

## Transportation of Homeless Students

### **A. Under what circumstances must a LEA provide transportation?**

Under the McKinney-Vento Act and N.Y. Education Law § 3209, students in temporary housing are entitled to transportation to help students stay in school. Transportation protections were expanded under the Every Student Succeeds Act of 2015 and NY State law. They include: Transportation to the school the student attended when they were last permanently housed up to 50 miles each way, or to the most recent school they attended, even if the school is in a different school district from where the student is temporarily living. Continued transportation to the same school for the rest of the academic year when the student moves into permanent housing, even if the new housing is located outside of the school district. In New York State, transportation is also provided for an extra year after the student moves into permanent housing if that year is the student's final year in the school building (e.g., 12th grade). If a student in temporary housing attends school in the same district where they are temporarily housed, then they can get the same transportation as their permanently housed peers. If permanently housed students don't have transportation, and the lack of transportation creates a barrier for a student in temporary housing, then the district has to supply transportation to overcome the barrier. Transportation to extracurricular activities if the lack of transportation would be a barrier to the student participating.

**B. Who is responsible for setting up transportation for students in temporary housing?** The McKinney-Vento liaison or Homeless liaison for the district where the student is enrolled in school must make sure transportation is arranged for students in temporary housing. In some cases, the liaison may need to coordinate with the local department of social services, Runaway Homeless Youth (RHY) shelters, or neighboring school districts.

### **C. Are transportation services available to students who enroll in the local school where they are temporarily residing?**

Yes. Students who transfer to their local school are entitled to comparable transportation services offered to permanently housed students living in the district. If the lack of transportation creates a barrier to the student's ability to participate in school, the school district must eliminate the barrier. All school districts must review and revise transportation policies that may act as barriers to a student's enrollment and attendance in school.

### **D. How long does a school district need to provide transportation for a student in temporary housing?**

A school district must provide transportation for the entire time the youth is in temporary housing and through the remainder of the year when a student finds permanent housing. In New York State, districts must also provide transportation for an additional year if that year is the student's terminal year in the school building. For example, if a student in temporary housing finds permanent housing in the middle of their junior year, the student can receive transportation for the remainder of their junior year as well as their senior year.

**E. What happens if the school of origin is very far away from where the student is temporarily living?**

Transportation must be provided for students who are temporarily housed within 50 miles one way of their school building. If the school is more than 50 miles away, the school district is not required to provide transportation for the student unless the Commissioner of the State Education Department determines it is in the best interest of the student.

**F. Can school districts provide transportation to parents to accompany their children to school?**

Yes. For example, districts have provided parents with gas cards or reimbursed parents using the federal mileage reimbursement rate when parents in temporary housing use their own cars to bring their children to and from school. Districts have also provided public transportation passes to parents to accompany their children on public transit when busing was unavailable.

**G. When is the Department of Social Services (DSS) responsible for transportation for students in temporary housing?**

The local DSS is responsible for the transportation of students to and from school any time the DSS has placed a student in temporary housing at an address which is outside of the school district of attendance and the student is eligible for Emergency Assistance for Families (EAF). However, if a DSS requests that the school district supplies the transportation, then the school district is responsible for providing transportation to and from school. If the school district supplies the transportation, the school district is allowed to bill the DSS for their transportation costs, and the DSS is required to reimburse the district for the costs.