

**REGULATION****REGULATION****ADMISSION OF HOMELESS STUDENTS  
(Notice)**

In accordance with the McKinney-Vento Homeless Assistance Act of 2001, 722 (e)(3)(C) and the New Mexico Administrative Code Section 6.10.3.1 et seq., the parent or guardian (student if unaccompanied) is to receive and acknowledge notice of the rights set forth below. This notice should be provided in a language the student, parent or guardian can understand.

**Admission**

The school selected by the homeless student shall immediately admit the homeless student, even if the student is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.

The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the student to the liaison for homeless students, who shall assist in obtaining necessary immunizations, or immunization or medical records.

**Admission Disputes**

If a dispute arises over school selection or enrollment in a school:

- the student shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;
- the parent or guardian of the student shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or student to appeal the decision;
- the student, parent, or guardian shall be referred to the liaison for homeless students, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute in accord with the procedure found in the New Mexico Administrative Code; and
- in the case of an unaccompanied youth, the liaison for homeless students shall ensure that the student is immediately enrolled in school pending resolution of the dispute.

## **Enrollment Decision**

The decision regarding enrollment shall be made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

## **Parent Rights (Student if Unaccompanied)**

The parent or guardian of a homeless student (student if unaccompanied) has the right 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.
- Appeal if the homeless student is sent to a school other than the school of origin or a school requested by the parent or guardian. Upon appeal the district has ten (10) days to reconsider the initial determination and make a final decision as to the position taken.
  - An appeal shall be made on the forms provided by the school.
  - If not satisfied by the result of the appeal further appeal may be made to the state level through the State Coordinator of Education for Homeless whose contact information is given below.
- Enroll in, and have full and equal opportunity to succeed in school without being segregated from the non-homeless student population.
- Receive educational services for which such families and students are eligible, including:
  - Transportation services and meals programs;
  - Head Start and Even Start programs and preschool programs administered by the School; and
  - referrals to health care and immunization services, dental services, mental health services, and other appropriate services.
- Identification or service without being stigmatized as homeless by school personnel.
- Obtain assistance of advocates or attorneys.

- Provide written or oral documentation to support their position.

A parent or guardian (student if unaccompanied) may contact the District Liaison for Homeless Children and Youths at;

Gadsden Independent School District  
 Attn: Ray Lara  
 P.O. Drawer 70  
 Anthony, NM 88021  
 Telephone: (575) 882-6200  
 E-mail: ralara@gisd.k12.nm.us

The District Liaison for Homeless shall ensure that the parent or guardian of a homeless student, and any unaccompanied youth is:

- assisted in accessing transportation to the selected school;
- provided assistance in exercise of the right to attend the school of choice and other necessary services;
- and is provided the notice information in a manner and form understandable to the recipient and if necessary and to the extent feasible, in the native language of the recipient.

A parent or guardian (student if unaccompanied) may contact the State Coordinator for Education of Homeless Children and Youths to appeal if not satisfied with the resolution of a dispute at the local level. The contact information is listed below;

~~Dana Malone~~, McKinney-Vento Homeless Education State Coordinator  
 New Mexico Public Education Department  
 Coordinated School Health and Wellness Bureau  
 120 S. Federal Place, Room 206  
 Santa Fe, NM 87501  
 Telephone: (505) 827-1464  
 E-mail: ~~Dana.Malone@state.nm.us~~

The State Coordinator is the appeal authority having jurisdiction over the local school district.

The signature below indicates that the signatory has received and understands this information on rights.

<hr/> Signature of Parent, Legal Guardian (or unaccompanied student)	<hr/> Date
---	------------

*One (1) copy to signatory and one (1) to the liaison officer file.*