Supporting Students in Temporary Housing:



The Role of
Transportation
Under the
McKinney-Vento Act



Presented By: NYS-TEACHS

Thursday, September 28, 2023

9:30am-11:00am



Webinar Format



Today's session will be recorded.



Your microphone will be automatically muted.



Your camera will be automatically disabled.



 The in-webinar chat will only allow you to communicate with the panelists and the host.



For questions, please email Rita Danis at RDanis@measinc.com. She will reply as soon as she is able.



Housekeeping



- Poll questions will be launched periodically throughout the session. We will also have some questions where we'll ask you to please respond in the chat.
- We won't be able to answer questions about specific situations in the chat, but we welcome you to call the Help Line to discuss these issues at 800-388-2014.
- The Help Line is open 24 hours a day. Specialists are available from 9:00am – 5:00pm. If you leave a message, you will be called back by the next business day.
- Following today's webinar, the recorded session, attachments, and Q&As will be posted/accessible.



Who is in The Room?

Are you a...

New McKinney-Vento Liaison (1st Year)

McKinney-Vento Liaison (2-4 years)

McKinney-Vento Liaison (5-9 years)

McKinney-Vento Liaison (10 + years)

Transportation Directors

Other School/District Staff



Which region are you from?

* Western Region

* Capital Region

* Finger Lakes

* Hudson Valley

* Central Region

* New York City

* Southern Tier

* Long Island

* Mohawk Valley

* North Country





Session Outcomes



By the end of today's webinar, participants will be able to:

- Describe the transportation provisions in the McKinney-Vento Act.
- Identify the benefits of providing transportation to students experiencing homelessness.
- Use our transportation guide to enhance future decision-making.
- Plan how to address challenges in providing transportation for McKinney-Vento eligible students.
- Access resources that support decision-making around transportation.







Welcome! Who is in the Room?



Transportation and the McKinney-Vento Act



Provision of Transportation for Eligible Students and Checks for Understanding



Challenges and How to Address Them



Summary, Survey and Resources



Today's

Agenda



Introduction: Transportation of School Children in NY

 Every year, New York State transports 2.3 million children to school, using more than 50,000 school buses.

 Over the course of the average school year, student passengers will board or step down from a school bus 1,656,000,000 times.



Source: New York Association for Pupil Transportation



STOP WHEN RED

LIGHTS FLASH



Why is Transportation an Important Benefit for Students?





Please put your answer in the chat.





Stability is Key for Students in Temporary Housing



School stability

- Affects academic achievement
- Impacts social/emotional learning
- Mitigates the effects of stress caused by loss of housing

Transportation plays a major part in ensuring school stability!

