; *see also* 42 U.S.C. §§ 11431–11435.

28. U.S. DEPT OF EDUC., EDUCATION FOR HOMELESS CHILDREN AND YOUTHS (EHCY) PROGRAM: A BRIEF HISTORY OF THE MCKINNEY-VENTO ACT (2018), https://nche.ed.gov/downloads/ehcy_profile.pdf [<https://perma.cc/GG3H-MEN4>].

29. *Id.*

30. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 5 n.8. The Education for Homeless Children and Youth Program was initially authorized by Title VII-B of the Stewart B. McKinney Homeless Assistance Act, Pub. L. No. 100-77, 101 Stat. 482, 525 (1987), codified as amended at 42 U.S.C. §§ 11431–11435. The Education for Homeless Children and Youth Program was most recently amended and reauthorized by the Every Student Succeeds Act, Pub. L. No. 114-95, §§ 9101–9107, 129 Stat. 1802, 2124–2137 (2015), codified as amended at 42 U.S.C. §§ 11431–11435 (Supp. IV 2016).

31. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 5.

32. *Id.*

33. *Id.*; *see also* 20 U.S.C. § 1090 (2012).

34. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 5; *see also* 20 U.S.C. § 1087oo (2012) (“For dependent students, eligibility for the type and amount of federal student aid

“dependent” requires a student to declare the incomes of his or her parent(s) or guardian(s); in the absence of this information, the aid application is deemed incomplete.³⁵ Students over the age of twenty-four, married students, veterans, or students attending graduate or professional school are defined as “independent” students and do not need to include the financial information of their parent(s) or guardian(s).³⁶ Homeless students often struggle to formulate answers to these financial questions, and crafting answers to these seemingly basic inquiries can be enough of a deterrent to dissuade a homeless student from pursuing collegiate study entirely.

Despite the stringent guidelines set forth by the regulations, procedures are in place to assist homeless students with the financial aid process. For example, students who have been in foster care since the age of thirteen or who are verified as unaccompanied youth during high school are afforded the privileges of a student with “independent” status even though they may not meet the aforementioned eligibility criteria.³⁷ The FAFSA goes further by asking specific questions targeted at identifying unaccompanied homeless youth.³⁸ Students who answer in the affirmative to these screening questions are asked to note whether they have been deemed an unaccompanied homeless youth by a McKinney-Vento liaison or an authorized individual overseeing a Housing and Urban Development or Health and Human Services program.³⁹ Students are deemed “independent” if an official determination has already been made.⁴⁰

For a student who has yet to be officially designated as an unaccompanied homeless youth, the process is more cumbersome — a financial aid administrator at each school to which the student

is based on such factors as the student’s and parents’ income and assets, as well as family size and whether the family has other children enrolled in college.”).

35. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 6.

36. *Id.* (“For independent students, eligibility for the type and amount of federal student aid is based on such factors as the student’s and, if married, spouse’s income and assets and whether the student has any dependents other than a spouse, as well as the number of family members enrolled in college.”); *see also* 20 U.S.C. § 1087vv(d)(1) (2012).

37. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 6 n.11 (“Students who are in foster care or who have been in foster care at any time since they turned 13 years of age are defined in the Higher Education Act as independent students”); *see also* 20 U.S.C. § 1087vv(d)(1)(B).

38. GOLDRICK-RAB ET AL., *supra* note 8, at 21.

39. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 7.

40. *Id.*

applies must make this determination.⁴¹ Once enrolled, a student's independent status must be verified on an annual basis.⁴² This can be a challenging hurdle to overcome since administrators are often unfamiliar with the individual backgrounds of students seeking designation in these contexts.⁴³ For example, recipients of Pell grants — a type of federal aid — rarely experience significant changes in their financial situations throughout the course of their educations.⁴⁴ As a result, many of these students are unaware that an annual re-filing is required, and may not even find out this is the case until they do not receive their accustomed aid money.⁴⁵ In the absence of an official designation of homelessness, a homeless student under the age of twenty-four with no parental income to report will be deemed ineligible for federal aid.⁴⁶ These bureaucratic idiosyncrasies demonstrate the complexities inherent in the current financial aid process, necessitating the creation of new federal policies that specifically address homeless student populations.⁴⁷

III. INTERNAL AND EXTERNAL FACTORS IMPACTING THE DECISION TO ATTEND COLLEGE

While the legislative landscape provides an important context for framing this issue, it is only partially to blame for homeless students' difficulties in navigating the college admissions process. Lack of support from family members, mentors, and school officials can result in homeless students being less inclined to view college as a viable option.⁴⁸ The various barriers to entry — college admissions exams, applications, the FAFSA — can be difficult to overcome but, for many, the challenges lie in the more

41. *Id.*

42. *Id.* at 35 (“All students applying for federal student aid as independent students have to annually attest to their current or past circumstances. The FAFSA form requires all students applying for aid to certify that all of the information they provided is true and complete and cites fines and other penalties for false or misleading information.”); *see also* 20 U.S.C. § 1087vv(d)(1)(H).

43. Interview with Columbia Law School student in N.Y.C., N.Y. (Mar. 2017), at 2. Student reported that she felt her school's administrators didn't really understand her circumstances.

44. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 27.

45. *Id.*

46. GOLDRICK-RAB ET AL., *supra* note 8, at 21.

47. *See infra* Part V.

48. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 22.

basic issue of figuring out which course of study works best for their unique goals and aspirations.

While all high schools are mandated by McKinney-Vento to have a McKinney-Vento Liaison on staff, the student-to-counselor ratio for low-income populations is 1000:1.⁴⁹ In the limited time that McKinney-Vento liaisons have for one-on-one counseling with homeless students, the focus is on more fundamental needs, such as the acquisition of food and shelter.⁵⁰ In addition, many liaisons are simply unaware of the programs available to homeless students should they want to pursue postsecondary studies.⁵¹ These realities exacerbate the impacts of various challenges that make the choice to pursue collegiate study all the more daunting for someone experiencing homelessness. This Part analyzes the factors determining a homeless student's decision to attend college based largely on student testimony gained through interviews. The factors examined include academic preparation, personal support, and finances. My field research and various studies from across the country have drawn out the following factors as most dispositive in determining whether the college experience can become a reality for a homeless student.

A. ACADEMIC PREPARATION

Homeless students' academic histories make attending college extraordinarily difficult, as changes in living arrangements and transitions to different schools often interrupt their academic development.⁵² Student mobility has been shown to negatively impact a student's level of academic achievement, with more mobile students more likely to perform poorly on standardized reading and math exams.⁵³ The stresses of moving around frequently cause mobile students to perform more poorly than non-mobile students, and result in more significant disparities than gender

49. *Id.* at 23 n.48.

50. *Id.*

51. CRUTCHFIELD, *supra* note 12, at 4 (noting that students, staff and faculty seemed to have a low awareness of services available to those facing housing insecurity in the CSU system).

52. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 20.

53. *Id.* at 20–21. One student [interviewed by GAO] reported that she and her family had lived out of a car in eleven different states, and she often spent just a few weeks or months at a new school.

or access to free or reduced lunch programming.⁵⁴ The impact of these stresses bleeds into the classroom and often comes to the forefront in the context of standardized tests. Interviewed students reported that one of their greatest fears about the college admissions process was the required standardized exams.⁵⁵ These fears were rooted in both general anxieties about testing and a fear that their skill sets and tenuous relationships with high school reading and mathematics would bode poorly come test day.⁵⁶

The contrast between the experiences of students with secure housing and students experiencing homelessness is similarly stark in the context of dropout rates.⁵⁷ Homeless students are more likely to drop out of their college programs because they require remedial coursework that increases the usual amount of time required to complete a degree; in many cases, this coursework must be completed prior to beginning postsecondary study.⁵⁸ Further, many scholarship programs and financial aid packages require completion of studies within four to five years, harming students whose completion of remedial work lengthens the time needed to earn their degrees.

In making the decision to pursue collegiate study, members of the focus group cited previous negative experiences in school and standardized exams as significant barriers to entry.⁵⁹ One student found school “boring” and explained that a “bad crowd of friends” resulted in her making some decisions that made pursuing collegiate study all the more challenging.⁶⁰ Another student kept putting off getting her high school diploma because of her need to work and felt that she might have been able to pursue a more traditional track had she gone to the better Catholic high

54. LISA EDDY, THE EFFECT OF STUDENT MOBILITY ON STUDENT ACHIEVEMENT 18 (2011), https://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1180&context=gradschool_diss [<https://perma.cc/3SH4-H4B4>].

55. Focus Group in N.Y.C., N.Y. (Mar. 2017) at 2. Student reported “the test” was the only thing that worried her about the admissions process and that everything else would work itself out. Another student reported that she was “not focused” and “worried about living conditions,” making it difficult to perform academically.

56. *Id.* Student reported that she had become reliant on institutions and individuals who “held her hand” and that the test was worrisome because she would be completely on her own, with her skill sets and past experiences as the only things available to guide her.

57. *Id.*

58. *Id.*

59. *Id.* at 1.

60. *Id.*

school in her neighborhood.⁶¹ This testimony underscores how one's early academic experiences affects the decision to attend college.

B. PERSONAL AND ACADEMIC SUPPORT

Homeless students are more inclined to not view college as an option given the barriers posed by the admissions process and the lack of guidance from supportive adults, such as parents, mentors, and counselors.⁶² The college admissions process is incredibly complex and requires significant preparation prior to the submission of an application. Navigating admissions exams, financial aid procedures, and making preliminary determinations about future aspirations and goals can be daunting — even for students with the resources and support needed to succeed.⁶³ Many homeless students interested in attending college feel unable to proceed given the immense hurdles — both financial and bureaucratic — that lie between them and the doors of the institutions of their choice.⁶⁴ And these hurdles must often be tackled alone. For example, the process of filling out the FAFSA — which asks for a complex array of financial information geared towards those reporting parental income — can serve as a significant deterrent to moving forward with postsecondary study for someone who cannot easily provide this information.⁶⁵

Mentors and school officials, such as McKinney-Vento liaisons, could function as key points of contact for homeless students as they proceed through the admissions process. Presently, however, the overwhelming number of students assigned to these individuals means that meaningful assistance can only be provided in a limited number of cases.⁶⁶ This rift between the level of need and counselors' capacities to serve this need highlights the importance of the role community-based organizations play in shaping the lives of students who desire to attend college but who do

61. *Id.*

62. *Id.* at 19.

63. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 21.

64. *Id.*

65. Focus Group, *supra* note 55 at 2. Student reported that the financial aid process is confusing, saying that there were too many things she “did not know,” positing how one can focus on their education if he or she does not receive full financial assistance.

66. *See* GAO HIGHER EDUCATION REPORT, *supra* note 13, at 23, 36.

not have the requisite level of support to make this goal a reality.⁶⁷

Interviewed students tended to report there was at least one individual — usually from outside of their families — whose presence in their lives made the possibility of college more than just a pipe dream.⁶⁸ These mentors helped students get through the requisite steps necessary for pursuing collegiate study and were cited as “transformative” influences by these students.⁶⁹ These positive interactions demonstrate there is a strong capacity for mentorship embedded within the McKinney-Vento liaison structure, if only the liaisons were better able to assist students in a personalized manner through reduced caseloads and were also present beyond the world of secondary schooling. However, this experience was not universal, with one student reporting that the individual assisting her “didn’t know what [she would] qualify for” and was generally unfamiliar with the process.⁷⁰

The college experiences of siblings were also reported as an important factor contributing to the decision to attend college.⁷¹ If someone in the student’s immediate family attended college, that student reported feeling as though college was the logical next step after high school, even if limited means made realizing that vision a challenge.⁷² Children were also an important motivating factor to attend college, with one student reporting she “want[ed] to show her children” that she could do it.⁷³

67. STURM & DELANO, *supra* note 15, at 3 (describing one of the goals of the Bronx Corridors Project as making “college-going a concrete aspiration in the Bronx, including for the South Bronx communities that do not have a history of encouragement and access to college; and to build the ongoing relationships among community-based organizations (CBOs) and higher education partners necessary for this to happen”).

68. Interview with Columbia Law School student, *supra* note 43, at 1 (containing student report that she “didn’t even know the name of this person” but her high school guidance counselor had a “transformative” influence on her life, literally going so far as to “help her type” her admissions essay); *see also* Focus Group, *supra* note 55 (containing student report that organizations like Grace Outreach highlighted the importance of a support system, and being able to “feel the love” made the community like a “family,” increasing one’s propensity for success).

69. Interview with Columbia Law School student, *supra* note 43, at 1.

70. Focus Group, *supra* note 55, at 2.

71. Interview with Columbia Law School student, *supra* note 43 at 1. Student reported that “watching her older siblings go through college” resulted in her thinking about college, but admitted that — given her precarious living situation — she did not really think of herself in college until she was a high school senior, “when it mattered the most.”

