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Housing Questionnaire: *Legislation and Guidance*

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Integrated Student Support and Programs Office
California Department of Education



Presentation Outline

- Overview of Barriers
- Homeless Education Law: McKinney-Vento Act and California *Education Code*
- Identification and Enrollment Requirements
- Overview of the California *Education Code* requirements for the use of the Housing Questionnaire across legislative years
- The role of the California Department of Education
- The 5 W's and the How of the Housing Questionnaire
- Resources

Acronyms (1)

- United State Code Section 42 (42 U.S.C., also referred to as federal law)
- California *Education Code* (*EC*, *Ed Code* or state law)
- The term used to identify the state year- July 1 through June 30, Fiscal Year (FY)
- United States Department of Education (ED)
- National Center for Homeless Education (NCHE)

Acronyms (2)

- Homeless Technical Assistance Centers (HE TACs)
- American Rescue Plan (ARP) Plan-Homeless Children and Youth (ARP-HCY)
- California Department of Education (CDE)
- Unaccompanied Homeless Youth (UHY)
- Education for Homeless Children and Youth (EHCY)
- Local Education Agencies (LEAs)

Barriers Faced (1)

The McKinney-Vento Act addresses educational barriers and challenges that children and youth experiencing homelessness face when it relates their right to enroll in and attend school, and provides supports needed for school success. Some of the barriers these children and youth face are:

- Lack of identification
- Enrollment requirements
- Lack of school supplies and transportation

Barriers Faced (2)

- Poor health, fatigue, hunger, anxiety, and trauma
- Prejudice and misunderstanding
- Lack of awareness
- Parents not wanting to get involved due to fear
- Credit deficiency
- Lack of legal guardian for an UHY

McKinney-Vento Act (1)

- The McKinney-Vento Act requires local educational agencies (LEAs) to ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youth
- Homeless students must have access to the educational and related services that they need to enable them to meet the same challenging State academic standards to which all students are held

McKinney-Vento Act (2)

- LEAs are also required to review and undertake steps to revise laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youth
- LEAs must collaborate and coordinate with other federal and state educational programs, including Title I
- It is also important to note that homeless students may not be separated from the mainstream school environment

McKinney-Vento Act (3)

- All LEAs are required to implement the provisions of the ECHY program under the McKinney-Vento Act
- The McKinney-Vento Act was originally passed in 1987. It was reauthorized in 2001 when it became an unfunded mandate for all LEAs. It was reauthorized again in 2015
- The complete legislation can be found at <https://nche.ed.gov/legislation/mckinney-vento/>

California *Education Code* for Homeless Education

- Over the years, the State of California has updated and aligned or surpassed the education code requirements for supporting the education of children and youth experiencing homelessness aligning to federal McKinney-Vento Act statute
- Complete state legislation can be found on the California Legislative Information website at [Codes Display Text \(ca.gov\)](#) It is also referred to as Chapter 5.5. Education of Pupils in Foster Care and Pupils Who Are Homeless Sections 48850 – 48859

Identification and Enrollment (1)

- LEAs are required to identify, enroll immediately, and serve homeless children and youth
- Currently both the federal and state laws are clear regarding the definitions of immediate enrollment and the definition of serving homeless children and youth
- Citations:
 - Immediate enrollment: 42 U.S.C. Section 11432(g) and *EC* Section 48850
 - Serve, enrolled definition: Enroll and enrollment means attending classes and participating fully in school activities

Identification and Enrollment (2)

- Homeless children and youths are identified by school personnel
- Citations:
 - 42 U.S.C. Section 11432(g)(6)(A)(i);
 - California *EC* Section 48851(a)
- LEAs can identify through the initial registration process, along with a variety of other ways, that are required in law and monitored to, such as:

Housing Questionnaire – Best Practice (1)

- LEAs are required under EHCY and the McKinney-Vento Act to take proactive steps to identify students experiencing homelessness
- Identification is the first step to connecting students in homeless situations with the information, resources, and supports

Housing Questionnaire – Best Practice (2)

- Identification is arguably the most important local liaison responsibility. All other local liaison responsibilities can only be carried out once eligible students are identified
- The CDE considers the Housing Questionnaire an effective, consistent means to identification
- Legislation during the 2021–22 and 2022–23 FYs was enacted to create consistency around this requirement statewide

Legislation in Fiscal Year 2021-22

- Legislation in 2021-22 outlined the role of the CDE's Homeless Education Program in the role out of the Housing Questionnaire template
 - Develop best practices for the identification and collection of data on all homeless children and youth, and UHYs that are enrolled in schools
 - Best Practices include resources, such as the poster, trainings, presentations, etc.
 - And finally, the CDE was to develop a model questionnaire (i.e. template) for LEAs

Modifications, Feedback & Final (1)

- The CDE worked on the revisions and final template in consultation with:
 - CDE's own Legal Counsel
 - NCHE, which is the technical assistance provider for ED
 - Staff from ED's EHCY staff
 - Individual COEs
 - Individual LEAs
 - Numerous national and state advocates

