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McKinney Vento Education Policy

The Walatowa High Charter School (WHCS) will adhere to the requirements of the McKinney-Vento Homeless Assistance Act. It is the policy of the WHCS to view students as individuals. Therefore, this policy will not refer to students as homeless; it will instead use the term, "Youth In Transition (YIT)." Under federal law, YIT must have access to appropriate public education, and be given a full opportunity to meet state and local academic achievement standards. They must be included in state- and district-wide assessments and accountability systems. The WHCS will ensure that ALL students are free from discrimination, segregation, and harassment.

Definitions

Youth in Transition (YIT) means youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence, including:

- ❖ Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
- ❖ Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- ❖ Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.
- ❖ Migratory children and youth who are living in the situation described above.

A child or youth will be considered to be in transition for as long as he or she is in a living situation described above.

Unaccompanied youth means a youth not in the physical custody of a parent or guardian, who is in transition as defined above. The more general term youth also includes unaccompanied youth. *Enroll* and *enrollment* mean attending school and participating fully in all school activities. *Immediate* means without delay.

Parent means a person having legal or physical custody of a child or youth.

School of origin means the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

WHCS McKinney-Vento liaison is the staff person designated by our LEA and each LEA in the state as the person responsible for carrying out the duties assigned to the local homeless education liaison by the McKinney-Vento Homeless Assistance Act.

Identification

In collaboration with school personnel and community organizations, the WHCS McKinney-Vento liaison and/or Tribal Social Services Representative will identify the Youth In Transition (YIT), both in and out of school. The

WHCS McKinney-Vento liaison and/or Tribal Social Services Representative will train school personnel on possible indicators of homelessness, sensitivity in identifying families and youth as in transition, and procedures for forwarding information indicating homelessness to the WHCS McKinney-Vento liaison and/or Tribal Social Services Representative. The WHCS McKinney-Vento liaison and/or Tribal Social Services Representative will also instruct the WHCS Executive Assistance to inquire about possible homelessness upon the enrollment and withdrawal of every student and to forward information indicating homelessness to the WHCS McKinney-Vento liaison. Community partners and Tribal Social Service Program in identification may include the following: family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments and other social service agencies, street outreach teams, faith-based organizations, truancy and attendance officers, local homeless coalitions, and legal services.

The WHCS McKinney-Vento liaison and/or Tribal Social Services Representative will keep data on the number youth in transition in the WHCS; where they are living; their academic achievement (including performance on state- and district- wide assessments); and the reasons for any enrollment delays, interruptions in their education, or school transfers.

School Selection

Each youth in transition has the right to remain at his or her school of origin or to attend any school that houses students who live in the attendance area in which the child or youth is actually living are eligible to attend. Maintaining a student in his or her school of origin is important for both the student and the WHCS. Students who change schools have been found to have lower test scores and overall academic performance than peers who do not change schools. High mobility rates also have been shown to lower test scores for stable students. Keeping students in their schools of origin enhances their academic and social growth, while permitting our schools to benefit from the increased test scores and achievement shown to result from student continuity. Therefore, in selecting a school, children and youth in transition will remain at their schools of origin to the extent feasible, unless that is against the parent or youth's wishes. Students may remain at their schools of origin the entire time they are in transition and until the end of any academic year in which they become permanently housed. The same applies if a youth loses his or her housing between academic years.

Feasibility will be a child-centered determination, based on the needs and interests of the particular student and the parent or youth's wishes. Potential feasibility considerations include:

- ❖ The age of the child or youth
- ❖ The distance of a commute and the impact it may have on the student's education
- ❖ Personal safety issues
- ❖ A student's need for special instruction (e.g., special education and related services)
- ❖ The length of anticipated stay in a temporary shelter or other temporary location
- ❖ The time remaining in the school year

Services that are required to be provided, including transportation to and from the school of origin and services under federal and other programs, will not be considered in determining feasibility.