72. *Id.*

73. Focus Group, *supra* note 55, at 1.

C. FINANCIAL CONSIDERATIONS

Prospective applicants to college who are either homeless or who have experienced housing insecurity in the past usually lack the financial means necessary to pursue higher educations.⁷⁴ In the 2017–2018 school year, average published in-state tuition and fees for a four-year public college were \$9970 — a yearly increase of \$300.⁷⁵ The median tuition and fee price for full-time students attending private, nonprofit four-year institutions was \$35,260.⁷⁶ It is difficult for many middle class families to afford these prices, let alone students without places to call home.⁷⁷

Between 2011 and 2012, 100% of college-enrolled homeless youth had annual incomes of less than \$25,000.⁷⁸ While the rising cost of a college education necessitates these students' apply for financial aid, there are numerous financial barriers inherent to the admissions process — application fees, exam fees, etc. — that deter students from getting to the point where they would be ready to fill out the FASFA. And, once enrolled, there is a high likelihood that these students will not complete their studies, with students from families in the top income quartile six times more likely to graduate from college than those from families in the lowest income quartile.⁷⁹

The cost of college entrance exams, transcripts and application fees can serve as a significant deterrent to students interested in pursuing higher education. While institutions like the College Board have fee waivers available for low-income applicants, the process of submitting the paperwork to qualify can be extraordinarily complex.⁸⁰ And once enrolled in college, homeless students

74. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 25 (finding that “among college-enrolled foster youth, an estimated 95 percent had annual incomes of less than \$25,000, along with 100 percent of college-enrolled homeless youth, according to an analysis of National Postsecondary Student Aid Study for 2011-2012.”).

75. COLLEGEBOARD, TRENDS IN COLLEGE PRICING (2017), https://trends.collegeboard.org/sites/default/files/2017-trends-in-college-pricing_0.pdf [<https://perma.cc/WJ65-8R5Z>].

76. *Id.*

77. Robert Farrington, Opinion, *Too Poor for College, Too Rich for Financial Aid*, FORBES (Jun. 17, 2014), <https://www.forbes.com/sites/robertfarrington/2014/06/17/too-poor-for-college-too-rich-for-financial-aid/> [<https://perma.cc/69RY-G78L>].

78. *Id.*

79. GOLDRICK-RAB ET AL., *supra* note 8, at 3 (citing Martha J. Bailey & Susan M. Dynarski, *Gains and gaps: Changing inequality in US college entry and completion*, NAT'L BUREAU OF ECON. RESEARCH (2011)).

80. COLLEGEBOARD, *SAT Fee Waivers*, <https://collegereadiness.collegeboard.org/sat/register/fees/fee-waivers> [<https://perma.cc/4ZH3-39VJ>] (last visited May 16, 2018) (ex-

often struggle to get the full amount of financial aid needed to cover the entire postsecondary experience, such as textbooks and living expenses.⁸¹ The cost is only exacerbated by the remedial education needs of many students, which extend the postsecondary experience and thereby increase its cost.⁸²

Those students interviewed who attended college reported that the prospect of filling out the FAFSA was daunting, given that they had been responsible for their own finances for significant portions of their lives and had little, if any, parental financial information to report.⁸³ Further, living costs associated with college often turn out to be greater than schools advertise, making it difficult to determine how much aid one truly needs in order to survive.⁸⁴ One student reported that the “bills were too much” and not fully qualifying for financial aid made it difficult to juggle the process.⁸⁵ These circumstances can lead to some individuals feeling in order to qualify for special benefits eligible only to homeless students, they need to craft a “compelling” and “sad” story in order to tug the heartstrings of those with decision-making authority.⁸⁶ And, given the requirement that information be verified on an annual basis, these stories not only needed to hold up from year to year but also needed to be presented such

plaining the process by which fee waiver eligibility occurs, which entails verification by a representative at a high school, a waiver code, and selection of eligibility criteria like participation in the National School Lunch Program, enrollment in a program that aids low-income families, etc.). *See also* Focus Group, *supra* note 55, at 2–3 (Students reported it was difficult to “juggle the process” and “Will I qualify?” was a question that plagued them through the financial aid application process).

81. GOLDRICK-RAB ET AL., *supra* note 8, at 4 (“At that time, the [Pell Grant] program fully covered the costs of attending community college, but today it covers just 60 percent of the total cost of attendance.”).

82. *Id.*

83. Interview with Columbia Law School student, *supra* note 43 at 2. Student reported that she “approached the financial aid office knowing that there were documents [she] could not provide” and that this made the process “daunting.” *See also* Focus Group, *supra* note 55, at 2 (A student wished that “everyone received financial aid,” including those who did not need it, to remove the various questions marks inherent to the process.).

84. GOLDRICK-RAB ET AL., *supra* note 8 at 18 (“[E]stimated living expenses, part of each institution’s stated cost of attendance, sometimes understates the true costs of living. Almost 30 percent of community colleges are understating living costs by at least \$3000, which can keep students from accessing financial aid dollars that would help meet their basic needs.”); *see also* Focus Group, *supra* note 55 (containing student report that not qualifying for financial aid results in students needing to “juggle the process” and the bills are “too much.”).

85. Focus Group, *supra* note 55, at 2.

86. Interview with Columbia Law School student, *supra* note 43, at 2. Student reported that she often asked herself whether her story “sounded sad enough” when she was making her case to financial aid officers.

that they would not lead to a denial of benefits.⁸⁷ With their lives in flux at the time these stories were constructed, students reported feeling they were asked to tell their stories at a point when their lives were so chaotic that any narrative could not possibly seem authentic.⁸⁸

In addition to taking out private or federal student loans, some students must take on part-time or full-time work.⁸⁹ In one study, the need to work was the most common reason cited by foster youth for why they dropped out of college, and the situation is likely the same for those students experiencing homelessness.⁹⁰ Material hardships, such as needing to balance work and education, affect the level of effort that students can put into their studies.⁹¹ Work is often a required component of social service programs that afford students critical resources they need to survive, forcing them to choose between their educations and programs that service their most basic needs. This quandary speaks to a broader question in higher education policy: is it sustainable to focus efforts on encouraging low-income individuals to attend college rather than tackling the specific conditions of poverty underlying their situations? A more balanced approach would be prudent, encouraging low-income students to pursue collegiate study while making a concerted effort to fully serve the needs of these students once they arrive on campus.

Further, for students who have previously attended college, the existence of student loan debt can have a deterrent effect.⁹² Private institutions, many of which are non-accredited, often prey on students interested in pursuing educations and then provide them with instruction that proves to be inadequate for the purposes of attaining a position in the workplace.⁹³ These for-profit

87. *Id.* Student reported that going through the process every year made the process feel “obscure and selective” and that, in crafting a story from year to year, she was “being inauthentic about herself while her self was in flux.”

88. *Id.*

89. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 26.

90. *Id.*

91. GOLDRICK-RAB ET AL., *supra* note 8, at 5.

92. Phone Interview with Nonprofit Actor A in N.Y.C., N.Y. (Mar. 2017) Interviewee reported, in the context of justice involved students re-entering college, “loans in default” were the primary barrier for college attendance.

