



# California Department of Education Homeless Education Program

## Frequently Asked Questions Regarding California *Education Code* Section 48851 and the Housing Questionnaire

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Effective January 1, 2023, California *Education Code* requires all California local educational agencies (LEAs)—defined as county offices of education (COEs), school districts, and charter schools—to administer a housing questionnaire at least annually for the purpose of identifying children and youth experiencing homelessness (California *Education Code*, Section 48851[b]). This resource addresses frequently asked questions (FAQs) about the housing questionnaire and its implementation. For additional resources and support, please contact the California Department of Education, Homeless Education program at [HomelessEd@cde.ca.gov](mailto:HomelessEd@cde.ca.gov)

### California *Education Code* Section 48851 Statutory Language

[California \*Education Code\* Section 48851](#) reads as follows:

- (a) *As required pursuant to Section 11432(g)(6)(A)(i) of Title 42 of the United States Code, a local educational agency shall ensure that each school within the local educational agency identifies all homeless children and youths and unaccompanied youths enrolled at the school.*
- (b) (1) *A local educational agency shall administer a housing questionnaire for purposes of identifying homeless children and youths and unaccompanied youths, as those terms are defined in Section 11434a (2) of Title 42 of the United States Code, in accordance with the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11303 et seq.). By the end of the 2021–22 school year, a local educational agency shall ensure that the housing questionnaire is based on best practices developed by the department pursuant to subparagraph (A) of paragraph (1) of subdivision (f) of Section 48852.5. The housing questionnaire shall include an explanation of the rights and protections a pupil has as a homeless child or youth or as an unaccompanied youth. The housing questionnaire shall be available in paper form.*
- (2) *A local educational agency shall annually provide the housing questionnaire described in paragraph (1) to all parents or guardians of pupils and to all unaccompanied youths of the local educational agency.*
- (3) *If the primary language of a pupil's parent or guardian or an unaccompanied youth is not English, either of the following shall occur:*



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*(A) The housing questionnaire shall be made available in the primary language of the unaccompanied youth or the pupil's parent or guardian pursuant to Section 48985.*

*(B) An appropriate translation of the housing questionnaire shall be provided upon request of a pupil's parent or guardian or an unaccompanied youth.*

*(4) A local educational agency shall collect the completed housing questionnaires that it administered pursuant to this section, and shall annually report to the department the number of homeless children and youths and unaccompanied youths enrolled.*

*(Amended by Stats. 2022, Ch. 912, Sec. 1. (Assembly Bill [AB] 2375) Effective January 1, 2023.)*

### Frequently Asked Questions and Answers for the Development and Implementation of the California Department of Education's Housing Questionnaire

#### **1. When does the required administration of a housing questionnaire go into effect?**

While many California LEAs implemented the use of a housing questionnaire as part of their enrollment process as a best practice, with support from the California Department of Education (CDE). California *Education Code* Section 48851, as amended in 2022 by AB 2375, now requires all California LEAs—defined as COEs, school districts, and charter schools—to administer a housing questionnaire at least annually for the purpose of identifying children and youth experiencing homelessness effective January 1, 2023.

#### **2. The CDE provides California LEAs with a model housing questionnaire template. Do LEAs have to use the CDE model housing questionnaire template as is or can they customize the housing questionnaire template based on local needs?**

The CDE developed a model housing questionnaire or template as required in California *Education Code* Section 48852.5, this template is intended to be used as is or customized by LEAs based on local needs. For example, an LEA may wish to add the LEA logo or additional questions in collaboration with early education programs, shelters, afterschool or extended learning programs, etc.

If an LEA chooses to customize the CDE's housing questionnaire template based on local needs, certain housing questionnaire elements must remain unchanged in order to comply with California *Education Code*, Section 48851. The questionnaire:



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- Must identify the student's primary nighttime residence, including those outlined in the definition established in Subtitle VII-B of the McKinney-Vento Homeless Assistance Act, found on CDE Definition of Homeless Web site at <https://www.cde.ca.gov/sp/hs/homelessdef.asp>.
- Must include an explanation of the rights and protections a pupil has as a child, youth, or unaccompanied youth experiencing homelessness.

### **3. California *Education Code* Section 48851 states that the housing questionnaire “shall include an explanation of the rights and protections a pupil has as a homeless child or youth or as an unaccompanied youth.” What are those rights and protections?**

Students experiencing homelessness—including unaccompanied youth—have the right to:

- Immediate enrollment in the school they last attended (school of origin) or the local school where you are currently staying, even if you do not have all the documents normally required at the time of enrollment.
- Continue to attend their school of origin, if requested by you and it is in the best interest.
- Receive transportation to and from their school of origin, the same special programs and services, if needed, as provided to all other children, including free meals and Title I.
- Receive the full protections and services provided under all federal and state laws, as it relates to homeless children, youth, and their families.

For rights and protections, please visit the CDE Homeless Education Web site at <https://www.cde.ca.gov/sp/hs/>

### **4. There is a line for a signature on the form, are the parent/guardian or unaccompanied youth *required* to sign the housing questionnaire?**

Although there is a signature line on the template, it is not required. The intent with the form is to increase identification, gather information for support and referrals as well as, share the definition and student rights under McKinney-Vento with those who may be eligible.

