

EASTPORT-SOUTH MANOR CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION

Nicholas Vero, President • Cheryl Hack, Vice President
Marie Brown • Marion Diener • Jeffrey Goldhammer • Karen Kesnig • Danielle Warsaw

Sharon P. Murray, District Clerk

Patrick K. Brimstein, Ed.D., Superintendent of Schools

Stuart Berman, District Treasurer

Timothy Laube, Assistant Superintendent for Business & Operations
Linda A. Weiss, Assistant Superintendent for Personnel and Accountability

MEETING AGENDA

JSHS Cafeteria

April 17, 2019

7:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE – Eastport Elementary Students

PRESENTATIONS

A. Student Ambassador –

ACCEPTANCE OF MINUTES

A. April 3, 2019 Regular Meeting

REPORTS/ANNOUNCEMENTS – SUPERINTENDENT OF SCHOOLS

PUBLIC PARTICIPATION – 1ST INVITATION

Please Note: This is the opportunity for persons who wish to speak or who have written letters to the board regarding topics that are included on this agenda. Speakers are asked to keep their comments brief, and to speak for no longer than five minutes.

AREAS OF OPERATION

A. Business Report

1. 2019/2020 Spending Plan – *Discussion*
2. WHEREAS, the Superintendent has presented his recommendation for the 2019/2020 Spending Plan in the amount of \$97,064,113.30 to the Eastport-South Manor Central School District Board of Education, which includes an amount of \$512,411.00 for the purpose of retaining armed security guards , and

WHEREAS, the Eastport-South Manor Central School District Board of Education has received the Superintendent's recommendation and concurs with this recommendation,

NOW, THEREFORE, BE IT RESOLVED, that the 2019/2020 Spending Plan in the amount of \$97,064,113.30, be submitted to the voters on May 21, 2019 in two separate propositions, with the amount of \$512,411.00 for the purpose of retaining armed security guards being a separate proposition.

AND, FURTHER, BE IT RESOLVED, pursuant to the Commissioner's Regulations that the Board of Education approve the Property Tax Report Card to be reported to the State Education Department and made available to the district residents.

3. Approval of Treasurer's Reports for February, 2019

B. Curriculum and Instruction Report

1. ELL Program – Mrs. Weiss

C. Personnel Report

1. Resignations – 1

2. Leave of Absence – 4

3. Appointments
a. Per Diem Substitute – 4

4. Supplemental Pay – 90

5. Student Teacher/Observer/Internship - 2

OLD BUSINESS

NEW BUSINESS

A. BE IT HEREBY RESOLVED, upon the recommendation of the Superintendent that the Board of Education approve the Stipulation of Settlement and Release regarding SED Case No. 921 and authorizes the Board President or Designee to sign on behalf of the District.

B. BE IT HEREBY RESOLVED, upon the recommendation of the Superintendent that the Board of Education approve the Instruction Contract with Westhampton Beach Union Free School District for the 2018/2019 school year for students attending the ESM Alternative High School Program and authorizes the Board President or designee to sign on behalf of the District.

C. BE IT HEREBY RESOLVED, upon the recommendation of the Superintendent that the Board of Education approve the Special Education Service Agreement with Sayville Union Free School District for the 2018/2019 school year for a student attending a school within their district and authorizes the Board President or designee to sign on behalf of the District.

D. BE IT HEREBY RESOLVED, upon the recommendation of the Superintendent that the Board of Education approve the Health & Welfare Services Contracts for the 2018/2019 school year with the following schools districts for students who are attending private/parochial school within their districts:

- Center Moriches Union Free School District
- Patchogue-Medford Union Free School District
- South Huntington Union Free School District

E. BE IT HEREBY RESOLVED, upon the recommendation of the Superintendent that the Board of Education declare the following equipment as obsolete as it is damaged beyond repair:

Quantity	Item	Department
2	iPad Wi-Fi 32GB	Special Education
1	GO NOW iPad Case #10	Special Education
2	Barracuda Web Filters	Technology
1	Brother IntelliFax 2820 Fax Machine	Technology
3	Cisco 6921 Phone	Technology
33	Desktop Computers	Technology
3	LaserJet Printers	Technology
17	UF55 Projectors	Technology
1	T5740 Thin Client Computer	Technology

F. BE IT HEREBY RESOLVED, upon the recommendation of the Superintendent that the Board of Education accept the donation of \$250.00 from ESM PTSO Connection to be allocated to the Class of 2020 Student Council Activity Fund for the Junior Ring Banquet.