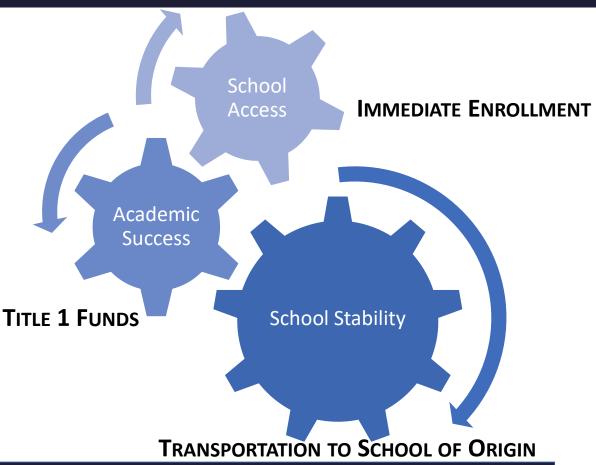




McKinney-Vento Homeless Assistance Act

 Federal law established in 1987

 Reauthorized in 2015 as part of ESSA

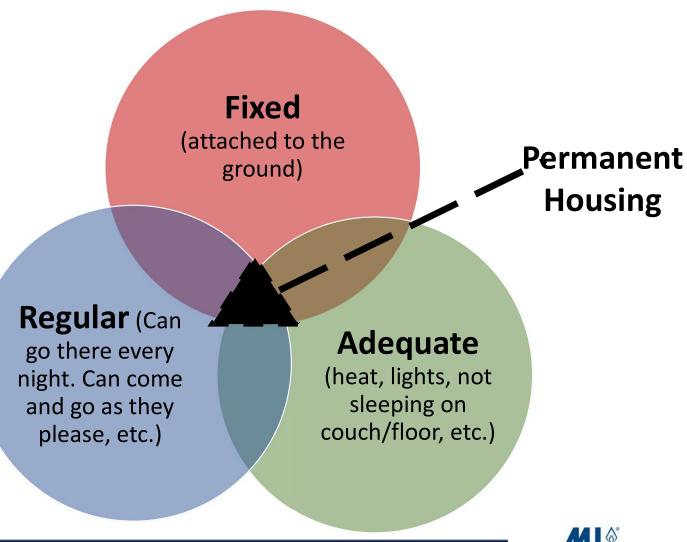






Definition of Homeless

The term "homeless child or youth" means individuals who lack a fixed, regular, and adequate primary nighttime residence.







Homelessness: Living Conditions

- Sharing the housing of others due to loss of housing, economic hardship or a similar reason
- Living in emergency or transitional shelters
- Living in motels, hotels, trailer parks, camping grounds due to the lack of alternative adequate accommodations
- Abandoned in hospitals
- Living in a public or private place not designed for sleeping
- Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, etc.
- Migratory children living in circumstances described above
- Unaccompanied youth living in circumstances described above

Education Law §3209(1)(a); 8 NYCRR §100.2(x)(1); see also 42 USC §11434A(2)(B)(i)





Why Transportation is Addressed

- The McKinney-Vento Act is intended to remove barriers between students and their participation in school life.
- The lack of transportation may act as a barrier in getting to school, affecting the attendance of many students in temporary housing. The inclusion of transportation in the McKinney-Vento Act enhances students 'opportunity for academic success.



• It is up to school districts to figure out how to address the barrier of transportation.



Education Law §3209(1)(a); 8 NYCRR §100.2(x)(1); see also 42 USC §11434A(2)(B)(i)



Transportation for Students in Temporary Housing



Students experiencing homelessness, including preschoolers, are entitled to transportation to school of origin.



Students who move into permanent housing are entitled to transportation throughout the remainder of the school year and an additional year if it is the child's terminal grade in the school.



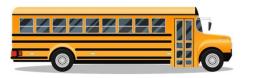
Students who enroll locally are entitled to comparable transportation as their permanently housed peers receive, and elimination of barriers to enroll in and attend school.

42 USC §11432(g)(1)(J)(iii), 11432(g)(3)(A)(i)(II); Education Law § 3209(1), 3209(2)(c), 3209(2)(d), 3209(4)(i); 8 NYCRR §§100.2(x)(2), 100.2(x)(6)(iv); Non-Regulatory Guidance, Question J-5.





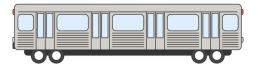
Modes of Transportation



- Yellow bus
- Approved van/taxi services*
- (Taxis are acceptable on a short-term basis)



- Reimbursement for gas/mileage
- Bus route shared with neighboring school district or BOCES



 Other types of transportation approved by district's transportation department

*The use of rideshare services (Uber, Lyft) for any student transportation is not allowed due to safety concerns.





McKinney-Vento Liaison Responsibilities vis-a-vis Transportation

Local liaisons must ensure that the parent or guardian of a homeless child or any unaccompanied youth



- is fully informed of all transportation services, including transportation to and from the school of origin, and
- is assisted in accessing transportation to the school selected in accordance with the best interest determination.







How Have You Facilitated Transportation for McKinney-Vento Students?





Please put your answer in the chat.





Collaboration between MV Liaison and Transportation Director

Who should make MV eligibility decisions?

- MV Liaisons make eligibility determinations.
- MV Liaisons can share Tips for Transportation Directors
- Transportation staff, like other school staff, are important eyes and ears.