### **5. Where can the CDE model housing questionnaire template be accessed?**



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The CDE housing questionnaire template and instructions for its completion can be downloaded from the CDE Resources for Homeless Children and Youth Web site <https://www.cde.ca.gov/sp/hs/cy/>, at the following web addresses:

- CDE model housing questionnaire template:  
<https://www.cde.ca.gov/sp/hs/cy/documents/housingquestionnaire.pdf>.
- The housing questionnaire should always be used and shared along with the newly updated **Housing Questionnaire Guidance**, which can be found here: <https://www.cde.ca.gov/sp/hs/cy/documents/guidanceforquestionnaire.docxCDE>. (note: file(s) will download as a Microsoft Word file to your computer's Downloads folder)

The resources above are also available through the Homeless Education Technical Assistance Center's (HETAC) or your county office of education. You can access the HETAC Web site at: <https://www.hetac.org/resources/id>.

### **6. Who should complete the housing questionnaire? Should a housing questionnaire be completed only for students who may be experiencing homelessness or for all enrolling students?**

A housing questionnaire should be completed for every public preschool through grade twelve student at least annually. The questionnaire may be completed by the student's parent, guardian, or caregiver, or by the student directly in the case of an unaccompanied youth. If needed, the LEA homeless education liaison (hereafter *LEA liaison*) or another person familiar to and trusted by the parent, guardian, caregiver, or youth—such as a case manager, social worker, shelter staff member, or family member—can assist with housing questionnaire completion.

### **7. Should information shared on a student's housing questionnaire be kept confidential?**

Information shared on a student's housing questionnaire is confidential and should only be shared with LEA or school staff that are responsible for providing services to the student and their families, as well as staff who need to know in order to assist in the academic access and success of the student; this may include:

- LEA liaisons
- Enrollment staff or registrars
- Students' teachers
- School counselors
- Staff members responsible for reporting student-level data



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Language about housing questionnaire confidentiality is included in the CDE model housing questionnaire template and aligns to privacy language that should be on all housing questionnaires. Housing questionnaires and/or the information collected via the questionnaire should not be a part of a student's permanent record, such as a cumulative folder.

When discussing the housing questionnaire with parents, guardians, caregivers, or unaccompanied youth, LEAs should communicate that information shared on the housing questionnaire will be kept confidential and will be shared only with LEA or school staff who are responsible for providing services to the student and their family or for keeping track of how many students experiencing homelessness are identified by the LEA.

**8. A. California *Education Code* Section 48851 states that the housing questionnaire must be made available in paper form. Does this mean that the housing questionnaire has to be paper or, for example, can a LEA liaison gather the information requested in the questionnaire from the parent, guardian, caregiver, or unaccompanied youth over the phone?**

**B. Or another example, if they have been referred by another agency, etc.?**

California *Education Code* Section 48851(b)(1) reads as follows:

*"The housing questionnaire shall include an explanation of the rights and protections a pupil has as a homeless child or youth or as an unaccompanied youth. The housing questionnaire shall be available in paper form."*

The intent of the language requiring that the questionnaire be made available in paper form is for ease and access of the parent, guardian, caregiver, or unaccompanied youth. Students and families experiencing homelessness are often highly mobile and lack access to reliable technology, or are new to school site staff and would like to take the form to a trusted adult, family member, case worker, etc.

If having the LEA liaison gather the information requested in the questionnaire via phone is easier for the student and family or the unaccompanied youth, or they have received the housing questionnaire from another agency, (shelter, early education program, etc.) this is an allowable practice and may prevent undue stress on the student and/or family and should be accepted by the school.

**9. My LEA uses online registration. Can my LEA incorporate the housing questionnaire into its online registration process? If so, does my LEA need a paper version of the questionnaire to be completed in addition to the online questionnaire?**



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The requirement is to ensure that a paper form is available to the family, making sure that a school site, district personnel has hard copies and/or is able to print it for a family or unaccompanied youth at the time of enrollment and throughout the school year. For LEAs using online enrollment, the hard copy availability is not intended to be a barrier to immediate enrollment. There is no need to complete a hard copy if an online housing questionnaire was completed. Online housing questionnaires must still meet all required components as they are in the CDE template.

### **10. Do LEAs need to provide the housing questionnaire in languages other than English? If so, is the CDE model housing questionnaire template available in languages other than English?**

California *Education Code* Section 48851(b)(1) reads as follows:

*“(3) If the primary language of a pupil’s parent or guardian or an unaccompanied youth is not English, either of the following shall occur:*

*(A) The housing questionnaire shall be made available in the primary language of the unaccompanied youth or the pupil’s parent or guardian pursuant to Section 48985.*

*(B) An appropriate translation of the housing questionnaire shall be provided upon request of a pupil’s parent or guardian or an unaccompanied youth.”*

As such, a translation of the housing questionnaire must be provided in the parent’s, guardian’s, caregiver’s, or unaccompanied youth’s primary language upon request by the parent, guardian, caregiver, or youth.