G. BE IT HEREBY RESOLVED, upon the recommendation of the Superintendent that the Board of Education accept the donation of \$615.59 from ESM SEPTO to cover the cost of the Theatre III Puppet Show field trip on Tuesday, April 9th, and

FURTHER, BE IT RESOLVED, that the Board approve budget adjustments for the 2018/19 school year as follows:

AMOUNT	ACCOUNT CODE	DESCRIPTION
\$250.00	A2110.140-00-0000	Inst. Sal Subs, Home
\$19.13	A9030.800-00-0000	Social Security
\$26.55	A9020.800-00-0000	Teacher's Retirement
\$319.91	A5540.410-TA-0000	Tuttle Contr. Transportation

STUDENT SERVICES

A. Acknowledge receipt and review of recommendations from the Committees on Special Education.

POLICY

A. Second Reading – Policy No. 5151 & 5151R, Homeless Children

BOARD COMMITTEE REPORTS

- Budget Advisory Committee
- Health & Safety Committee
- Facilities Committee
- Legislative Committee
- Policy Review Committee
- Security Committee

COMMUNICATIONS ACKNOWLEDGEMENT

- Warrants including Revenue Budget Status & Appropriation Status Reports as of 4/12/19
- Analysis of Extra Pay Request Form, Home Tutor Voucher & Class Coverage 17/18
- Memo – Special Education Increases 19/20 budget
- SCOPE Spring Newsletter
- NYSSBA's Email Usage Handbook

GENERAL DISCUSSION

ESM PRIDE

PUBLIC PARTICIPATION – SECOND INVITATION

DATES TO REMEMBER

April 19 th to April 26 th	SCHOOLS CLOSED – Spring Recess
April 30 th	ESM World Languages Honor Society Induction Ceremony – 7:00 PM
May 2 nd	ESMPTSO Meeting – 6:30 PM @ JSHS
May 3 rd	EES/TAS PTO Thank You Breakfast EES/TAS PTO Variety Show @ JSHS
May 7 th	ESM Music Booster Club Meeting – 7:00 PM SEPTO Meeting @ DAS – 7:00 PM
May 8 th	Budget Hearing – 6:30 PM @ JSHS Board of Education Meeting – 7:00 PM <i>Executive Session anticipated to begin at 5:30 PM</i>

ADJOURNMENT

Regular Board of Education Meeting April 3, 2019

A regular meeting of the Board of Education of the Eastport-South Manor Central School District, Suffolk County, New York, was held in the Cafeteria, Eastport-South Manor Jr. Sr. High School, Manorville, New York on **April 3, 2019**.

Board of Education Members present: Mr. Jeffrey Goldhammer, Mr. Nicholas Vero, Mrs. Marion Diener, Mrs. Cheryl Hack, Mrs. Karen Kesnig, Mrs. Danielle Warsaw.

Member absent: Mrs. Marie Brown.

Also Present: Patrick Brimstein, Superintendent of Schools, Timothy Laube, Assistant Superintendent for Business and Operations; Linda Weiss, Assistant Superintendent for Personnel and Accountability; Sharon Murray, District Clerk

The meeting was called to order.

EXECUTIVE SESSION

MOTION made by Karen Kesnig, seconded by Marion Diener for the Board to enter into executive session at 6:00 p.m. for the purpose of discussing a specific personnel matter.

Vote: Yes – 6, No – 0, Absent - 1.