Best practices:

- District should involve Transportation Director at the earliest point in eligibility and school selection process.
- District should review MV determinations at the end of each year so that Transportation Directors have time to plan for fall routes.

Remember:

The New York State Technical and Educational

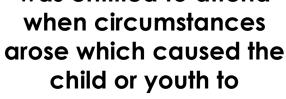
- There is no limit to how long a student can be designated as homeless if the student continues to meet the MV definition.
- Districts must make MV eligibility decisions on a case-by-case basis.



Which District is Responsible for Transportation?



The school attended or was entitled to attend when circumstances child or youth to become homeless. (School District of Origin)





The school last enrolled, even if the student was temporarily housed during that time (Also School District of Origin)



The local school where the student is currently temporarily housed(New Local School District

The term "school of origin" means the school where the student was enrolled when last permanently housed or the school they most recently attended.

Rule of thumb: The student may choose to attend any of these schools. The district where the student attends school is usually the LEA that is responsible for transportation.





Transportation to (Pre) School of Origin

State law defines preschool as publicly funded:



Pre-k programs administered by a local educational agency (LEA) or NYSED

The New York State Technical and Educational



Head Start programs administered by an LEA



Preschool services under the Individuals with Disabilities Act (IDEA) administered by an LEA

- School of origin protections, including transportation, are available for preschoolers.
- Preschoolers are entitled to transportation to school of origin even if transportation is not provided to permanently housed children who attend the same program.
- SED Memo, 2/28/17: <u>Information on the Transportation of Students under 4 years</u>
 - Of age Education Law § 3209(1)(g), 3209(2), 3209(4); 8 N.Y.C.R.R. § 100.2(x)(1)(iv); see also Non-Regulatory Guidance, Questions I-1, N-4, N-5



Obligations of the Local Department of Social Services (DSS)

- LDSS is responsible for transporting students who meet criteria (if LDSS placed the family in temporary housing outside the school district where student is enrolled + student EAF*eligible), including:
 - Students with Individualized Education Plans (IEPs), including specialized transportation services
 - Preschool students
- If LDSS requests that the designated school district of attendance provide or arrange for this transportation, LDSS must fully and promptly reimburse the school district for the cost as determined by the school district.
 - District does not receive transportation aid for student. It bills the LDSS for entire cost of transportation.

*Emergency Assistance to Families (EAF) Program is a federal program which provides assistance to families to deal with crisis situations.

Education Law §3209(4)(a), NYS Field Memo #2-2017, item 12





Decision-Making and Transportation

Use the **Transportation Guide** to make decisions. It identifies housing situations, responsibility, funding source and legal authority.

We will provide an **overview** of the guide and **then take a closer look at some housing situations** and what transportation is provided in them.







Transportation Guide

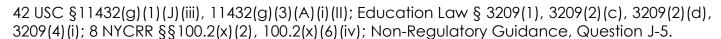
Guide to transportation summarizes transportation obligations, funding sources, and legal authority for situations involving students in temporary housing.