Modifications, Feedback & Final (2)

- The CDE, Homeless Education program began with changes to the language to ensure families including UHYs understand the Housing Questionnaire, and feel safe completing it:
 - Removed “Residency” language
 - Removed “under penalty of perjury” language
 - Ensured correct alignment of and the full definition of the McKinney-Vento Act; including the types of homelessness
 - Ensured the rights and protections were included
 - Included a section for contact information of the local liaison

Legislation in Fiscal Year 2022-23

- Assembly Bill (AB) 2375 updated the education code to remove the language limiting this requirement to only those receiving ARP-HCY fund to all schools, intended to be consistent statewide
- Citation: Full Code on the California Legislative Information webpage: [Codes Display Text \(ca.gov\)](#)

Legislative Summary of Changes

Full Legislative summary:

1. Added California *EC* Section 48851- HQ and identification
2. Amended California *EC* Section 48852.5- Role of the CDE
3. Added California *EC* Section 48852.6- Websites
4. Added California *EC* Section 48857-HE TACs- ARP-HCY funds
5. Amended California *EC* Section 48859- definitions

California *Education Code* for the Housing Questionnaire

1. Added California *Education Code* Section [48851](#)

[Law section \(ca.gov\)](#)

2. Amended California *Education Code* Section [48852.5](#)

[Law section \(ca.gov\)](#)

Who?

- All schools
- An LEA shall annually provide the housing questionnaire to all parents or guardians of pupils and to all unaccompanied youths of the local educational agency. California *EC* Section 48851(b)(2)
- An LEA 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. California *EC* Section 48851(b)(4)

What?

- A Housing Questionnaire based on the CDE template
- Use the CDE's best practices in the development and administration of the Housing Questionnaire
- Must be made available in the primary language of the child, youth or family
- The Housing Questionnaire shall include an explanation of the rights and protections
- The Housing Questionnaire shall be available in paper form California *EC* Section 48851(a) through (b)(4)

Where?

- At every school site
- Support from the LEA and COE
- In paper form at the school and district offices, or wherever families enroll for school; even when the LEA or school site has moved to online enrollment
- Online enrollment, is **required** to include ***all components*** of the Housing Questionnaire

When?

- **At least** annually, at the beginning of the school year for all students, upon enrollment through out the school year.
California *EC* Section 48851(b)(2)
- By providing the information in all the enrollment packets, no one feels singled out or stigmatized, and those who are not homeless become more aware of things happening in the community. (NCHE Toolkit strategy)
- Lastly, a second opportunity for the administration of the HQ is around the time of Parent Teacher Conferences, where families and staff have the opportunities for a mid year check in and have had more time to share personal information

Why?

- Federal requirement, mirrored in the state statute for an LEA to administer a housing questionnaire for purposes of identifying homeless children and youth including UHYs
- Accurately reporting data of homeless children and youth-LEAs shall collect and provide to the State Coordinator the reliable, valid, and comprehensive data. Citation: 42 U.S.C. Section 11432(g)(6)(c)
- Proven strategy, when received by all students as they sign up for school is a good way to ensure the entire student population is informed (NCHE Toolkit strategy)

How?

- Training of school site staff including teachers, principals, enrollment and front desk staff:
 - Understand the definition, rights and protections
 - Understand immediate enrollment
 - Administer the Housing Questionnaire- as a tool for identification, not an additional required form

Resources for the Housing Questionnaire (1)

- *CDE Housing Questionnaire template* link:

<https://www.cde.ca.gov/sp/hs/cy/documents/housingquestionnaire.pdf>

- *UPDATED CDE Guidance Document for the Use of the Housing Questionnaire* link:

<https://www.cde.ca.gov/sp/hs/cy/documents/guidanceforquestionnaire.docx>

- *NEW Housing Questionnaire Frequently Asked Questions:*

<https://www.cde.ca.gov/sp/hs/cy/>

Resources for the Housing Questionnaire (2)

- *CDE Housing Questionnaire template,*
- *UPDATED CDE Guidance Document for the Use of the Housing Questionnaire,*
- *NEW Housing Questionnaire Frequently Asked Questions,*
- *a copy of this presentation and it's recording are all available on the HE TAC web site at:*

<https://www.hetac.org/resources/id>



Resources for the Housing Questionnaire ()

- CDE Translations of the Housing Questionnaire:

Translations of the Housing Questionnaire and Instructions/Template are available via email in the following languages:

Arabic, Armenian, Chinese (simplified), Chinese (traditional), Hindi, Hmong, Japanese, Khmer, Korean, Lao, Punjabi, Russian, Samoan, Somali, Spanish, Tagalog, Ukrainian, Urdu, and Vietnamese

Please send an email with your request of the DOCX or PDF version of the template to HomelessEd@cde.ca.gov

Questions?





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Thank you

And our Partners the

Homeless Education Technical Assistance Centers

Contra Costa COE, Los Angeles COE & San Diego COE



General email at HomelessED@cde.ca.gov

