



CHIEF FINANCIAL OFFICER
89 Washington Ave., Room 128, EB
Albany, New York 12234

November 18, 2021

TO: BOCES District Superintendents
School District Superintendents
School District Business Officers
Charter School Leaders

FROM: Phyllis D. Morris, Chief Financial Officer

RE: **Additional U.S. Department of Education (USDE) Frequently Asked Questions on Use of Federal Elementary and Secondary School Emergency Relief (ESSER) and Governor's Emergency Education Relief (GEER) Funds for Transportation**

As a follow-up to my [May 27, 2021 memorandum](#) sharing Frequently Asked Questions (FAQs) issued by the U.S. Department of Education (USDE) on allowable uses of federal Elementary and Secondary School Emergency Relief (ESSER) and Governor's Emergency Education Relief (GEER) funding provided under the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, and federal ESSER funding provided under the American Rescue Plan (ARP) Act, attached and online, please find [additional FAQs](#) issued by USDE on the allowable uses of ESSER and GEER funds for transportation, including to address the current regional and national challenges with hiring and retaining a sufficient number of school bus drivers.

Please direct questions to the Office of ESSA-Funded Programs via e-mail at CARESAct@nysed.gov.

Attachment

cc: Commissioner Betty Rosa
Sharon Cates-Williams
Jim Baldwin
Kim Wilkins
Jason Harmon
Christina Coughlin
Sean Giambattista
Ed Lenart

Frequently Asked Questions
Elementary and Secondary School Emergency Relief (ESSER) Fund and
Governor’s Emergency Education Relief (GEER) Fund

Use of Funds for Student Transportation

Listed below are frequently asked questions (FAQs) about allowable uses of ESSER and GEER funds by State educational agencies (SEAs) and local educational agencies (LEAs) for transportation, including to address the current regional and national challenges with hiring and retaining a sufficient number of school bus drivers. These FAQs are intended to supplement the transportation related questions in the [ESSER and GEER Use of Funds Guidance](#) published in May 2021, specifically FAQs C-4, C-7, C-9, and C-25.

Other than statutory and regulatory requirements included in the document, the contents of this guidance do not have the force and effect of law and are not meant to bind the public. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

1. May an SEA or LEA use ESSER or GEER funds to provide transportation for students to and from school?

Yes. Supporting or providing transportation services for students is an allowable use of funds under ESSER and GEER as long as the need is related to COVID-19 (e.g., to support daily attendance at school to address the impact of lost instructional time) and the cost is reasonable and necessary. This could include, but is not limited to, transportation services provided directly by the school district; the cost of public transportation services (e.g., bus or subway fare); taxis, rideshare apps, or other driving services; or compensation to parents for providing transportation services for their children (see Question 4).

2. May an LEA use ESSER or GEER funds to provide transportation for students participating in after-school learning and enrichment activities provided by the LEA?

Yes. If activities take place away from the school or after regular transportation home has occurred and are intended to address student needs related to COVID-19 (e.g., to address the impact of lost instructional time), and the cost is reasonable and necessary, transportation may be an allowable use of ESSER or GEER funds. For example, an LEA may provide before- and after-school learning and enrichment activities for students including, for example, high dosage evidence-based tutoring to address the academic impact of lost instructional time, and other activities that address the social, emotional, mental health, and academic needs of students, including extended school year (ESY) or other compensatory and related services for eligible students under the Individuals with Disabilities Education Act. Reasonable and necessary costs of transportation to and from such activities would be an allowable use of ESSER and GEER funds.

3. May an SEA or LEA use ESSER or GEER funds to address a shortage of school bus drivers due to the pandemic?

Yes. For example, an LEA may use ESSER or GEER funds for retention bonuses for current bus drivers, for salary increases, or for the cost of hiring additional bus drivers to address the shortage of bus drivers due to the pandemic. Similarly, if an LEA is operating more bus routes due to physical distancing, funds may be used to hire additional bus drivers. In addition, funds may be used to pay for the costs associated with obtaining a commercial driver's license for new bus drivers, including the required training.

4. May an LEA facing a shortage of school bus drivers use ESSER or GEER funds to compensate parents or guardians for transporting their students to and from school?

Yes. ESSER or GEER funds may be used to reimburse parents or guardians for transportation costs or to offer a stipend for transportation costs, as long as they are reasonable and necessary. This type of program may be appropriate to sustain in-person instruction if an LEA is experiencing challenges hiring and/or retaining the school bus drivers necessary to accommodate the LEA's transportation needs.

Before compensating parents or guardians for transportation costs, an LEA must develop clear, objective procedures that, in addition to other relevant factors, consider: the number of days of transportation provided for in-person attendance; documentation of the travel costs to ensure that the compensation is used only for transportation-related expenses; and a process to account for any ESSER or GEER funds that were paid to parents or guardians but not used for transportation costs.