



NYAPT

NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION

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MEMBER BRIEFING

TOPIC: CHANGES IN MCKINNEY-VENTO RE: TRANSPORTATION FOR HOMELESS STUDENTS EFFECTIVE DATE OF CHANGES IS OCTOBER 1, 2016

REASON FOR THIS UPDATE

The federal government enacted the ESSA (Every Student Succeeds Act) in 2015 as successor legislation to the No Child Left Behind Act. The individual states are currently in the process of developing extensive implementation plans and guidelines for every aspect required under the new law.

While there are several different implementation timeframes, the provisions related to changes in ESSA related to the McKinney-Vento Act actually take effect on **October 1, 2016**.

The State Education Department has not yet issued state guidelines for school districts in this area although that is expected soon. Moreover, there will apparently be amendments to SED regulations introduced in emergency form at the October 17th-18th Board of Regents meeting. It is also expected that the Legislature will need to amend Section 3209 of the Education Law in NYS to accommodate the changes incorporated into McKinney-Vento by the ESSA.

NYAPT will keep abreast of these regulatory and statutory changes on behalf of our members and offer input and commentary to the maximum extent. This is a significant operation and cost-related issue for our schools and we need to ensure that it is implemented with careful thought as to those issues as well as the interests of the student at every stage.

With changes in McKinney-Vento about to take effect on October 1st, we thought it would be useful for our members if we tried to put in one place some key changes as well as suggestions on ways to engage as school leaders on this issue and on behalf of your operations.

KEY NEW CHANGES TO MCKINNEY-VENTO

**** Note: Effective October 1, 2016**

Key amendments to the McKinney-Vento Act included in the Every Student Succeeds Act are as follows:

- *Remainder of the school year*
Transportation is required for the remainder of the school year in which the student moves into permanent housing (Note that this is a significant change from previous years)
- *Dispute resolution*
Continued enrollment and transportation is required until there is a final resolution of dispute

- *Extra-curricular activities*
Districts must eliminate barriers to participation in extra-curricular activities and this could result in additional transportation services and related costs
- *Preschool Students Who are Homeless*
The McKinney-Vento Act requires LEAs to provide transportation services to the school of origin, which includes public preschools. (Section 722(g)(3)(I)(i)). Accordingly, transportation to the school of origin must be provided even if a homeless preschooler who is enrolled in a public preschool in one LEA moves to another LEA that does not provide widely available or universal preschool.

NOTE AGAIN: These changes are effective OCTOBER 1, 2016!

NEXT STEPS RE: IMPLEMENTATION

- ✓ The State Education Department should be shortly issuing a guidance to school districts on the various changes to McKinney-Vento including those related to transportation...NYAPT will provide you a copy of or a link to that guidance as soon as we have a copy in our possession;
- ✓ On October 17-18, we are expecting the Board of Regents to consider and adopt Emergency Regulations related to implementation of the new McKinney-Vento Act amendments;
- ✓ The State Legislature will likely consider amendments to the provisions of Section 3209 of the Education Law as relate to the education of students who are homeless or displaced;
- ✓ The State Education Department will hold regional meetings (via BOCES locations) about the implementation of ESSA. We will advise our members of the locations of those meetings and provide guidance as to issues that are timely to raise as appropriate;
- ✓ The State Education Department will continue to finalize its plan for submittal to the Federal Government in the Spring. NYAPT is at the table on issues related to transportation, homeless and foster care-related transportation as well as Pre-K transportation related to homeless students;
- ✓ Depending on what is timely, we will include a presentation from NYSED about these issues at the Winter Workshop.

HOW YOU CAN PARTICIPATE AND GET ENGAGED

Please see Attachment A for a discussion about your involvement at the local level during the implementation of the new McKinney-Vento Act provisions.

RESOURCES THAT TRANSPORTATION OFFICES SHOULD REVIEW

We have **posted on our website** (See Resources) the U.S.E.D. Guidance document that summarizes the McKinney-Vento Act changes and implementation requirements.

We have also **posted on our website** (See Resources) an SED Field Memorandum on McKinney-Vento implementation that you should be aware of as well.

You can access a recording of the NYSTEACHS webinar of September 28th by going to their website and clicking on the webinar link. It should be up on the site by September 30th.

FUNDING IN BRIEF

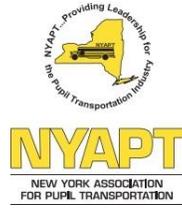
Members should be generally aware that costs related to transportation services for Homeless students is eligible for Transportation Aid reimbursement. Title I-A funds can also be used to support homeless student transportation. In addition funds available under the Runaway and Homeless Youth Act. We will have **further information** on aid and financial support in future writings and training.

QUESTIONS

If members have any questions about these new provisions or have encountered obstacles that require attention, please contact us via EMAIL at peter@nyapt.org and we will work with SED and others to get an answer to your question.

Respectfully Submitted to Our Members,

Peter F. Mannella
NYAPT Executive Director



ATTACHMENT A

GETTING ENGAGED AND PARTICIPATING LOCALLY

Members are encouraged to get fully engaged in the implementation of the new provisions as soon as possible. The sooner you connect with relevant school officials, the more likely you will have an impact, as this process is moving pretty quickly.

Message: Your role as Transportation professionals is referenced in the USED Guidance as follows: ***“The LEA’s transportation director is a key figure in the process and should work with district leadership, the local liaison for homeless students, neighboring districts, and homeless service providers to develop effective transportation policies and procedures.”*** It is important that you exercise that role as a “key figure” and it is equally important that you stay abreast of this fluid situation. We will do our best to provide you timely and useful information.

One of the hallmarks of the homeless advocacy message is that stability for the child is critical to their success in school...a corollary is that transportation is what makes that stability possible. That makes your role critical in your school district and makes it important that you play your role responsibly and in an informed manner.

Remember that your drivers (as has been said in many other ways) are the first school employees to see and hear these homeless students at the beginning of the day and the last to see them at the end of the day. That affords them some interesting insights into the lives of the children and their reaction to what is going on around them. Your drivers should be encouraged to share their observations with you in terms of the emotional state of the child (as they observe it) as well as changes in the child’s living situation that may affect their status. This will require orientation and training for your drivers...something we are working on with SED and NYSTEACHS.

When you are involved with placement discussions, and the parents of the child are involved, be honest with them about the transportation arrangements. Some would suggest that no one really explains to parents that transportation might take extended time periods or that their child may arrive at home later than they are accustomed to. They ultimately need to decide what’s best for their child but it is only fair for them to know all the facts so that they can make an informed decision. You are a key player in that consideration and decision.