93. *Id.* (“Schools are scamming people, putting people into debt and not providing adequate educations” and that “the debt is a real barrier”); see also Bouree Lam, *The For-Profit College Conundrum*, THE ATLANTIC (Feb. 11, 2016), <https://www.theatlantic.com/business/archive/2016/02/for-profit-college-fraud/462219/> [<https://perma.cc/B6ZR-BJXY>]. The recent scandal involving Trump University is another example of a for-profit college

institutions often have high dropout rates, leaving students with levels of debt that preclude them from being able to take out additional loans for study at institutions that offer more substantial job prospects.⁹⁴

IV. PATTERNS OF INTERACTION

This Part examines patterns of interaction that occur once a student moves past the barriers mentioned above and commences postsecondary study. Given the pressures associated with postsecondary study for those experiencing housing insecurity, these interactions are incredibly important in shaping students' experiences.⁹⁵ While positive interactions can motivate students with little support from outside the school environment, negative interactions can diminish the quality of the academic experience to the point that dropping out appears to be the only option. Students facing housing insecurity are far more likely to drop out of college than their peers with secure housing.⁹⁶

Before exploring patterns of interaction among various groups, it is important to note that one of the biggest factors influencing the development of these patterns is a general lack of awareness that homelessness among students is an issue in the first place.⁹⁷ Faculty members are often completely unaware that housing insecurity befalls students, or, if they are aware, they grossly underestimate the magnitude of that need.⁹⁸ This reality informs the experiences of students on a daily basis and provides an important contextual frame for this part of the Note.⁹⁹ Here, interactions between students and financial aid administrators, students and non-academic need-oriented programming, students and government agencies, and colleges and government agencies will be examined.

that fails to deliver on promises made to its students. Tom Winter & Dartunorro Clark, *Federal court approves \$25 million Trump University settlement*, NBC (Feb. 6, 2018), <https://www.nbcnews.com/politics/white-house/federal-court-approves-25-million-trump-university-settlement-n845181> [<https://perma.cc/32EW-YWYY>].

94. Lam, *supra* note 93.

95. CRUTCHFIELD ET AL., *supra* note 12, at 1.

96. GAO HIGHER EDUCATION REPORT, *supra* note 13, at 20.

97. CRUTCHFIELD ET AL., *supra* note 12, at 4.

98. *Id.* at 1 (finding that “[s]taff, faculty, and administrators estimated displaced students at 8.7% and food insecure students at 21%; however, preliminary student survey results from one school showed a higher population (12% and 24%)).

99. *Id.*

A. STUDENTS AND FINANCIAL AID ADMINISTRATORS

The bureaucratic hurdles and culture of distrust fostered by decades of shoddy relations between students and financial aid administrators have created a challenging situation for homeless students trying to acquire financial aid. Interactions between students and financial aid administrators greatly affect the overall college experience for homeless students since, in the absence of aid, college can become impossible.¹⁰⁰ Schools do not always keep this in mind while crafting policies.¹⁰¹

The discretion afforded to individual institutions often results in disparities when it comes to the implementation of federal policy. In one instance, an institution admitted to denying all homeless applicants for financial aid.¹⁰² The basis for this procedure was that it forces a “review process” wherein schools can independently verify whether a student is actually homeless.¹⁰³ Citing widespread fraud, the school said it felt this review process was the only viable way to ensure that students were not intentionally and fraudulently declaring themselves “independents” for the purposes of the FAFSA.¹⁰⁴

The tendencies towards distrust within the student-administrator relationship are unwarranted on the part of financial aid administrators, given that the Department of Education grants full deference to financial aid administrators in making homelessness determinations based on a reasonable interpretation of the facts presented in a particular case.¹⁰⁵ But despite the protections on the books, schools are hesitant to act.

100. *See infra* Part III.

101. *See infra* Part III.

102. CASE EXAMPLES OF HOMELESS COLLEGE STUDENTS MEMORANDUM, THE NATIONAL ASSOCIATION FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH 3 (2014) (on file with author) [hereinafter CASE EXAMPLES]. *See also* Lyle McKinney, et. al, *Perspectives and Experiences of Financial Aid Counselors on Community College Students Who Borrow*, JOURNAL OF STUDENT FINANCIAL AID (2013) at 3, [<https://perma.cc/XP9J-DM6U>] (finding that “the financial aid counselor-to-student ratio at many community colleges makes [tailored advice about borrowing] challenging.”).

103. *Id.*

104. *Id.*

105. 20 U.S.C. § 1087tt (Supp. III 2015) (providing that “[n]othing in this part shall be interpreted as limiting the authority of the financial aid administrator, on the basis of adequate documentation, to make adjustments on a case-by-case basis to the cost of attendance or the values of the data items required to calculate the expected student or parent contribution (or both) to allow for treatment of an individual eligible applicant with special circumstances”).

B. NON-ACADEMIC INITIATIVES

While some institutions are crafting programming and initiatives geared toward students facing non-academic challenges like homelessness, many colleges refuse to acknowledge the problem at all.¹⁰⁶ Students at more selective institutions reported that initiatives geared toward addressing non-academic needs were largely nonexistent, which had an isolating effect.¹⁰⁷ If students had access to food and shelter through grant packages provided to them by their college, this limited the need for conversations related to housing and food insecurity.¹⁰⁸ Despite these programs addressing important student needs, they can also have the effect of covering up the issues that would be present absent that assistance. In addition, this structure results in the number of on-campus conversations related to these issues being largely eclipsed by other issues considered more worthy of space on an admissions brochure.¹⁰⁹

Students reported that knowing they are not alone in their challenges is an incredibly powerful feeling, and student support groups often form from the bottom-up to facilitate the sharing of stories that inspire, support, and remind those facing challenges that they are not alone.¹¹⁰ The support provided by older students was invaluable, demonstrating the power of meaningful mentorship.¹¹¹

In constructing their missions and initiatives, many colleges do not incorporate students' needs. This reality is often at odds with what schools project to the public, as leaders eager to sup-

106. For example, the City University of New York (CUNY) founded a program called Healthy CUNY, which is aimed at reducing the physical, psychological and family-related health barriers that block academic success and graduation, keeping in mind that there is a positive correlation between educational achievement and health. Healthy CUNY — The City University of New York, CUNY, <http://www2.cuny.edu/about/university-resources/healthy-cuny/> [<https://perma.cc/JG78-VVPS>] (last visited May 29, 2018).

107. Interview with Columbia Law School student, *supra* note 43, at 3. Student reported that her school had “lightly structured cultural things” but “not many” programs geared towards assisting students with their non-academic needs since those needs were largely serviced through student financial aid packages.

108. *Id.*

109. *Id.*

110. Interview with Columbia Law School student, *supra* note 43, at 4. Student reported that being around students who had some “scope of understanding” of the issues she faced had the effect of “normalizing the experience.”