MOTION made by Danielle Warsaw, seconded by Marion Diener for the Board to reconvene to public session at 7:00 p.m.

Vote: Yes – 6, No – 0, Absent – 1.

Tuttle Avenue students Brandon Everoski, Christopher Everoski, Christan Ryan, Jordan Ryan, William Faulk led the Pledge of Allegiance. Mrs. Zambelli and the children presented the new reading initiative of Buckets on Buses where books are available for students to read on the bus.

PRESENTATIONS

- Student Ambassador Hannah Engelhardt reported on the JSHS events and accomplishments for the past month and the upcoming events for March.
- Mr. Laube and Mr. Bergin, Director of Facilities, presented the projects that have been in progress across the district. Mrs. Kesnig expressed thanks to Mr. Bergin for working so hard at addressing issues that have been neglected. The Board agreed that we are very lucky to have him working in the District.

MINUTES

The minutes of the March 20, 2019 regular meeting and the March 27, 2019 special meeting were accepted.

REPORTS/ANNOUNCEMENTS

- The administration and board are working hard to maintain and build program and to present to the public a balanced budget.

- The ELA tests are being administered this week.
- The Academic Achievement Plan, Intervention Plan and the Counseling Plan continue to be worked on and are near completion.
- Balanced literacy program and the progress that the district is making and thank you to all the stakeholders who are embracing the learning process.
- Our Director of Facilities, Mike Bergin, has been phenomenal in identifying problems and empowering his staff to work to the best of their abilities to resolve them. It not only makes his team a better working unit, but also saves the district money as a lot of the work can be completed in house.

PUBLIC PARTICIPATION

None.

AREAS OF OPERATION

BUSINESS REPORT

Mr. Laube presented the 2019/2020 Spending Plan for Revenues & Expenditures Total Budget.

CURRICULUM AND INSTRUCTION

None.

HUMAN RESOURCES

MOTION made by Jeffrey Goldhammer, seconded by Cheryl Hack for the Board to approve a consent agenda for the following personnel matters:

Vote: Yes – 6, No – 0, Absent - 1.

Resignations

NAME	AREA	REASON	EFFECTIVE
Eaton, Sean	Teacher Aides (DAS)	Personal	5/18/19

Leave of Absence

NAME	AREA	REASON	EFFECTIVE
Employee #54	Elementary Teacher	FMLA	3/18/19-6/30/19 *Intermittent
Macchi, Lauren	Permanent Substitute (TAS)	To accept another position in district (3/20/19 agenda Section 3A)	2/27/19-4/18/19
Mondell-Patrick, Andrea	Teacher Assistant (DAS)	Personal	3/14/19-6/30/19 Intermittent
Sanchez, Sharon	Teacher Aide (DAS)	Personal	3/29/19-4/18/19

Appointments

The following appointments are conditional, subject to clearance approval by the State Education Department fingerprinting check:

PERMANENT SUBSTITUTE TEACHER

NAME	BUILDING	SALARY	EFFECTIVE
Brown, Alexandra	EES	\$135/day	4/4/19-6/26/19

PER DIEM SUBSTITUTE

NAME	AREA	SALARY	EFFECTIVE
Boyle, Taylor	Teacher	\$100/day	4/4/19-6/26/19
Hamill, Colleen	Teacher	\$100/day	4/4/19-6/26/19
Jachowdik, Jake	Custodian	\$15.00/hr	4/4/19-6/30/19

Supplemental Pay

NAME	AREA	SALARY
Ferrito, Susan	CSE Chairperson *Annual Reviews	\$88.80/hr *Maximum 10 hours per week
Koenig, Robert	CSE Chairperson *Annual Reviews	\$86.80/hr *Maximum 10 hours per week
McGinness, Linda	Home Instruction 2018-2019	\$42.00/hr
Tomasulo, Keri	6 th Grade Mingle 4/5/19 1:1 Chaperone 2018-2019	\$20.00/hr *Not to exceed 2 hours

Class Size Overages – 2nd Semester Only

Teachers	Subject	Caseload Overages	Total Compensation
Morstadt, Michelle	Art	151 on Fridays only 6 sections	\$120

OLD BUSINESS

- Junior High School Athletic Schedule – Uniformity of the practice schedules across the board.
- Security Concern – The loop at the JSHS for pickup and dropoff is becoming a hazard and security needs to be more assertive. The Superintendent was directed to address this issue.
- Mrs. Diener stated that she was impressed with the math department for using the Flip Classroom which benefits every student.

