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**AB-2375 Homeless children and youths and unaccompanied youths: housing questionnaire.** (2021-2022)

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**Assembly Bill No. 2375**

**CHAPTER 912**

An act to amend Section 48851 of the Education Code, relating to homeless children and youths and unaccompanied youths.

[ Approved by Governor September 30, 2022. Filed with Secretary of State September 30, 2022. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2375, Luz Rivas. Homeless children and youths and unaccompanied youths: housing questionnaire.

Existing federal law, the McKinney-Vento Homeless Assistance Act, provides grants to states to carry out activities relating to the education of homeless children and youths, as defined, including, among others, providing services and activities to improve the identification of homeless children and youths and to enable them to enroll in, attend, and succeed in school. Existing law requires a local educational agency that receives certain funds from the federal American Rescue Plan Act of 2021 to administer a housing questionnaire, as specified, by annually providing it to all parents or guardians of pupils and to all unaccompanied youths of the local educational agency for purposes of identifying homeless children and youths and unaccompanied youths of the local educational agency, and by, commencing no later than the beginning of the 2021–22 school year, ensuring that the housing questionnaire is based on best practices developed by the State Department of Education.

This bill instead would require a local educational agency, regardless of the receipt of those federal funds, to ensure, by the end of the 2021–22 school year, that the housing questionnaire is based on best practices developed by the department.

By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 48851 of the Education Code is amended to read:

**48851.** (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:

(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.

**SEC. 2.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.