TRANSPORTATION FOR STUDENTS IN TEMPORARY HOUSING IN NEW YORK STATE

Housing Situation	Transportation	Responsibility	Funding Sources	Legal Authority
Temporarily Housed <u>Within</u> the School District	Student is entitled to transportation to their school of origin¹, including public preschool (e.g., pre-k), even if the student is temporarily housed in a different school zone. If the student transfers to a local school zoned for where they are temporarily residing, they are entitled to transportation comparable to permanently housed students, unless the lack of transportation poses a barrier to the student's attendance in school.	The school district where the student is enrolled is responsible for transportation.	State transportation aid ² (claimed by district where student is enrolled) AND If the student attends the school of origin, Title I, Part A set-aside funds for expenses not reimbursed by State transportation aid	20 U.S.C. § 6313(c)(3)(C)(ii)(II); 42 U.S.C. § 11432(g)(1)(J)(iii)(I); 42 U.S.C. § 11432 (g)(4)(A); N.Y. Education Law § 3209(4)(c); N.Y. Education Law § 3209(4)(d); N.Y. Education Law § 3209(5)(A); N.Y. Education Law § 3209(4)(B); N.Y. Education Law § 3209(4)(B); 8 N.Y.C.R.R. § 100.2(x)(6)(iii)-(iv)
Temporarily Housed <u>Outside</u> of the School District, but not in Department of Social Services Emergency Housing Placement	Student is entitled to transportation to and from the school of origin, including public preschool (e.g., pre-k), up to 50 miles one way, unless the commissioner certifies that a distance greater than 50 miles is in the best interest of the student. Parent may also be entitled to transportation if student cannot travel alone.	The school district where the student is enrolled is responsible for transportation.	State transportation aid (claimed by district where student is enrolled) AND Title I, Part A set-aside funds for expenses not reimbursed by State transportation aid	20 U.S.C. § 6313(c)(3)(C)(ii)(II); 42 U.S.C. § 11432(g)(1)(j)(iii); N.Y. Education Law § 30(94)(c); N.Y. Education Law § 3622-a(1); 8 N.Y.C.R.R. § 100.2(x)(6)(iv).
Temporarily Housed <u>Outside</u> of the School District in a <u>Department of</u> Social Services (<u>DSS</u>) Emergency Housing Placement	Student is entitled to transportation to and from the school of origin, including public school (e.g., pre-k), up to 50 miles one way, unless the commissioner certifies that a distance greater than 50 miles is in the best interest of the student. Parent may also be entitled to transportation if student cannot travel alone.	The local department of social services (DSS) is responsible for transportation if it places a student in emergency housing outside of the school district and the student is eligible for Emergency Assistance for Families (EAF). This includes children who attend pre-k and students who attend school at a BOCES. If DSS requests that the school district provide transportation, the school district must transport and the DSS must promptly reimburse the school district. If student is not eligible for EAF or if DSS places the family in emergency housing within the school district, the school district is	If school district transports, DSS reimburses the school district. School district cannot claim State transportation aid for expenses reimbursed by DSS. DSS receives federal Temporary Assistance for Needy Families (TANF) funding for transportation expenses.	42 U.S.C. § 11432(g)(1)(j)(iii); N.Y. Education Law § 3209(4)(a).

<u>Transportation Guide for Students in Temporary Housing</u>







Housing Situation #1

Temporarily
Housed <u>Within</u> the
School District

Who is responsible?

The district where the student is enrolled is responsible for transportation.

- Student is entitled to transportation to their school of origin, including public preschool, even if the student is temporarily housed in a different school zone.
- If a student transfers to a local school zoned for where they are temporarily residing, they are entitled to transportation comparable to permanently housed students.





Ana



Ana's family became homeless after a flood ruined their home in Albany. They are temporarily doubled up with her aunt and uncle in an apartment elsewhere in Albany while Ana's family figures out where they can move to next.

District of origin: Albany School District

School of origin: Pine Hills

Elementary

Locally zoned school: Eagle Point Elementary

Ana's family can decide which school is in her best interest to attend: Pine Hill Elementary or Eagle Point Elementary. She is eligible for transportation to either school in Albany School District.





Housing Situation #2

Temporarily Housed
Outside the School
District (but not in a DSS
emergency housing placement)

Who is responsible?

The district where the student is enrolled is responsible for transportation.

- Student is entitled to transportation to and from the school of origin, including public preschool, up to 50 miles one way, unless the commissioner certifies that a distance greater than 50 miles is in the best interest of the student.
- Parent may also be entitled to transportation if student cannot travel alone.





John



District of origin:
Newburgh School District
District of current location:
Poughkeepsie School District

John's family became homeless after his dad lost his job. They couldn't find affordable housing in Newburgh so they are temporarily doubled up with family friends living in Poughkeepsie.

John's family can decide which district it would be in his best interest to attend. He will receive transportation, as long as the distance is under 50 miles, one way (except if the commissioner grants permission for more than 50 miles).





Housing Situation #3

Temporarily Housed <u>Outside</u>
the School District in a DSS
Emergency Housing
Placement

Who is responsible?