NEW BUSINESS

Letter of Engagement

MOTION made by Karen Kesnig, seconded by Cheryl Hack for the Board of Education to adopt the following resolution:

Vote: Yes – 6, No – 0, Absent - 1.

BE IT HEREBY RESOLVED, upon the recommendation of the Superintendent that the Board of Education approve the Letter of Engagement with Theodore D. Sklar, PC, for the purpose of providing special counsel to the District and authorizes the Board President or designee to sign on behalf of the District.

Service Agreement

MOTION made by Cheryl Hack, seconded by Karen Kesnig for the Board of Education to adopt the following resolution:

Vote: Yes – 6, No – 0, Absent - 1.

BE IT HEREBY RESOLVED, upon the recommendation of the Superintendent that the Board of Education approve the Service Agreement with Christian Nursing Registry for nursing services for a student who requires a 1:1 registered nurse for the 2018/2019 school year and authorizes the Board President or designee to sign on behalf of the District.

STUDENT SERVICES

Acknowledged receipt and review of recommendations from the Committees on Special Education.

POLICY

Adoption – Policy No. 4770, Graduation Requirements

MOTION made by Karen Kesnig, seconded by Danielle Warsaw for the Board to waive the second reading and approve Policy No. 4770, Graduation Requirements.

Vote: Yes – 6, No – 0, Absent - 1.

First Reading – Policy No. 5151 & 5151-R, Homeless Children.

COMMITTEE REPORTS

Health & Safety Committee

- March 27th was the last meeting of the year as only Karen Kesnig and Marie Brown attended.

Legislative Committee

- Mrs. Diener reported that they are still working with Assemblyman Thiele and awaiting to hear from Senator LaValle.

Policy Review Committee

- Meetings for the remainder of the school year have been posted to the website.

Security Committee

- The meeting was very productive in discussing what to include in the RFP. Thank you to the community members who are experienced in law enforcement.

COMMUNICATIONS ACKNOWLEDGEMENT

Warrants including Revenue Budget Status & Appropriation Status Reports as of 3/29/19; Claims Audit Report for February 2019 from Nawrocki Smith; JSBS Athletic Handbook; The Second Official Call of the Annual Meeting of the ES BOCES First Supervisory District of Suffolk County; ES BOCES Election Letters.

GENERAL DISCUSSION

None.

ESM PRIDE

- Everyone who participated in any way in the theatre production of The Little Mermaid. All of the shows were sold out and ESM couldn't be prouder of the outstanding performance and hard work of everyone.
- Congratulations to alumni student Samantha Giacolone, a senior at Notre Dame, who was named Brine/USL Player of the Week. She has the best goals-against average (6.25) in Division I, as well as the second-best save percentage (55.5). She also now holds the all time most goal saves in Notre Dame Girls Lacrosse history. Way to go Samantha!

PUBLIC PARTICIPATION

Betsy Raynor, Christa VanTronk, Donald Fox.

ADJOURNMENT

MOTION made by Cheryl Hack, seconded by Jeffrey Goldhammer for the Board to adjourn the meeting at 9:28 p.m.

Respectfully submitted,

Sharon P. Murray
District Clerk

5151 HOMELESS CHILDREN

The Board of Education recognizes its responsibility to identify homeless children, as that term is defined under federal and state law, within the school district, encourage their enrollment, and eliminate existing barriers to their education which may exist in school district practices. The Board will provide homeless children attending the schools in the school district with access to the same free and appropriate public education, including preschool services to which they are eligible, as other children.