111. *Id.*; *see also* Focus Group, *supra* note 55. Student reported that the community-based organization she was attending for remedial coursework felt less like a “community” and more like a “family.”

port students are restrained by actual or perceived barriers. However, administrators can feel constrained by the broader culture of the higher education community.¹¹² What is at stake here is the broader conception of colleges — should students be preparing for college or should college be preparing for students? Institutions often take the former approach, while the latter would be more effective at breaking down the barriers students face as they pursue their studies.¹¹³

C. STUDENTS AND GOVERNMENT AGENCIES

The structure of various government programs precludes undergraduate students from being able to access benefits that would ease material hardships present in their lives.¹¹⁴ For example, housing and food insecurity programs are usually only available to undergraduates if they fall into a specially enumerated class, such as those students with dependent children, those working more than twenty hours per week, and those participating in the Federal Work Study program.¹¹⁵ Federal Work Study opportunities are especially limited for students at the community college level, with funds largely flowing to higher-priced institutions.¹¹⁶ These realities add credence to a recent finding that only twenty-seven percent of community college students eligible for Supplemental Nutrition Assistance Program (SNAP) food stamp benefits actually receive them, suggesting students are unaware of what they are legally entitled to receive or hesitant to claim such benefits due to various social stigmas.¹¹⁷

The magnitude of this disconnect highlights how the lack of collaboration between the education and social services systems prevents students from obtaining the aid available to them.¹¹⁸

112. CRUTCHFIELD ET AL., *supra* note 12, at 1 (finding that in the CSU system, “5 campuses incorporate students’ needs as a part of student success directives and the university mission; however, many campus personnel expressed aspirational thinking to support students restrained by actual or perceived institutional barriers”).

113. *Id.*

114. GOLDRICK-RAB ET AL., *supra* note 8, at 5.

115. *Id.*

116. *Id.*

117. *Id.*; see also BARBARA GAULT & LINDSEY REICHLIN, INST. FOR WOMEN’S POLICY RESEARCH, ABOUT IWPR’S STUDENT PARENT SUCCESS INITIATIVE (SPSI) (2015), <https://iwpr.org/wp-content/uploads/wpallimport/files/iwpr-export/publications/IWPR%20SPSS%20Presentation%205%2027%2015%20final.pdf> [<https://perma.cc/FE2W-V5EG>].

118. *Id.*

Government agencies, and their respective programs, are largely unsuited to the needs of students in college, especially those experiencing homelessness.¹¹⁹ While this Note later explores these interactions more thoroughly from a systems design perspective,¹²⁰ the interactions are important to note here as they can make or break the student experience. For example, there have been instances when the mere receipt of work study payouts renders someone ineligible for government assistance, since many programs have strict income cutoffs for eligibility.¹²¹ This can result in students being forced to choose between the programs they rely on to fulfill their basic needs and their educations.¹²² The fact that this could be construed as a binary choice demonstrates that structural changes to both the education and social services systems are necessary to enable students to attend college as well as to receive the resources they need to do so effectively.¹²³

D. COLLEGES AND GOVERNMENT AGENCIES

At present, little collaboration occurs between individual colleges and government agencies other than the Department of Education.¹²⁴ While other government agencies often serve the same individuals, few mechanisms are in place to allow their respective systems to support or communicate with each other.¹²⁵ As a result, colleges are frequently unaware of the resources available to students through government agencies that would address needs such as housing.¹²⁶ Further, students are required to verify their statuses in both places, forcing them to engage in duplicitous, time-consuming tasks that may dissuade them from pursuing these options.¹²⁷

119. *Id.*

120. *See infra* Part IV.

121. *See generally* CIRCLES USA, *The Cliff Effect* (2016), <https://www.circlesusa.org/wp-content/uploads/2016/08/Addressing-the-Cliff-Effect.pdf> [<https://perma.cc/BJV3-43UF>] (finding that “by not pro-rating the exit ramp to [assistance programs], the government creates a financial crisis for people as they earn more income.”).

122. *Id.*

123. *Id.*

124. STURM & DELANO, *supra* note 15, at 24–25.

125. *Id.*

126. *Id.*

127. *Id.*

A perception exists in the higher education community that universities are solely meant to educate and that moving into spaces traditionally operated by social services agencies is outside of their purview.¹²⁸ This perception not only limits student access to resources that would make their educational experiences far less challenging, but also decreases awareness of these issues among students and staff.¹²⁹ The interaction between these systems is explored in greater detail in the next Part.

V. MALLEABILITY OF THE HIGHER EDUCATION AND SOCIAL SERVICES SYSTEMS

A systems-level analysis¹³⁰ of the higher education and social services systems is critical to any meaningful inquiry into the experiences of those individuals interacting with these systems. This Part examines the ways in which both systems are structured, first examining the ways in which individual actors shape the experiences of those proceeding through the systems before examining how these systems interact, and do not interact, with each other.

A. DESK-CLERK LAW AND ADDITIONAL BURDENS

The experiences of homeless students are largely shaped by their interactions with the individuals who can assist them with their academic and non-academic needs. Financial aid administrators, along with representatives from social services agencies, have the capacity to assist those in need but often choose not to — either as the result of distrust, misinformation, or a lack of understanding of the unique experiences afflicting those with housing insecurity.¹³¹ Often, administrators craft their own policies or follow instructions issued by supervisors who craft their own policies. The body of desk-clerk law advice,¹³² given by the government functionaries who answer public inquiries at state

128. See generally Interview with Nonprofit Actor B, N.Y.C., N.Y. (Feb. 2017).

129. *Id.*

130. LoPucki, *supra* note 22, at 481; see also JOHN G. BURCH, SYSTEMS ANALYSIS, DESIGN, AND IMPLEMENTATION 36–61 (1992) (describing the process of creating systems models); MICHAEL GIBSON & CARY HUGHES, SYSTEMS ANALYSIS AND DESIGN 1–9 (1994) (describing how to establish a framework for systems analysis).

131. See generally CASE EXAMPLES, *supra* note 102.

132. Emens, *supra* note 22, at 765.

and local agencies, frequently misleads people. It has formed as a result of these practices that have proven to be particularly detrimental to the achievement of a homeless student's goals. Further, the varying policies make it more challenging to change the system.

Financial aid administrators are granted a considerable amount of discretion in making aid decisions, and federal guidelines provide that they are able to make adjustments on a case-by-case basis for an applicant grappling with special circumstances.¹³³ Exceptions are expressly permitted in a variety of circumstances, including a change in housing or income status or for those without paperwork to prove they are not dependent on parental income.¹³⁴

Despite the protections on the books, there are no enforcement mechanisms in place to ensure the system works as designed, which results in students' needs often going unmet.¹³⁵ In some instances, systems are designed to actually make the experiences of homeless students more challenging through the imposition of additional barriers that are not required by law.¹³⁶ Barriers posed by the law can be equally problematic — for example, undergraduates under the age of twenty-four are ineligible for Section 8 housing, and students are prohibited from benefiting from low income housing tax credits.¹³⁷

133. *Id.*

134. *Id.* (providing that “[s]pecial circumstances may include . . . a change in housing status that results in an individual being homeless (as defined in Section 103 of the McKinney-Vento Homelessness Assistance Act) or other changes in a family’s income, a family’s assets, or a student’s status . . . providing that “Nothing in this title shall be interpreted as limiting the authority of the student financial aid administrator in such cases (1) to request and use supplementary information about the financial status or personal circumstances of eligible applicants in selecting recipients and determining the amount of awards under this title, or (2) to offer a dependent student financial assistance under section 428H or a Federal Direct Unsubsidized Stafford Loan without requiring the parents of such student to file the financial aid form prescribed under section 483 if the student financial aid administrator verifies that the parent or parents of such student have ended financial support of such student and refuse to file such form”).

