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TO: BOCES District Superintendents
School District Superintendents
Charter School Leaders
McKinney-Vento Homeless Liaisons

FROM: Erica Meaker, Director *Erica Meaker*

SUBJECT: Billing for the Remainder of the School Year after a Student Becomes Permanently Housed

DATE: September 24, 2021

This Field Memo provides information about when a district can directly bill another district for tuition for a student who was homeless and has become permanently housed; and what documentation a district should submit to another district when requesting such reimbursement.

Introduction

Local Educational Agencies (LEAs), including school districts, BOCES, and charter schools, in New York State must complete a Designation Form ([STAC-202](#)) for each student identified under the McKinney-Vento Act, send to parties listed on the form, and keep the forms on file. In certain cases, the STAC form may also be used by school districts to receive additional state aid for instruction (also commonly referred to as tuition reimbursement) from the New York State Education Department (NYSED).

In September 2013, NYSED issued [McKinney-Vento Field Memo #06-2013](#) to clarify when a school district can receive additional state aid for instruction for the cost of educating a student in temporary housing and how to request such aid using the [STAC-202 Form](#). The memo also clarified that when a student who had been homeless becomes permanently housed and chooses to remain enrolled in the same school building for the remainder of the school year and the terminal grade, if applicable,¹ the district where the student is enrolled may directly bill the new district of residence for the cost of instruction, if the districts are different. The purpose of this Field Memo is to provide guidance regarding how to request such reimbursement.

¹ See 42 U.S.C. § 11432 (g)(3)(A)(i)(II); Education Law § 3209(2)(c)

Documentation Establishing Residency

When a district learns that a student identified as homeless has become permanently housed, the district should explain to the parent that the student can maintain enrollment in the same school for the remainder of the school year and possibly the terminal grade consistent with the student's best interests. The district should request proof of residency from the parent and explain that such proof is needed for inter-district billing purposes and does not impact the student's right to maintain enrollment in the same school on a tuition-free basis even if the student has secured permanent housing in a different district.

Inter-District Communication and Billing

In cases where:

- A student who had been homeless becomes permanently housed, and
- The student continues enrollment in the same school, and
- The school is in a different district from where the student is permanently housed:

NYSED recommends that the district where the student is enrolled forward the proof of residency to the new district of residence ***prior to submitting the request for reimbursement*** so that the new district of residence is aware that a bill will be coming in the future. When submitting the request for reimbursement to the new district of residence, it is recommended that the district where the student is enrolled include:

- A statement indicating what the LEA is billing for (instruction/tuition and transportation for a student who had been homeless and who is now permanently housed),
- Proof of residency (these documents should have been previously submitted to the district of residence when the family first became permanently housed, as described above),
- A copy of the STAC 202 for the student with the date the student became permanently housed,
- Documentation of the period of enrollment in the district after the student became permanently housed,
- Documentation indicating whether the student receives special education services (note: districts set one non-resident tuition rate for general education and another for special education),
- An invoice for instruction/tuition based on the district of enrollment's non-resident tuition rate, pro-rated for the period of instruction after the student became permanently housed minus any instructional aid the district has or will receive for the student for that time period,
- A transportation log showing that the days the district provided transportation for the student after the student became permanently housed,

- An invoice for transportation representing the costs of transportation for the period after the student became permanently housed, minus any transportation aid the district has or will receive for the student for that time period.

For example, a student was identified as homeless by District A and was enrolled in school in District A. On May 1, the student became permanently housed in District B and chose to finish out the school year in District A. District A forwarded a copy of the lease for the family's apartment in District B to officials in District B notifying them of the move and also notified them that the student would finish out the year in their same school in District A, and that District A would send a request for reimbursement after the school year ended. Over the summer District A then sent the following request for reimbursement:

- Tuition \$2000. This was calculated using the district's non-resident tuition rate of \$10,000 pro-rated for the time period from when the student became permanently housed until the end of the school year (36 days out of 180 total instructional days = 80%).
- Transportation \$650. After the student moved into permanent housing in District B, District A paid a bus vendor \$500/month to transport the student to and from their new home in District B to school in District A, for a total of \$1,000. This cost will be offset by the District A's transportation aid ratio of 65% (i.e. NYSED reimburses the District A 65% of its allowable transportation expenses).

NYSED expects any district that receives a request for reimbursement to respond promptly. To the extent that districts have a disagreement about when, whether, and/or where a student who had been homeless establishes residency in another district from where they are enrolled in school, they can resolve those disputes using the 310 appeal process from the Office of Counsel: <http://www.counsel.nysed.gov/generalinformation>. Please note that the STAC Office does not handle directly billing requests or reimbursement after a student becomes permanently housed. The STAC Office only processes reimbursement requests for students while they are homeless.

LEA Policies and Resources

For further information about McKinney-Vento, the rights of students in temporary housing, and strategies that schools can implement to meet students' needs, please visit the NYS-TEACHS website, www.nysteachs.org, or contact NYS-TEACHS toll-free at 1-800-388-2014.

Additional information may also be obtained through our Department's Homeless Education Program Office in Albany, New York by contacting Melanie Faby, Homeless Education Program Associate, at (518) 473-0295. You can also address questions about the reimbursement process for periods of instructions while a student is experiencing homelessness to the STAC, Special Aids and Medicaid Unit directly at (518) 474-7116.