

## **Family Crisis Transportation Procedures**

Pursuant to N.J.S.A. 18A:38-1.1 (P.L. 2013 c. 231), school districts are required to continue to enroll and transport students who move out of the school district during the academic year when the move results from a family crisis. In addition, the law requires the Department of Education to reimburse the school district for the additional costs of transporting the student between the school of attendance and the student's new out-of-district residence. The requirements ensure that students who are affected by a family crisis and are enrolled in a public school district, or in a charter school, choice program, or PSSD, may continue to attend the same school (with transportation) for the remainder of the school year. The law *does not* affect existing regulations or State and federal laws that govern the rights of homeless students.

The original school district of residence, in conjunction with the county office of education, has the primary responsibility for implementing the law. Therefore it is critical for all administrators of school districts and schools enrolling public school students to review the requirements. The rules can be found in N.J.A.C 6A:22-3.2(h) as part of the Student Residency chapter, and are available through the following link: <http://www.state.nj.us/education/code/current/title6a/chap22.pdf>.

School districts can request reimbursement for the additional costs of transporting the student between the school of attendance and the student's new out-of-district residence by submitting the Family Crisis Transportation Reimbursement Request form (one form per student unless the students use the same bus route). The form must be completed by the school district superintendent and submitted to the County Office of Education.

### **Eligibility Criteria**

Any student enrolled in public school (includes Charter, Choice, & PSSD) is eligible if the move results from a family crisis including, but not limited to: domestic abuse; displaced because home is uninhabitable; or disruption of the family unit caused by death of a parent/guardian. Generally, a student is eligible if the event is sudden, unexpected, and outside the family's control.

Students who are homeless, living in transitional facilities, or those placed in resource homes are not eligible. Federal law already requires the district to enroll and pay for transportation if the student chooses to stay.

### **Process for Eligibility**

- 1) District determines whether the situation is a crisis.
  - i. Collect information from the parent or guardian (may request, but not require documentation such as news, police reports, court docs, etc.).
  - ii. If not a crisis, the district notifies the parent in writing that they have 21 days to appeal to the ECS; & whether they must withdraw the student.

- iii. If the district determines it is a family crisis, the district should immediately request confirmation from the ECS by completing the Family Crisis Eligibility for Enrollment and Transportation form. (Note: The form is not required until the request for reimbursement, but immediate confirmation will allow the district to make sure the situation qualifies for reimbursement before allowing the student to remain in the district.)
- 2) ECS has 30 days to determine whether the situation is a family crisis (from date of request from the district or parent appeal), during which time the district must continue to enroll and transport the student.
    - i. If not a crisis, the district notifies the parent of the determination, their right to appeal, and whether they must withdraw the student at the conclusion of the 21-day appeal period.
    - ii. If it is a crisis, the student remains enrolled for the rest of the year.

### **Process for Transportation Reimbursement**

At the end of the fiscal year, the district may apply to the ECS for reimbursement of transportation costs for all eligible students.

- 1) The ECS reviews the application & approves costs as follows:
  - The student is not homeless, and is not living in a transitional facility or resource home.
  - The student's new residence is remote from the school (courtesy and hazardous route busing are not eligible for reimbursement).
  - The district used the most efficient and cost-effective means available.
  - Note: there is no limit for distance or cost (except Charter & Choice).
- 2) The ECS submits the approved application to the Student Transportation Unit in the Office of School Finance by August 1<sup>st</sup> of the subsequent fiscal year.
- 3) DOE will reimburse the district in the subsequent fiscal year for eligible costs, less the amount of transportation aid already received for that student.

For questions about the reimbursement process, please contact [student.trans@doe.state.nj.us](mailto:student.trans@doe.state.nj.us).

### **Appealing the ECS Decision**

A parent or school district may appeal an ECS decision by filing a Petition of Appeal with the Commissioner. The district is not required to enroll or transport the student during this appeal.