In order to determine whether there are unserved homeless children in the School District, the School District shall contact the local department of social services, local runaway and homeless youth shelters and any other shelters located in the School District. It is understood that not all homeless students can be identified through agencies as they may be sharing the housing of other persons, such as family or friends, due to loss of housing, economic hardship, or other similar reason. Accordingly, the School District will utilize an enrollment form that asks for a description of the current living arrangement of the child or youth in order to determine whether the child or youth meets the definition of a homeless child under the McKinney-Vento Homeless Education Assistance Act and New York State Education Law.

A homeless child is a child who lacks a fixed, regular, and adequate nighttime residence or who has a primary nighttime location in a public or private shelter designed to provide temporary living accommodations, or a place not designed for, or ordinarily used as a regular sleeping accommodation for human beings. This definition also includes a child who shares the housing of others due to loss of housing, economic hardship, or similar reasons; lives in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; lives in a car, park, public space or abandoned building, substandard housing, bus or train station or similar setting; has been abandoned in a hospital; or is a migratory child who qualifies as homeless. An unaccompanied youth is a homeless child not in the physical custody of a parent or legal guardian.

A homeless child has the right to attend school in either the school of origin, i.e., where he/she resided before becoming homeless, or the school in which he/she was last enrolled, including preschools, and receiving schools (i.e., the school a child is to attend after completing the final grade level at the school of origin), the school in the district of current location (i.e. where he/she currently resides as a result of his/her homelessness) that he/she is entitled to attend based on attendance zone or general eligibility, or a school in a district participating in a regional placement plan. The homeless child is entitled to attend the designated school on a tuition-free basis for the duration of his or her homelessness. If the child is relocated to temporary housing outside the School District or to a different attendance zone or community school district within the School District, the child is entitled to continue attendance in the same school building until the end of the school year and for one additional year if that year constitutes the child's terminal year in such building. If the child is relocated to temporary housing outside the School District, or to a different attendance zone or community school district within the School District, the child is entitled to continue attendance in the same school building until the family secures permanent housing. If the child relocates to permanent housing outside Eastport South Manor Central School District and was previously in temporary housing this school year, he/she is entitled to transportation for remainder of school year.

The Superintendent of Schools or his/her designee shall develop procedures necessary to expedite the homeless child's access to the designated school.

Ref:

[42 USC §§11431](#), *et seq.*

School Enrollment Guidelines on the McKinney-Vento Act, 67 Fed. Reg. 10,697-10,701 (March 8, 2002) [Education Law §§207](#); [305](#); [3202](#); [3205](#); [3209](#)

[Executive Law §§532-b](#);

[532-e Social Services Law](#)

[§§17](#); [62](#); [397](#)

[8 NYCRR §§100.2](#); [175.6](#)

Adoption date:

5151-R HOMELESS CHILDREN

The following procedures to expedite the homeless child's access to the designated school shall include:

1. Admission: Upon designation, the School district shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical or immunization records, proof of residency or other documentation and even if there is a dispute with the child's parents regarding school selection or enrollment. During a dispute, the student may continue attending the school until final resolution of the dispute, including all available appeals.

Homeless children will have the same opportunity as other children to enroll in and succeed in the schools in the School District. They will not be placed in separate schools or programs based on their status as homeless. The District shall eliminate barriers to identification, enrollment and retention of homeless children, including barriers to enrollment and retention due to outstanding fees, fines or absences.