135. CASE EXAMPLES, *supra* note 102, at 2. A financial aid officer admitted to not knowing that if a student could not provide financial documentation, an in-person interview is sufficient to make an aid determination.

136. *Id.* (“This is the university’s strategy for dealing with ‘abuse’ regarding the independent student status — any FAFSA with the homeless questions checked off is rejected. The appeals process is how they “get to the bottom” of each situation and handle the local verification process.”).

137. Donna Kimura, *Bill Seeks to Change LIHTC Student Rule*, HOUS. FIN. (May 22, 2015), http://www.housingfinance.com/policy-legislation/bill-seeks-to-change-lihtc-student-rule_o [<https://perma.cc/8ND6-49G2?type=image>].

B. INTERACTION OF SYSTEMS

The fact that the higher education and social services systems do not effectively “talk” with one another poses unique challenges to homeless students, ultimately making their educational experiences more challenging.¹³⁸ It will not be possible for meaningful change to take place if systems cannot interact with each other.¹³⁹

The lack of meaningful dialogue about administrative policies leaves students in the middle of a bureaucratic apparatus that can be overwhelming.¹⁴⁰ For example, many social services programs have restrictions on their allocations of aid dollars based on one’s status.¹⁴¹ Thus, students who are interested in pursuing educations may enroll in a program only to find out later that they are ineligible for the aid they need to obtain their educations.¹⁴² In some instances, just receiving a work study payout can make a student ineligible for certain government programs for food, shelter, and other needs.¹⁴³

The broader perceptions of who uses government programs — and how those perceptions shape the structures of those programs — is another critical factor impacting students. Many programs do not emphasize obtaining long-term employment or an education, resulting in mandates like work requirements for aid that can prove too cumbersome to juggle alongside an education.¹⁴⁴ And when these requirements are imposed, there is little to no coordination between agencies to see how program recipients will be affected. Similarly, requirements to continue receiving aid — such as probation and parole check-ins — often occur without any consideration for the schedules of students, requiring them to miss classes and putting students already at a higher risk of dropping out even further behind.¹⁴⁵ These structural is-

138. See *infra* Part IV.

139. *Id.*

140. STURM & DELANO, *supra* note 15, at 25.

141. *Id.* (finding that “particularly for people with criminal records, undocumented students, and veterans with less than honorable discharges,” interactions with government agencies were particularly distressing).

142. *Id.*

143. *Id.* (finding that programs often “focus on short term employment and do not include post-secondary education as a goal or acceptable activity and thus discourage people from pursuing college, such as work requirements for people on public benefits and emphasis on employment over education in recidivism reduction programs”).

144. *Id.*

145. *Id.* (finding that “attendance and check-in requirements [often] conflict with classes, such as with HRA, probation, and parole”).

sues inherent to both systems provide a framework for the following recommendations.

VI. RECOMMENDATIONS

This Part provides recommendations that could be effective in curtailing the magnitude of the college student homelessness epidemic. These recommendations differ based on whether federal support is necessary or whether they could be implemented locally by individual colleges and community-based organizations. The optimal approach will involve a combination of solutions with involvement from all levels of government, especially state and local actors. This is especially true in light of recent developments at the federal level. Homeless advocates were especially concerned about the Trump administration's 2017 "skinny budget" proposal given the already meager source of federal funding to help homeless students was at risk.¹⁴⁶

A. BUILDING CAPACITY FOR COLLABORATION AMONG COMMUNITY-BASED ORGANIZATIONS

Interview participants cited the active involvement of community-based organizations (CBOs)¹⁴⁷ as one of the most important factors positively impacting the experiences of students facing housing insecurity.¹⁴⁸ Facilitating collaboration among CBOs and individual schools would connect students with the assistance they need and enable CBOs and schools to work together to serve student needs efficiently.¹⁴⁹ This shared responsibility for homeless students would be ideal to serve their needs effectively, in the vein of an entity like Single Stop USA.¹⁵⁰ These networks

146. Megan Wood, *Trump's proposed budget cuts worry advocates for homeless students*, INEWSOURCE (Apr. 3, 2017), <https://inewssource.org/2017/04/03/budget-cuts-homeless-students/> [<https://perma.cc/4W8A-EMGZ>].

147. The term "community-based organization" means "a public or private nonprofit organization of demonstrated effectiveness that (a) is representative of a community or significant segments of a community; and (b) provides educational or related services to individuals in the community." 20 U.S.C. § 7801(6) (Supp. III 2015).

148. *Id.* at 41.

149. *Id.*

150. NORM FRUCHTER, ET AL., BUILDING TO CAPACITY: A REVIEW OF TECHNICAL ASSISTANCE STRATEGIES, INSTITUTE FOR EDUCATION AND SOCIAL POLICY 21 (1998). See also SINGLE STOP USA, *Single Stop at Miami Dade College*, <https://www.mdc.edu/main/singlestop/> [<https://perma.cc/4VLE-AXZ2>] ("Single Stop is a one-stop source for students and immediate family members to be connected to public benefits and local resources.

would exist to provide support and a base for individual action as well as a means for disseminating change efficiently.¹⁵¹ Further, these linkages would make possible the creation of a viable political base united by a common purpose and able to pursue meaningful policy changes on a host of levels.¹⁵²

Finally, while polices and programming designed to improve the student experience are necessary to serve the non-academic needs of students, they are not sufficient by themselves. Institutions, their governing bodies, and government agencies alike must commit not only to addressing student needs but also to tackling the underlying reasons student need assistance in the first place. The following recommendations would work to transition students out of homelessness and into secure housing.

B. SINGLE POINT OF CONTACT FOR HOMELESS STUDENTS

The McKinney-Vento mandate for a liaison at the K-12 level for homeless students should be implemented on the college level. Student interviews made clear that life would be far simpler on campus if there were a single individual responsible for overseeing the experiences of homeless students, rather than an assemblage of individuals who do not collaborate and may be completely unaware of their needs.¹⁵³ Further, having a single point of contact who has a general awareness of the circumstances of individual students would make the required annual homelessness designation for financial aid applications far easier to verify.¹⁵⁴ This individual could also function as a liaison between students and CBOs, leveraging connections between the school and the community to connect students with the resources needed to succeed in the school environment.¹⁵⁵

Single Stop offers students a wide array of services including benefits screening, free tax preparation, financial coaching, Food Pantry for Students and health insurance assistance.”).

