

ADMISSION OF HOMELESS STUDENTS

This policy is intended to direct compliance with New Mexico State Laws and New Mexico Administrative Code and the McKinney-Vento Homeless Education Assistance Improvements Act of 2001 and should be read as consistent with those documents.

Definitions

The term "homeless students" means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

- students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- migratory students who qualify as homeless because the children are living in circumstances described above.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian.

Liaison for Homeless Students

The **Chief Executive Officer Superintendent** will designate an appropriate staff person as liaison for homeless students who will carry out duties as assigned. Among those duties will be the responsibility to coordinate activities and programs in the best interest of homeless students that will include, but not be limited to, establishment of procedures to:

- continue the student's education in the school of origin for the duration of homelessness:
 - in any case in which a family becomes homeless between academic years or during an academic year; or

- for the remainder of the academic year, if the student becomes permanently housed during an academic year; or
- Enroll the student in any public school that non-homeless students who live in the attendance area in which the student is actually living are eligible to attend.
- Review records for homeless students:
 - Identify patterns in disciplinary action for the homeless students;
 - Create an awareness among staff of the types of behaviors homeless students may exhibit; and
 - Encourage behavioral alternatives and offer disciplinary methods to all **new** professional staff so that out-of-school suspension and expulsion of homeless students will be used only as a last resort.

Best Interest of the Homeless Student

In determining the best interest of the homeless student, the school shall:

- To the extent feasible, keep a homeless student in the school of origin, except when doing so is contrary to the wishes of the student's parent or guardian;
- Provide a written explanation, including a statement regarding the right to appeal, to the homeless student's parent or guardian, if the homeless student is sent to a school other than the school of origin or a school requested by the parent or guardian; and
- In the case of an unaccompanied youth, the liaison for homeless students shall assist in placement or enrollment decisions, considering the views of such unaccompanied youth, and providing notice to such student of the right to appeal.

Adopted: date of manual adoption

LEGAL REF.: 6.10.3.1 NMAC
42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001

CROSS REF.: EEAA - Walkers and Riders
IKEB - Acceleration
JF - Student Admissions
JFAA - Admission of Resident Students
JFAB - Admission of Nonresident Students
JFB - Open Enrollment

JG - Assignment of Students to Classes and Grade Levels
JLCB - Immunizations of Students
JR - Student Records
JRCA - Request for Transfer of Records