The local DSS is responsible for transportation if it places a student in emergency housing outside of the school district and student is eligible for emergency assistance for families (EAF).

- Student is entitled to transportation to and from the school of origin, including public preschool up to 50 miles one way, unless the commissioner certifies that a distance greater than 50 miles is in the best interest of the student.
- Parent may also be entitled to transportation if student cannot travel alone.





Kayla



Kayla is a first grader who lived in an apartment in Greenburgh with her mom who works as a server. A pipe recently burst in the apartment and the landlord decided not to renovate at this time. The local DSS determined that Kayla and her mom were eligible for emergency assistance for families (EAF) and placed them in a shelter in White Plains.

District of origin: Greenburgh School District District of current location: White Plains School District Kayla's mom can choose whether Kayla attends school in Greenburgh or White Plains. Kayla and her mom are eligible for transportation to and from school. DSS is responsible for transportation, which may be provided by the school district or the LDSS.





Housing Situation #4

Temporarily Housed and would like to Participate in an Academic or Extracurricular Activity

Who is responsible?

The school district where the student is enrolled is responsible for transportation.

OR

DSS is responsible if the student is in a DSS shelter outside of district and is eligible for Emergency Assistance for Families.

Student is entitled to transportation to participate in an extracurricular activity if the lack of transportation poses a barrier to the student's participation, even if it is not provided to permanently housed students. This includes before and after school programs.



Jose



District of origin:
Garden City School District
District of current location:
Uniondale School District

Jose moved to the US with his father while his mother stayed behind in Guatemala. He and his father lived in Garden City until his father died this past summer. Jose enrolled in Uniondale School District as an unaccompanied homeless youth this fall. He wants to play soccer for Uniondale Senior High School.

Jose is eligible to join the soccer team and receive transportation if not having transportation is a barrier to participate--even if other team members don't receive transportation. Jose is also eligible for transportation to summer school for the same reason.





Housing Situation #5

Permanently Housed and Attending the Same School for the Remainder of the School Year or Terminal Grade

Who is responsible?

The district where the student is enrolled is responsible for transportation.

School districts are required to provide transportation for the remainder of the school year in which a student becomes permanently housed, and for one additional year if that year is the student's last year in the school building (also referred to as the terminal grade).





Li



District of origin: Lockport School District

District of current location: Buffalo Public Schools

District of new residence: West Seneca School District

Li is in 8th grade. Her family was living in Lockport until her parents lost their jobs. They have been temporarily housed in Buffalo since June 2021. Her parents recently found new work and a permanent residence in West Seneca.

Li's family can decide if it is in her best interest to finish out the school year in Buffalo or to transfer to a school in West Seneca. The school district where she enrolls provides transportation, but the new district of permanent residence pays for transportation (West Seneca School District).





Housing Situation #6

Attending a Charter School

Who is responsible?

The designated school district is responsible for transportation. The parent or unaccompanied youth can designate either the school district of origin or the school district of current location.

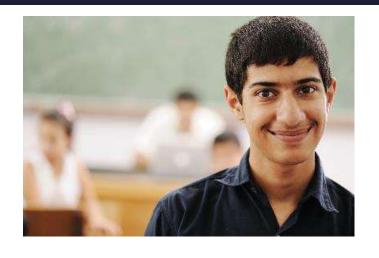
In general, the same transportation rules apply for charter schools: Transportation is provided

- ofor the duration of homelessness
- through the remainder of the school year in which the student becomes permanently housed, and
- o for one additional year, if that year is the student's last in the school building.





Abdul



District of origin: Yonkers School District

District of current location:
Mount Vernon School District

Abdul was a sophomore attending the Charter School of Educational Excellence in Yonkers when his family was last permanently housed. His family experienced an economic hardship and is now temporarily staying with his grandmother in Mount Vernon.

Abdul can continue to attend his charter school. Yonkers School District is the designated school district of attendance and provides transportation if the charter school doesn't have its own transportation.



Housing Situation #7

Temporarily Housed Outside the School District in a RHY* Program Student is entitled to transportation to and from the school of origin, up to 50 miles one way, unless the commissioner certifies that a distance greater than 50 miles is in the best interest of the student.