151. *Id.*

152. STURM & DELANO, *supra* note 15, at 65.

153. See *infra* Part II.

154. CRUTCHFIELD ET AL., *supra* note 12, at 1.

155. *Id.*

C. AUDIT OF SERVICES PROVIDED TO HOMELESS STUDENTS

The increasing presence of Department of Education auditors of financial aid disbursements is one of the main factors driving the development of a culture of distrust.¹⁵⁶ Distrust dissuades action.¹⁵⁷ Under pressure not to grant aid to those who are truly not in need, financial aid administrators often use their discretion by imposing burdensome regulations on students that are not grounded in the law.¹⁵⁸ While universities often view this as a strategy to handle financial aid abuses, the practice often discourages those who are eligible for aid from applying for it.¹⁵⁹

Further, audits of services provided to homeless students are not an element of the audit process initiated by the Department of Education. The lack of an audit was the most commonly cited reason by experts as to why financial aid administrators did not take the issue of homelessness among aid applicants more seriously.¹⁶⁰ An amendment to the Department of Education's audit process for financial aid that requires a review of services provided to homeless students would ensure that the various federal guidelines for those experiencing homeless are faithfully executed.

It is important to note that, in many instances, students do abuse the financial aid system. A Department of Education flagging procedure caught over 126,000 applicants for financial aid in the 2013–2014 school year whose “unusual enrollment histor[ies]” prompted additional reviews.¹⁶¹ Some stakeholders have advocated for “100% verification” to combat this issue, arguing that this is the only way to ensure that the right students are receiving aid money.¹⁶² As previously discussed, a balance must be

156. CASE EXAMPLES, *supra* note 101, at 2.

157. JUDITH LEVINE, *AIN'T NO TRUST: HOW BOSSES, BOYFRIENDS, AND BUREAUCRATS FAIL LOW-INCOME MOTHERS AND WHY IT MATTERS* (2013) (finding generally, in the context of low-income mothers navigating government agencies, a culture of distrust has formed as a result of government personnel and policies presuming potential aid recipients are not being honest).

158. CASE EXAMPLES, *supra* note 102, at 2.

159. *Id.*

160. *Id.*

161. Robert Siciliano, *Student Financial Aid Fraud is a Big Problem*, HUFFPOST: THE BLOG (Feb. 2, 2014, 12:10 PM), https://www.huffingtonpost.com/robert-siciliano/student-financial-aid-fra_b_4713385.html [<https://perma.cc/65NC-9TZC>].

162. *Id.*

struck that accommodates the needs of both students and the institutions that serve them.

D. INCREASING AWARENESS OF STUDENT NON-ACADEMIC NEEDS

“We tell students to be college-ready. We should be telling colleges to be student-ready.”¹⁶³ Reanalyzing the way in which we view the roles of institutions of higher learning in our society would go a long way in positively shaping the experiences of students experiencing homelessness, and that starts at the school level.

One student suggested programming during orientation that introduced programs and resources available on campus to those with non-academic needs.¹⁶⁴ Not all schools — especially on the community college level — have orientation programming, which can make it difficult to convey campus-wide messaging at any given time. However, for those that do, it would be a powerful way to convey important information about services available to students that they feel uncomfortable asking about.¹⁶⁵

In order for colleges to serve their students effectively, they must first create environments in which students feel comfortable identifying as members of a group (e.g., homeless) that are often associated with various stigmas.¹⁶⁶ Making active efforts to create spaces to discuss non-academic student need can counterbalance negative peer pressure and connect students with inspirational stories of students like them.¹⁶⁷ The California State University system has made displaced and food insecure students a priority, and its Chancellor recently commissioned a study of how

163. Interview with Nonprofit Actor, *supra* note 128. *See also* 20 U.S.C. § 1092(f)(b)(4) (providing that “[t]he Secretary, in cooperation with States, institutions of higher education . . . other organizations involved in college access and student financial aid, secondary schools, organizations that provide services to individuals that are or were homeless, to individuals in foster care, or to other disconnected individuals, local educational agencies, public libraries, community centers, businesses, employers, employment services, workforce investment boards, and movie theaters, shall implement a public awareness campaign in order to increase national awareness regarding the availability of financial aid under this title”).

164. Interview with Columbia Law School student, *supra* note 43, at 4. Student recommended that schools use the orientation period to discuss non-academic needs and resources available to meet those needs.

165. *Id.*

166. *Id.* at 1.

167. *Id.*

CSU campuses are addressing the needs of displaced and food insecure students.¹⁶⁸ This demonstrates an increased awareness of the non-academic needs of students on the part of school administrators, but there is still a considerable amount of work to be done.

E. PASSAGE OF SENATOR MURRAY'S HIGHER EDUCATION ACCESS AND SUCCESS FOR HOMELESS AND FOSTER YOUTH ACT

Senator Patty Murray introduced the Higher Education Access and Success for Homeless and Foster Youth Act as an amendment to the Higher Education Act of 1965.¹⁶⁹ The amendment would not only improve awareness of resources available to homeless and foster youth but also would mandate single points of contact for them at colleges, requiring schools to address student housing needs, and clarifying financial aid regulations for applicants.¹⁷⁰ The amendment has yet to move past committee, but, if enacted, would address many of the concerns and recommendations put forth in this Note.

First, the legislation would mandate that college access programs work in collaboration with welfare agencies, homeless service providers, and McKinney-Vento liaisons.¹⁷¹ This Note has demonstrated that one of the key reasons the non-academic needs of homeless students are not being met is because of a lack of collaboration among the various actors with which they interact.¹⁷² A directive from the federal level would facilitate this necessary collaboration. Second, the legislation ensures that single points of contact are set up at colleges and universities and requires colleges and universities to construct plans to assist homeless youth.¹⁷³ That would be an excellent step to address the lack of family/adult support that often results in homeless students

168. CRUTCHFIELD ET AL., *supra* note 12, at 1.

169. Press Release, U.S. Senator Patty Murray, Murray Introduces Legislation to Remove Barriers, Provide Support for Homeless and Foster Students in Higher Education (Nov. 10, 2015), <http://www.help.senate.gov/ranking/newsroom/press/murray-introduces-legislation-to-remove-barriers-provide-support-for-homeless-and-foster-students-in-higher-education-> [https://perma.cc/H5X4-XVK6].

170. *Id.*; *see also* Higher Education Access and Success for Homeless and Foster Youth Act, S. 2267, 114th Congress (2015).

171. *Id.*

172. *See supra* Part IV.