2. Transportation: The School District shall provide transportation for homeless students currently residing within the School District in accordance with the district's transportation guidelines, and as required by applicable law. If a child is receiving transportation to his/her school of origin and obtains permanent housing during the school year, the student has the right to continued transportation services to the school of origin until the end of the academic year, as well as if the student completes the final grade level in a building, or attends the designated receiving school at the next level. If the homeless child attends a summer educational program and the lack of transportation posed a barrier to the child's participation in the summer educational program, the District shall provide transportation. Additionally, the District shall provide or arrange for transportation to extra-curricular or academic activities where: (1) The homeless child participates in or would like to participate in an extra-curricular or academic activity, including an after school activity at the school; (2) The homeless child meets the relevant eligibility criteria for the activity, or the lack of transportation poses a barrier to such child's participation in the activity. The District should provide transportation for academically-based extra-curricular activities and summer school. Each potential activities should be reviewed on an individual basis to determine transportation eligibility.

3. School Records: For homeless students attending school out of the School District, the School District shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship papers, if applicable. For homeless students attending school in the School District, the School District shall request the student's records (academic, medical, etc.) from the school the student last attended.

4. Coordination: The School District shall coordinate with local social services agencies and other entities providing services to homeless children and their families for the provision of services to homeless children, and shall coordinate with other school districts on issues of prompt identification, transportation, transfer of records, and other inter-district activities. This shall include ensuring the provision of appropriate services to homeless students with disabilities who are eligible for services under either Section 504 or IDEA.

Information about a homeless child's living situation shall be treated as a student education record and shall not be deemed to be directory information under FERPA.

The Superintendent of Schools or his/her designee shall also designate a liaison for homeless children and ensure that this person is aware of his or her responsibilities under the law. The Superintendent shall ensure that the liaison receives appropriate professional development on identifying and meeting the needs of homeless students, including the definitions of terms related to homelessness. The liaison's responsibilities shall include, but not be limited to, ensuring that:

1. Parents or guardians of homeless children are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
2. Parents and guardians and unaccompanied youth are fully informed of all transportation services available to them and are assisted in accessing them;

3. Enrollment disputes involving homeless children are promptly mediated and resolved;
4. School personnel, through outreach and in coordination with shelters and social services agencies and other appropriate entities, identify homeless children;
5. Homeless children receive educational services for which they are eligible, as well as referrals to health care and other appropriate services for homeless children and their families; and
6. Public notice of educational rights of homeless children is disseminated in locations frequented by homeless unaccompanied youth and parents/guardians of homeless children, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to them.
7. Staff who provide services to homeless students receive required professional development and support on identifying and meeting the needs of homeless students;
8. Homeless unaccompanied youth are informed of their rights, are enrolled in school, and have opportunities to meet the same State standards set for all students, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations.

In accordance with law and regulation, the School district will offer a prompt dispute resolution process described in more detail below.

In accordance with the Regulations of the Commissioner of Education, the School District shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children within the State.

The district office shall maintain forms provided by the Commissioner of Education for designating a homeless child's district of attendance. These forms must be provided to any homeless child or parent or guardian who seeks to enroll a child in school.

The School District's liaison for homeless students shall assist the homeless child and/or parent or guardian in understanding their rights under the law and provide them with information regarding the educational and related opportunities available to them.

School placement decisions for homeless children will be based on the "best interest of the child." Unless doing so is contrary to the wishes of the child's parent or guardian, to the extent possible, a homeless child will continue to attend the school of origin (i.e. the school the child attended when he or she became homeless or the school in which the student was last enrolled).

If the School District wishes to send a homeless child to a school other than the school of origin or a school requested by the parent/guardian or unaccompanied youth, the Superintendent of Schools or his/her designee shall provide the parent/guardian or unaccompanied youth with a written explanation of its decision, together with a statement regarding the right to appeal the placement which shall be in a manner and form understandable to them. The Superintendent of Schools or his/her designee shall refer any such dispute to the School District's liaison for the homeless for resolution. The homeless child must be enrolled in the school sought by the parent or guardian pending final resolution of the dispute, including all available appeals.