Who is responsible?

The district where the student is enrolled is responsible for transportation.

*Runaway and Homeless Youth Program





Peter



District of origin: Henrietta School District

District of current location: Rochester School District

Peter ran away from his family home in Henrietta and is temporarily housed in a Runaway and Homeless Youth (RHY) Program in Rochester.

Peter can attend his school of origin in Henrietta School District or a local school in the Rochester School District. RHY costs are fully reimbursable.











A McKinney-Vento designated student is eligible for transportation to either the locally zoned school where she is staying or to the school she previously attended.

- A. True
- B. False
- C. Not Sure







The Transportation Director at your district decides which school district an M-V designated student should attend.

- A. True
- B. False
- C. Not sure







There has been an influx of asylum seekers who have recently arrived in your LEA. Your Transportation Department doesn't have enough bus drivers to accommodate all of the new students who are in temporary housing. Can an LEA waive its responsibility to transport these students?

A. Yes

B. No

C. Not Sure







A family that was permanently housed in your district is now in temporary housing in a neighboring district. They would like to enroll their 4 year-old-child in your district-sponsored preschool. If the child did not previously attend preschool in your district is she eligible to enroll there and receive

transportation?

A. Yes

B. No

C. Not Sure





Local students provide their own transportation home after football practice. If an M-V eligible student's mom cannot pick him up, can he still be on the team?

A. Yes

B. No

C. Not Sure







If a student requires transportation beyond 50 miles from temporary residence to school, who decides if this is acceptable?

- A. Superintendent at Designated School District
- B. The McKinney-Vento Liaison
- C. The NYSED Commissioner of Education
- D. Not sure







Students who attend a charter school do not have the right to transportation under the McKinney-Vento Act.

- A. True
- B. False
- C. Not sure







Transportation Challenges



- Bus driver shortage
- Coordination problems with other districts and/or Departments of Social Services
- Long distances in rural areas
- Logistics and Funding can be problematic for districts to manage





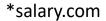
Bus Driver Shortages

- Low pay, poor benefits, and lack of support are prompting the national bus driver shortage. The pandemic aggravated the shortage.
- The average school bus driver in Rochester is paid \$37,022.*
- There continues to be a 15 to 20 percent shortage of bus drivers in New York, based on data provided by contractors to the New York School Bus Contractors Association. (Times Union, February 27, 2023)
- The impact is huge: Longer drive times, later pick-up and drop-offs, more students are walking to school or more kids are packed onto buses with consolidated routes.

School Transportation News Navigating the School Bus Driver Shortage Today

https://stnonline.com/partner-updates/navigating-the-school-bus-driver-shortage-today/

Bus Drivers as Unsung Heroes: New Research on How to Keep Them Driving! | NYKids - University at Albany (ny-kids.org)







Other Transportation Challenges

Coordination with other districts and DSS

 Districts have differing policies and routes that must be coordinated. Also the leadership across districts may have different protocols. There is not always a history of collaboration.

Long distances in rural areas

 Distances between rural districts can be vast. Combined with the shortage of bus drivers, it is difficult for such districts to fulfill their transportation obligations.

Logistics and funding

 Districts can struggle to arrange and pay for transportation needs. Some districts may not be aware of all of the resources that are available to them.





Tips for Providing Transportation

1. Set up meetings and collaborate with local McKinney-Vento Liaisons and Transportation Directors.

2. Use technology to streamline the processes used for requesting transportation and finding bus routes.





3. Develop

4. Explore flexible bus routes that can be implemented easily, based on known temporary housing locations.



5. Plan for unforeseen circum-stances.







Tips for Providing Transportation

6. Identify a transportation point person for students in temporary housing.



7. **Train bus drivers** and
dispatchers
on McKinneyVento
eligibility.



