

Year-End Planning for McKinney-Vento Liaisons

Questions and Answers

Q: There are a number of trailer parks that are defined as fixed, adequate and regular residences. The inclusion of "trailer parks" in the slide is confusing to some liaisons.

A: Yes, some trailers are considered permanent housing.

If the trailer is "attached to the ground, secured with "hook-ups" which provide access to electricity, running water, plumbing, and heat, the family most likely is not eligible for MV benefits as a fixed residence is stationary, permanent, and is not subject to change. Example: a tent is not "fixed," but a house or an apartment are usually fixed to the ground. If a family is living in a trailer that is parked in someone's yard with no electricity, water, and/or proper hook-up for sewage is not fixed, regular, and adequate and would qualify for protections under the McKinney-Vento Act.

Please see additional resources on determining eligibility: <https://www.nysteachs.org/determining-eligibility-for-mckinney-vento>.

Q: If we were unable to provide transportation due to driver availability but the parents transported back and forth and the school provided payment reimbursement to the family can the Title I funds be used to pay for that?

A: Yes, Districts may use Title I, Part A set-aside funds to defray the excess costs of transporting homeless students to and from their schools of origin. 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.

Q: We also have to send a STAC 202 form on students as well, correct?

A: Local Educational Agencies (LEAs) 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 tuition reimbursement from the New York State Education Department when the student is not enrolled in their District of Origin and submitted one time until address change/ permanent housing occurs.

Information on completing the STAC 202 Form can be found [here](#).

Q: Some students were not a part of temporary housing until after the enrollment period for summer school. What do we do?

A: The federal law makes clear that LEAs "must ensure that homeless children and youths who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities,

including... summer school.” If the student living in temporary housing is found eligible under MV, then they are entitled to attend summer school.

If the student’s is in need of transportation to attend summer school, the district must provide transportation to/from the temporary address each day if not having transportation is a barrier to participation.

If the district doesn’t provide summer school options, but other residents of the district are eligible to attend another local LEA for summer school, then the district must cover any fees for the student in temporary housing.

Q: How do the rules apply to a walking school district during summer school?

A: Students in temporary housing are entitled to transportation to and from summer school if the school district provides transportation to permanently housed students. In addition, school districts must provide transportation if the lack of transportation is a barrier to the student’s ability to attend summer school, even if the district does not transport permanently housed students.

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. N.Y. Education Law § 3209(6)(b).

Q: If we had a McKinney-Vento student that became permanently housed in another district but took a few months to enroll in the new school how does that work? The student was attending an Out of District (OOD) placement and we were still being billed even once they were in permanent housing because they were not enrolled yet with the new school even with us and the new school making multiple attempts to get this completed with the family.

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))

Here is a helpful NYSED memo - [Billing for the Remainder of the School Year after a Student Becomes Permanently Housed](#) (Memo: September 2021) This 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.

Q: I know that families who obtain permanent housing during the school year still qualify under McKinney-Vento for the remainder of the school year. Will they still qualify during the summer?

A. If a student becomes permanently housed before June 30, 2023 and needs access to summer school, the student is entitled to enroll in the new LEA of residence and participate in that LEA’s summer school program. Liaisons should assist families with enrollment in the new district. Note, if the student will be entering their terminal grade in a school building next fall (such as a rising 12th grader), then the student may opt to continue enrollment in the same LEA for summer school and for the terminal grade in the fall.