Admission Procedures

Upon designation, the Superintendent of Schools or his/her designee shall immediately:

1. review the McKinney Vento Registration Questionnaire to ensure that it is complete;
2. admit the homeless child even if the child or his/her parent or guardian is unable to produce records normally required for enrollment, or the student has missed application or enrollment deadlines, or there is an unresolved dispute regarding school selection or enrollment;
3. where applicable, make a written request to the school district where a copy of the child's records are located for a copy of the homeless child's school records; and
4. notify the liaison for homeless children of the child's admission. Upon notification, the liaison shall:
 - a. notify the child and/or the parent or guardian of the educational and related opportunities available to homeless children including transportation;

- b. ensure that the child receives the educational services for which they are eligible as administered by the School District;
- c. make necessary referrals to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services;
- d. ensure that any enrollment disputes are mediated promptly and in accordance with law;
- e. when assisting unaccompanied youth in placement or enrollment decisions, give him/her the opportunity to explore education opportunities available to him/her, give priority to the views of such youth and inform them of their status as “independent students” for purposes of applying for federal financial aid for college and assist with that process; and
- f. assist homeless children and their parents/guardians in obtaining required immunizations, health screenings, immunization records or health records.

The Superintendent of Schools or his/her designee shall forward a copy of the designation form to the Commissioner of Education and the school district of origin where applicable.

Transportation

In accordance with the Education Law, the school district of current location shall provide transportation to homeless children, where designated, as the school district of attendance, on the same basis provided to resident students. For homeless children who are ineligible for transportation whether from the local Department of Social Services or a residential program licensed by the Division for Youth (DFY) for runaway and homeless youth, the designated school district shall provide transportation from the child’s temporary location and the school on the same basis it transports its resident students. If the student remains in the district of origin or district last enrolled, that district is responsible for transporting the student to that district. Such transportation shall not be in excess of 50 miles each way except where the Commissioner of Education certified the transportation in excess of 50 miles is in the best interest of the child.

Transportation must be provided when the district receives notice of a child’s homeless status, as well as during the pendency of disputes. If a child is receiving transportation to his/her school of origin and obtains permanent housing during the school year, the student has the right to continued transportation services to the school of origin until the end of the academic year, as well as if the student completes the final grade level in a building, or attends the designated receiving school at the next level.

Dispute Resolution Process

If, after the Superintendent of Schools or his/her designee reviews the designation forms (STAC-202), he/she finds that the student is either not homeless, not entitled to attend the District’s school, or not entitled to transportation (if requested), the Superintendent of Schools or his/her designee will do the following:

1. Contact the School District’s homeless liaison to assist in the dispute resolution process; and
2. Contact the student and parent (if available) and inform them of their opportunity to provide more information prior to the School District making a final determination.

If after consideration of any additional information and input from the homeless liaison, the Superintendent of Schools or his/her designee makes a final determination that a student is not homeless, or not entitled to enrollment or transportation he/she must provide the student’s parent or guardian, or the student, if the student is an unaccompanied youth, with written notice.

1. State the rationale/basis for the School District’s determination;
2. State the date as of which the student will be excluded from the School District’s schools (or transportation);
3. Advise that the School District’s final determination may be appealed to the Commissioner of Education;
4. Provide the name and contact information of the School District’s homeless liaison;
5. Inform the student’s parent or guardian or the student, if the student is an unaccompanied youth, that

the School District's homeless liaison is required to assist him/her in filing such an appeal; and

6. Include, as an attachment, the form petition needed to file an appeal to the Commissioner.

The Superintendent of Schools or his/her designee will deliver the School District's final decision to the parent, guardian or unaccompanied youth in a timely manner. The student must remain enrolled and provided with transportation, if requested, until the School District makes a final determination and for a minimum of thirty (30) days after the determination to give the student's parent or guardian or unaccompanied youth the opportunity to appeal to the Commissioner of Education.

If the parent/guardian or student commences an appeal to the Commissioner within thirty (30) days of the final determination, the homeless child or youth will be permitted to continue to attend the school that he/she is enrolled in at the time of the appeal and/or receive transportation to that school until the Commissioner renders a decision.

