

Taos Integrated School of the Arts

POLICY:

Taos Integrated School of the Arts shall comply with the McKinney-Vento Homeless Education Assistance Act and regulations of the Public Education Department regarding the education of homeless students (6.10.3.6.E NMAC).

1. Definitions

- a. "Homeless Student" means a child who lacks a fixed, regular and adequate nighttime residence. The child may live in a shelter, a temporary home, a motel, a car, a campground, or on the street. Homeless children may be "doubled-up" with relatives or friends due to a loss of housing, economic hardship, or a similar reason.
- b. "Unaccompanied youth" is a student who may be considered homeless IF he or she is not in the physical custody of a parent or guardian AND who meets the criteria for "homeless student" as defined above.
- c. "School of Origin" means the school that the student attended prior to becoming homeless.

2. School Attendance for Homeless Students

A homeless student can attend the school that serves the address where the student is temporarily living or the school of origin. The student can stay in the school for as long as the student is homeless or until the end of the school year, if the student becomes permanently housed. School staff and the parent(s) will decide what is in the student's best interest regarding the school of attendance.

3. Services for Homeless Students

The Director shall designate a liaison for homeless students to work with the New Mexico Public Education Department ("PED") Homeless Education Coordinator, school personnel, service providers, parents of homeless students, homeless students, and advocates for homeless families to determine how to provide homeless students educational services that are in the best interest of the individual student.

Homeless students shall be provided the same free appropriate public education and related services as provided to other students, including special education services, tutoring, transportation, and meals through school meal programs, if available.

4. Residency Requirements for Homeless Students

Taos Integrated School of the Arts shall enroll homeless students in the same manner it enrolls any other student, except that homeless students may be enrolled with or without records of residency.

5. Student Records for Homeless Students

Records are not required for a homeless student to attend school. Records are important for health and school information. However, Taos Integrated School of

the Arts will enroll homeless students promptly with or without school records. Taos Integrated School of the Arts' liaison can assist parents of homeless students in acquiring students' records from previous schools.

6. Additional Services for Homeless Students

Homeless students may be eligible for additional services provided by Taos Integrated School of the Arts. Taos Integrated School of the Arts may assist with school materials, and may help with food, clothing, and medical assistance by providing referral information.

7. Waiver of School Fees for Homeless Students

Taos Integrated School of the Arts may waive school fees for homeless students who cannot afford fees. A form shall be developed regarding parental requests for waiver of student fees.

8. Dispute Resolution Procedures for Parents of Homeless Students

A dispute pursuant to the McKinney-Vento Education for Homeless Children and Youth Act may be initiated directly with the designated Liaison, and the resolution process at the school level shall be as informal and accessible as possible. In the case of a complaint pursuant to the McKinney-Vento Education for Homeless Children and Youth Act, Taos Integrated School of the Arts will create and provide a simply stated notice of rights and provide that notice of rights to the student, parent or guardian, in a language the student, parent or guardian can understand, that complies with 6.10.3.9 D (c) NMAC. The notice of rights shall contain:

- a. contact information for the school's homeless liaison and the state coordinator, with a brief description of their roles;
- b. a step by step description of how to make use of the dispute resolution process;
- c. notice of the right to immediately enroll in the school of choice pending resolution of the dispute and notice that immediate enrollment includes full participation in all school activities;
- d. notice of the right to obtain the assistance of advocates or attorneys;
- e. notice of the right to appeal to the PED if the school-level resolution is not satisfactory;
- f. the timelines for resolving school and PED level appeals;
- g. notice of the right to provide written or oral documentation to support their position; and
- h. a simple form that parents, guardians or the student can complete and return to the school to initiate the process.

9. Appeal Procedures

A parent may appeal the decisions regarding a homeless child's education to the Principal. Taos Integrated School of the Arts will use the PED's dispute resolution process form, which requires the following information:

- a. School name, address, phone and fax number
- b. Student's name, identification number, grade, and address
- c. Parent, guardian or complaining party's name, relationship to student, address and phone number
- d. Whether student lives in a shelter
- e. Name of school the student chooses to be enrolled in pending resolution of dispute
- f. Whether school enrolled in is school of origin
- g. Reason for complaint
- h. Signature of parent, guardian or complaining party; and
- i. The Director's actions on the complaint.

The Director has 10 calendar days to review the initial determination and make a final decision as to the position taken. The school's final decision must be in writing and must state all factual information upon which it is based and the legal basis in support thereof. If the final decision is adverse to the parent, guardian or student, the decision, along with PED's dispute resolution process form, must be forwarded by the school liaison to PED's homeless liaison within 5 calendar days of issuing it final decision.

The filing of these documents shall satisfy the following requirements:

- a. be written;
- b. be signed by the complaining party or his or her designated representative;
- c. contain a statement that the PED department or an agency or consortium of agencies has violated a requirement of a federal statute or regulation that applies to the program; and
- d. contain a statement of the facts on which the complaint is based and the specific requirement alleged to have been violated.

The parent, guardian or student may also initiate the appeal by providing copies of these documents to the PED's homeless liaison.

Revised: May 29, 2013

Approved: _____

Governing Council President

Date: _____

6/12/13