173. Press Release, *supra* note 169.

dropping out of college or not pursuing it in the first place.¹⁷⁴ Third, the legislation improves awareness of resources for homeless students by increasing opportunities for them to self-identify as homeless and mandating that homelessness data is recorded and used by school staff.¹⁷⁵ Given the demonstrated awareness gap among both students and staff, this step would be vital in making homelessness a higher priority across college campuses nationwide. Finally, the legislation addresses complex administrative rules that serve as roadblocks to college registration and financial aid eligibility.¹⁷⁶ Given the complex nature of the financial aid application process, streamlining the application process would be an important development for homeless students to attend college. Streamlining measures that have been written into the legislation include easing the verification and determination process for homeless unaccompanied youth, clarifying the definition of “foster youth,” and establishing a designated student loan ombudsman on campus.¹⁷⁷

F. PASSAGE OF SENATOR PORTMAN’S BIPARTISAN HOUSING FOR HOMELESS STUDENTS ACT

The Housing for Homeless Students Act was introduced by former Senator Al Franken and Senator Rob Portman as an amendment to the Low-Income Housing Tax Credit (LIHTC) program.¹⁷⁸ If enacted, the legislation would have the effect of amending the LIHTC’s “Student Rule,” which currently provides that students are ineligible for LIHTC assistance, limiting affordable housing options for those pursuing educations.¹⁷⁹ The amendment has yet to move past committee but would have the effect of addressing one of the most critical questions in this Note — the best way to transition students out of homelessness and into stable housing.¹⁸⁰

174. *Id.*

175. *Id.*

176. *Id.*

177. *Id.*

178. Press Release, U.S. Senators Al Franken and Rob Portman, Sens. Portman and Franken Reintroduce Bipartisan Bill to Help Homeless Students Access Housing (Feb. 17, 2017), <https://www.portman.senate.gov/public/index.cfm/2017/2/sens-portman-and-franken-reintroduce-bipartisan-bill-to-help-homeless-students-access-housing> [<https://perma.cc/A6KV-DH6C>].

179. Housing for Homeless Students Act of 2017, S. 434, 115th Congress (2017).

180. *Id.*

The legislation would enable full-time students who are or recently have been homeless to qualify for rental housing financed through the Low-Income Housing Tax Credit program.¹⁸¹ At present, students are not allowed to be leaseholders of LIHTC-financed housing units.¹⁸² This restriction was done to ensure that tax credits were not used to finance university dormitories.¹⁸³ The proposed legislation would exempt individuals from the “student rule” if they were homeless at any time in the previous seven years and, in that time, met the definition of “homeless children and youth” under the McKinney-Vento Homelessness Assistance Act.¹⁸⁴ This is an example of a policy that would not only improve the non-academic experiences of homeless students but also would work to transition them out of homelessness and into permanent housing.

G. INCENTIVE PROGRAMS TO GENERATE THE CREATION OF AFFORDABLE STUDENT HOUSING

There are residential communities across the country that have been built for the sole purpose of connecting at-risk populations, like those experiencing homelessness, with a home. These communities enable individuals to better their lives through either education or participation in the workforce.¹⁸⁵ Many of these communities have also built capacity to connect residents with counseling and financial planning services, in addition to providing childcare for residents with children.¹⁸⁶ Functioning as “hand ups” rather than “hand outs,” these communities have been proven to positively impact student retention rates and placement in the workplace.¹⁸⁷ States could take the lead here by crafting incentive mechanisms that facilitate the creation of student hous-

181. Press Release, *supra* note 178.

182. Kimura, *supra* note 137, at 1.

183. *Id.*

184. Press Release, *supra* note 178.

185. WARREN VILLAGE, *Our Program*, <https://warrenvillage.org/program/> [<https://perma.cc/D8Y2-TY2N>] (last visited June 3, 2018). *See also* JERICHO PROJECT, About Jericho Project, <https://www.jerichoproject.org/about-us/> [<https://www.jerichoproject.org/about-us/>].

186. *Id.*

187. *Id.* (finding that “[a]pplicants to [Warren Village], a type of residential community for those unable to provide housing for themselves, must be committed to making changes in their lives — living at Warren Village is not a handout, it’s a hand up.”).

ing communities that takes pressure off individual colleges and enable student needs to be addressed under one roof.

Housing authorities generally have a considerable amount of discretion, enabling them to be flexible in the ways in which they allocate their resources.¹⁸⁸ In Tacoma, Washington, the community college partnered with housing authorities to launch a subsidized housing program specifically for students, wherein students are required to participate in workforce development and support programs as a condition of their receipt of aid monies.¹⁸⁹ A creative approach like the one employed here reflects how powerful both flexibility and collaboration among different actors can be in the context of servicing student need.¹⁹⁰

VII. CONCLUSION

Given the tens of thousands of individuals nationwide who are navigating homelessness and college simultaneously, it is more important than ever for school administrators, community activists, and legislators — on the local, state and federal levels — to examine the ways in which the non-academic needs of students are or are not being met. When the services provided prove to be inadequate, action should be taken to ensure that the level of services provided is commensurate with the magnitude of student need. Further, awareness campaigns about student homelessness, like the one required by law in the most recent reauthorization of the Higher Education Act of 1965¹⁹¹, will go a long way in not only making the non-academic needs of students more of a salient issue on college campuses but also lessening the stigma associated with “homeless” status. This could help pave the way for the creation of cohesive, supportive college atmospheres in

188. Karlo Ng, *Understanding the Role of State Housing Agencies in Improving Survivors' Access to and Retention of LIHTC Housing*, NATIONAL HOUSING LAW PROJECT (May 2014) (on file with author).

189. GOLDRICK-RAB ET AL., *supra* note 8, at 18 (finding that “[t]he Tacoma Community College Housing Assistance Program provides Housing Choice Vouchers to full-time students who maintain a 2.0 GPA and are homeless or at serious risk of homelessness. Many of the students are part of a workforce-development program and must participate in support services.”).

190. *Id.* Results after one year [of the Tacoma Community College Housing Assistance Program] are promising given that “[o]f the 22 students to receive a housing voucher, 21 (95%) remained enrolled in college. In comparison, just 24 percent (35 out of 146) of eligible participants on the waiting list persisted in college.”

191. H.R. Res. 4137, 110th Cong. (2008) (enacted).

which students feel comfortable bringing all aspects of their identity into the educational space.

More broadly, legislators should take care in crafting policies surrounding public housing — challenging their own preconceptions and biases regarding homeless populations and incorporating the diverse needs of the homeless population at all stages of the policymaking process. In addition, single points of contact for homeless students at colleges nationwide would provide students with additional support that would give them a resource to turn to when applying for financial aid, connecting with community-based organizations, or wanting to be connected with the broader student community.

The underlying theme embodied in all of these recommendations is embodied in this quote from one of the field interviews: “We tell students to be college-ready. We should be telling colleges to be student-ready.”¹⁹² Even in the absence of any of the proposed recommendations coming to fruition, adopting such a mindset would go a long way in not only leading to meaningful change but also positively impacting the experiences of students looking to ascend out of poverty and homelessness and into a steady job with a college degree.

192. Interview with Nonprofit Actor, *supra* note 128.