The CDE model housing questionnaire template is available in the following languages by request: Arabic, Armenian, Chinese (simplified), Chinese (traditional), Hindi, Hmong, Japanese, Khmer, Korean, Lao, Punjabi, Russian, Samoan, Somali, Spanish, Tagalog, Ukrainian, Urdu, and Vietnamese. Please email model housing questionnaire template translation requests to Karmina Barrales at [KBarrales@cde.ca.gov](mailto:KBarrales@cde.ca.gov) or to the CDE Homeless Education general email inbox at [HomelessEd@cde.ca.gov](mailto:HomelessEd@cde.ca.gov).

### **11. California *Education Code* Section 48851 requires LEAs to report annually to CDE the number of children, youth, and unaccompanied youth experiencing homelessness enrolled in the LEA. Is there a due date for this annual reporting? To whom should this data be reported?**

California *Education Code* Section 48851(b)(4) reads as follows:



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“A local educational agency shall collect the completed housing questionnaires that it administered pursuant to this section, and shall annually report to the department the number of homeless children and youths and unaccompanied youths enrolled.”

LEAs should report this data annually through the California Longitudinal Pupil Achievement Data System (CALPADS), following the CALPADS reporting timeline and related information shared by the CDE.

To ensure you are receiving all reporting requirement announcements, reminders, trainings and updates make sure to sign up for the CDE Homeless Education Listserv at <https://www.cde.ca.gov/sp/hs/cy/homelesslistserv.asp>.

### **12. What is required by the CDE in terms of recordkeeping related to the housing questionnaire?**

California *Education Code* Section 48851 does not include any specific requirements related to housing questionnaire recordkeeping. For purposes of implementing the data reporting requirements included in federal and state education statute [42 U.S.C. Section 11432(f)(3); 42 U.S.C. Section 11434(h)(1); California *Education Code* Section 48851(4)], LEAs should maintain completed housing questionnaires as long as is necessary to provide accurate data on children and youth experiencing homelessness enrolled in the LEA to the CDE on an annual basis. Maintaining housing questionnaire records beyond what is needed for accurate data reporting is at the discretion of the LEA.

As a best practice, LEAs may wish to maintain completed housing questionnaires beyond the timeline needed for accurate data reporting. For instance, LEAs may wish to keep an electronic or paper copy of completed housing questionnaires so that the questionnaire may be provided to a parent, guardian, caregiver, or unaccompanied youth upon request should they want to provide a copy to an early education, afterschool, or shelter program. This and other similar practices would be at the discretion of the LEA.

Individual LEAs may have established protocols regarding how long student records must be retained within an LEA. The CDE recommends consulting with LEA records staff and the LEA’s board policy prior to destroying student records.

### **13. How will the CDE monitor LEA implementation of the housing questionnaire?**

Given that California *Education Code* Section 48851 requires that all LEAs administer a housing questionnaire at least annually for the purpose of identifying children and youth experiencing homelessness, the CDE’s Homeless Education Program will monitor LEA compliance with this statutory requirement through its federal program monitoring (FPM) process. Under the CDE’s FPM, LEAs will be asked to provide a hard copy of the LEA’s



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housing questionnaire to demonstrate the LEA housing questionnaire's alignment with the CDE's model housing questionnaire template. LEAs with online registration will be asked to provide evidence of the online form being available to all families, and that it also aligns to the CDE's model housing questionnaire. A redacted and completed copy will also be a part of the evidence.

Additionally, beginning with fiscal year 2023–24, LEAs will be required to report on the use of a housing questionnaire in the Consolidated Application and Reporting System (CARS).

### **14. How should I share information about the housing questionnaire with colleagues and partners, such as LEA liaisons, school sites, etc.? What resources about the housing questionnaire has the CDE developed?**

The CDE recommends sharing the CDE's model housing questionnaire template, guidance for completing the housing questionnaire, and this housing questionnaire FAQ resource with interested stakeholders.

The CDE has, as required in statute, developed resources and posted them to the CDE website related to the development and implementation of the California *Education Code* Section 48851.3 There is a recording and PowerPoint slides available both on the CDE Resources for Homeless Children and Youth Web site at <https://www.cde.ca.gov/sp/hs/cy/>. As well as through the HETAC Web site at <https://www.hetac.org/resources/id>.

### **15. There is a signature line on the housing questionnaire, what if the form is missing the signature? Or if the family, parent, caregiver, or unaccompanied youth completing the housing questionnaire declines to sign?**

The intent of the housing questionnaire is to assist LEAs in the identification of students who may be eligible under the McKinney-Vento Act, and gather the information needed to support the student, that does not include a signature. The signature is not a requirement.

### **16. For the hard copies that we do receive from families, how long are we required to keep these? One year? Since we are completing them annually?**

The intent of the housing questionnaire is for increased identification as well as ensuring academic support and access to children and unaccompanied youths experiencing homelessness. Evidence for the FPM process will require a copy of the LEA's housing questionnaire showing alignment to the model housing questionnaire template provided by the CDE and a completed copy of the housing questionnaire (redacted). There is no



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retention policy for the housing questionnaire prescribed in the law, this would be a local protocol.