

# Transportation Category 7 Shelter Care Facility

June 24, 2017

The McKinney-Vento Homeless Assistance Act (McKinney-Vento Act) was amended by the Every Student Succeeds Act (ESSA) effective December 10, 2016. One key provision was that children awaiting foster care were removed from the definition of homeless children and youths. This prevented districts from accessing state special education funds to cover the additional costs of transporting students awaiting foster care to their school of origin. These students were reported under Transportation Category 06 – Special Transportation, with a Homeless Flag checked on the MARSS enrollment record, and their additional transportation costs were reported under UFARS Finance Code 728 (unless the student had an IEP that required special education transportation in which case the costs were reported under Finance Code 723).

However, the 2017 legislative session amended Minnesota Statutes, section 123B.92, subd. 1, paragraph (b), clause (4) by allowing the additional cost of transporting students residing “in a shelter care facility as defined in section 260C.007, subdivision 30” to their school of origin to be covered under state special education funding, even though the students are not considered homeless. A shelter care facility “means a physically unrestricting facility, such as but not limited to, a hospital, a group home or a licensed facility for foster care, used for the temporary care of a child pending court action.” This change is retroactive to December 10, 2016.

To accommodate the federal definitional change of homelessness and the updated state statute allowing for special education reimbursement for the additional transportation costs, districts need to identify these students who are not homeless but whose additional transportation costs are eligible for state special education reimbursement under the revised statute. A new MARSS Transportation Category (07- Shelter care facility) will be added to the existing Transportation Categories reported on MARSS enrollment records. The Transportation Category is retroactive effective December 10, 2016, according to new legislation under Minnesota Statute, section 123B.92, subd. 1. (4) (viii). A student in a shelter care facility as defined in section 260C.007, subdivision 30, would be reported under the new Transportation Category- 07. This would include only students who are not homeless, not placed for care and treatment, and not receiving special education transportation due to their IEP. If the student meets the amended ESSA definition of homeless, flag the student as Homeless on MARSS and report Transportation Category 06. If the student is placed for care and treatment, report the student with State Aid Category (SAC) 27 or 28 on MARSS and Transportation Category 06.

The cost of transporting students in a shelter care facility will be recorded in Finance Dimension 728, Special Transportation of Selected Students, on the year-end Uniform Financial Accounting and Reporting Standards (UFARS) report. This includes students with Individual Education Programs (IEP) that do not require special transportation and students without an IEP. For students that have IEPs that require special transportation accommodations, record the transportation expenditures in UFARS Finance Dimension 723, as Finance Dimension 723 prevails over 728. When a student is transported on a regular bus route and the regular bus route does not have any special accommodations, the cost of the service should be recorded in Finance Dimension 720, Regular, on the year-end UFARS. (Minn. Stat. § 123B.92, Subd. 1 (b) (1) and (4)).