

Understanding the STAC-202 Policy:

Q&A Document

Q: Do you do a STAC 202 form for a student that was in your district but then was put into the foster care system and went to another school district?

A: A STAC-202 form is used to request homeless tuition reimbursement when a student in temporary housing was last permanently housed in a different school district in New York State. After changes to the McKinney-Vento Act in 2016, children “awaiting foster care placement” are not considered homeless. Please reach out to your Local Department of Social Services for Form LDSS2999 for children referred to the foster care system.

Q: Could you clarify how this is applicable to NYC students as well (moving from one address in NYC to another) or if there is anything distinct?

A: Eligibility for homeless tuition reimbursement occurs when a student in temporary housing is attending a different NYS school district than when last permanently housed. If a student in attending a NYC school and moves to attend another NYC school, the student is continuing to be educated in the same school district. Therefore, schools in NYC do not complete a STAC 202 form for students in temporary housing. NYC schools should update the student’s housing information in the NYC DOE ATS system.

Q: If a student lives in our district, becomes temporarily housed in another district, but remains enrolled in our district, do we send the 202 form anywhere else? I know we don't send to the state.

A: STAC-202 applications should only be sent to the STAC Unit if the designated district of attendance (box 9A) is different from the district of origin (box 7A). The school district sends a copy of the STAC 202 to all school districts listed on the form. Note: A parent/guardian/unaccompanied youth/director of a residential program for runaway and homeless youth gets a copy (if applicable) and DSS gets a copy if they place the student in temporary housing.

Q: How many years can the district receive reimbursement for the same student? Some of our families have been deemed homeless for over 4 years.

A: There is no limit to the amount of time a district can claim homeless tuition reimbursement for a student in temporary housing as long as the housing is not fixed, regular and adequate.

Q: What if they are outside of NYS, you get no assistance

A: Homeless tuition reimbursement through the STAC process is not available for students in temporary housing who were last permanently housed outside of New York State. A school district is only eligible for homeless tuition reimbursement when a student in temporary housing was last permanently housed in another New York State public school.

Q: So does an individual charter school need to complete the STAC form?

A: Charter schools are considered local educational agencies (LEAs) under the McKinney-Vento Act and are required to appoint a liaison to help students in temporary housing and their parents. After a student has been identified as homeless, a designation form or STAC-202 form must be completed. A charter school, school district, or local department of social services (in cases where it has placed the family in temporary housing) may complete the STAC-202 form and send a copy to all parties listed on the STAC-202 form. In many instances, the charter school will be the first to become aware of a student's housing situation and should fill out the STAC-202 form. However, the charter school itself should not be entered anywhere on the STAC-202 form. Only public-school districts should be listed on the STAC-202 form.

Q: If a student remains homeless at the same address for multiple years, can you make a copy of the current STAC-202 form or do you have to complete a new form each school year regardless?

A: STAC-202 forms do not need to be submitted each year if the student's temporary housing status is unchanged. Once a school district determines a student to be MV eligible, the STAC form is active until the student finds permanent housing, graduates, or leaves the school. A new STAC 202 form is completed if the student moves from one temporary address to another temporary address.

Q: If a student starts school for the first time as a preschooler or Kindergartener within the district as homeless, is the district still the district of origin?

A: If the child was not yet attending school where the family was last permanently housed, the school of origin would include a public preschool in which the child was eligible to apply, register or enroll before the initial loss of housing.

Q: I need to STAC only a very few students each year. I totally understand the content of this webinar. My problem is the STAC system itself is NOT user friendly & I have been struggling with navigating the actual STAC website. PLEASE -I know I can't be the only one. I have had no training provided regarding navigating the STAC site, I never know if I have successfully completed what I need to on the site. Ask everyone here today -if navigating the site would be a helpful webinar. I think you'll find that EVERYONE especially new staff would GREATLY APPRECIATE IT! THANKS!

A: For additional assistance with the STAC online system please contact the NYSED STAC and Medicaid Unit at www.oms.nysed.gov/stac/, email OMSSTAC@nysed.gov or call 518-474-7116

Please join the January 26, 2023 training: The NYSED STAC/Medicaid Unit will present a webinar designed to assist districts in processing requests for reimbursement for homeless placements. <https://www.nysteachs.org/register-for-trainings>

Q: Who sends the STAC form to the former district?

A: The Liaison sends a copy of the STAC form to the district where student was last permanently housed.

Q: Just for clarification, if a student is in temporary housing in another district however, is still enrolled at my school... there is no need for me to complete a STAC-202 form?

A: School district must complete a designation form also referred to the STAC 202 for every McKinney-Vento eligible in your district and send copies of the form to all school districts listed on the form. If the student continues to stay enrolled in school district of origin while living in temporary housing in a different school district, complete the STAC 202 form/designation form and keep for records and data verification.

Q: Where do you send the STAC-202 forms?

A: New York State Education Department (SED)
STAC and Special Aids Unit
89 Washington Avenue
Room EB25 Education Building
Albany, NY 12234

NYSED STAC Unit's preferred mode of submission is via upload to the SED File Transfer Manager (FTM). Once uploaded, school districts should send an email to OMSSTAC@nysed.gov notifying the STAC 202 Office that the file is available for download/processing.

Q: Must you STAC for pre-K students?

A: The STAC Unit reviews and processes STAC-202 forms for both preschool and school age to create a homeless eligibility record within EFRT. Once established, the district of origin remains the same unless the student finds permanent housing again and then subsequently loses it; thus creating a new district of origin. **STAC homeless eligible payment/s at this time is only available for a school age student.**

Q: Do children have to have immigration status to be eligible?

A: The McKinney-Vento Homeless Assistance Act defines a homeless as a child or youth "as an individual who lacks a fixed, regular, and adequate primary nighttime residence". School districts cannot ask about a students or family's **immigration status** or take other actions that could discourage the student from seeking enrollment. As the 1982 Supreme Court case, Plyler v. Doe, made clear, even if a student is undocumented or a non-citizen, the student's status (and the status of his or her parent or guardian) is irrelevant to that student's right to a public education. The McKinney-Vento Act ensures educational rights and protections for children and youth experiencing temporary housing.

Q: IF box 9 is being filled out just for record keeping purposes, is it the date they started or became homeless?

A: In box 9 of the STAC 202 form, indicate the date the district of attendance begins to educate the child.

Q: Does this apply to students who are in an outside placement, the family has moved into permanent residence but has not enrolled in the new school district.

A: If a student moves into permanent housing in a new district but opts to continue enrollment in the same school through the remainder of the year or the terminal grade, McKinney-Vento benefits remain in effect. The school district where the student is enrolled may directly bill the student's new district of residence for the cost of tuition. (42 U.S.C. §11432(g)(3)(A)(i)(II); Education Law §3209(2)(c))

Q: What if the district does not allow out of district students? So has no tuition rate?

A: Under the McKinney-Vento Act, the student has the right to enroll in any school that other students living where he is living would be eligible to attend. 42 USC §§11432(g)(3)(A). McKinney-Vento Act requires LEAs to enroll children and youth experiencing homelessness in school immediately and ensure the prompt transfer of records between previous and enrolling schools.