8. Abide by safety standards.



9. Allow parents to accompany young children on public transportation.

10. Develop systems that allow parents/youth to drive themselves to school if they are willing and able.





Key Ways to Address Challenges in SY23-24

- Pick up and drop off at a shared BOCES.
- Share routes with neighboring LEAs, see <u>Sample Transportation Protocol</u>
- Check to see if any of the private schools or charter schools you transport to are close to the temporary residence of the child. This would be an add-on to an existing contract or incorporated into a district run and both ways are eligible for aid.
- Reimburse parent or unaccompanied youth for gas mileage.
- Rural school districts should consult <u>NCHE's Strategies for Rural School</u> <u>Districts</u>, which has extensive suggestions for rural districts.
- MV grant funds and/or Title I Part A Set-Aside funds can be used to purchase bus passes.
- ARP funds may be accessed to defray costs as well.





Title 1 Part A Set-Aside and Other Funds

Remember that districts may use Title I Part A Set-Aside funds to defray the excess costs of transporting homeless students to and from their school of origin.

Q: What is the excess cost of transportation for a student experiencing homelessness?

A: It is the difference between what an LEA normally spends and the cost of transporting a student who is homeless.*

American Rescue Plan (ARP) Elementary and Secondary School Emergency Relief (ESSER) Fund and American Rescue Plan (ARP Act) Homeless Children and Youth (HCY) funds further support transportation for students temporarily housed. These funds are available March 13, 2020 to September 30, 2024.

*USDE Non-Regulatory Guidance, Questions J-7, J-8





Key Points

NYSTEACHS.org
The New York State Technical and Educational

- When a student attends a school in the district of origin, the district of origin is responsible for providing transportation.
- Some students do not wish to attend the school of origin. The district of attendance is usually the LEA responsible for providing transportation.
- If a family is placed by DSS in emergency housing outside the district of attendance and the student is EAF-eligible, DSS is responsible for transportation.
- Transportation should be arranged by the district or responsible agency within 3 business days and students can be transported up to 50 miles each way if that is in the best interest of the child.

More Key Points

The New York State Technical and Educational

- Preschool students in publicly funded programs are eligible for transportation.
- The transportation of students in Runaway and Homeless
 Youth Programs is fully refundable.
- A student who moves into permanent housing is entitled to transportation to and from their school of origin for the remainder of the academic year.
- School districts can tap into McKinney-Vento funds, Title 1
 Set-Aside Funds and ARP funds to pay for transportation expenses for students in temporary housing.

Resources

- NYS TEACHS: <u>Transportation Guide for Students in Temporary Housing</u>
- NYS TEACHS: <u>Tips for Transportation Directors</u>
- NCHE Brief: <u>Transporting Children and Youth Experiencing Homelessness</u>
- <u>Sample Transportation Protocol</u> found on NYS TEACHS Transportation Resources page
- NCHE: NCHE's Strategies for Rural School
- NCHE: <u>National Association of State Directors of Pupil Transportation</u>
 <u>Services Resolution to Support the Transportation of Homeless Children</u>
 <u>and Youth</u>
- OTDA Administrative Directive: <u>Transportation from LDSS for Students</u> who are <u>Homeless</u>





Technical and Educational Assistance Center

- Help Line (800-388-2014)
- Website (https://nysteachs.org)
- Web-Based Trainings
- Outreach Materials

NYSTEACHS.org

The New York State Technical and Educational Assistance Center for Homeless Students

https://www.nysteachs.org/order-brochures/brochures-posters

Upcoming Professional Learning Opportunities

Enrollment and School Selection

Thursday, October 12, 2023 9:30am – 11:00am





ENSURING EQUITY: BREAKING DOWN BARRIERS FOR STUDENTS IN TEMPORARY HOUSING



Keynote Speaker:

Dr. Eddie Fergus Author; Professor at Rutgers University

CHOOSE FROM TWO DATES:



OCT. 25, 2023

OR

APR. 17, 2024

8:45AM - 1PM BREAKFAST & REGISTRATION AT 8AM Holiday Inn Saratoga Springs

232 Broadway, Saratoga Springs

8:45AM - 1PM BREAKFAST & REGISTRATION AT 8AM

Mariott Syracuse Downtown

100 East Onondaga St, Syracuse