Enrollment

Consistent, uninterrupted education is vital for academic achievement. Due to the realities of homelessness and mobility, students in transition may not have school enrollment documents available readily. Nonetheless, the school selected for enrollment must enroll any youth in transition immediately. Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including:

1. Proof of residency
2. Transcripts/school records (WHCS will contact the student's previous school to obtain school records. Initial placement of students whose records are not immediately available can be made based on the student's age and information gathered from the student, parent, and previous schools or teachers.)

3. Immunizations or immunization/health/medical/physical records (If necessary, the school will refer students to the WHCS McKinney-Vento liaison to assist with obtaining immunizations and/or immunization and other medical records. Health records may often be obtained from previous schools or state registries, and school- or community-based clinics can initiate immunizations when needed.)
4. Proof of guardianship
5. Birth certificate
6. Any other document requirements
7. Unpaid school fees
8. Lack of uniforms or clothing that conforms to dress codes
9. Any factor related to the student's living situation

Unaccompanied youth must also be enrolled immediately in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or WHCS McKinney-Vento liaison.

Transportation

Without appropriate transportation, a student may not be able to continue attending his or her school of origin. To avoid such forced school transfers, at a parent's request, transportation will be provided to and from the school of origin for a youth in transition. Transportation will be provided for the entire time the youth has a right to attend that school, as defined above, including during pending disputes. The WHCS McKinney-Vento liaison will request transportation to and from the school of origin for unaccompanied youth. The length of the commute will be considered only in determining the feasibility of placement in the school of origin based on potential harm to the student, as discussed above. Parents and unaccompanied youth must be informed of this right to transportation before they select a school for attendance.

Upon completion of the transportation form, requests will be processed and transportation arranged without delay. It is WHCS'S policy that inter-district disputes will not result in a student in transition missing school. If such a dispute arises, this school will arrange transportation and immediately bring the matter to the attention of the McKinney Vento NM State Coordinator. In addition to receiving transportation to and from the school of origin upon request, children and youth in transition will also be provided with other transportation services comparable to those offered to housed students.

Services

Children and youth in transition will be provided services comparable to services offered to other students in the selected school, including:

- ❖ Transportation (as described above)
- ❖ Title I, Part A, services (as described below)
- ❖ Educational services for which the student meets eligibility criteria, including special education and related services and programs for English language learners
- ❖ Vocational and technical education programs
- ❖ Gifted and talented programs
- ❖ Before- and after-school programs
- ❖ Tribal Social Services and supporting JHHS Services programs.
- ❖ Sandoval County Social Services and supporting programs.

WHCS recognizes that youth in transition suffer from disabilities at a disproportionate rate, yet frequently are not evaluated or provided appropriate special education and related services. To address this problem, evaluations of youth in transition suspected of having a disability will be given priority and coordinated with students' prior and subsequent schools as necessary to ensure the timely completion of a full evaluation. When necessary, WHCS will designate expeditiously a surrogate parent for unaccompanied youth suspected of having a disability. If participation of a surrogate parent in the student's education is needed prior to the appointment of a surrogate parent, the district will designate a temporary surrogate in accordance with the provisions of the Individuals with

Disabilities Education Act (IDEA). If a student has an Individualized Education Program (IEP), the enrolling school will implement it immediately. Any necessary IEP meetings or re-evaluations will then be conducted expeditiously. If complete records are not available, the IEP team will use good judgment in choosing the best course of action, balancing procedural requirements and the provision of services. In all cases, the goal will be to avoid any disruption in appropriate services. When applying any WHCS policy regarding tardiness or absences, any tardiness or absence related to a child or youth's living situation will be excused. The WHCS will follow state procedures to ensure that youth in transition and youth who are out of school are identified and accorded equal access to appropriate secondary education and support services. School personnel will refer youth in transition to appropriate health care services, including dental and mental health services. The local liaison and Tribal Programs will assist the school in making such referrals, as necessary.

WHCS McKinney Vento Coordinator must also inform parents of all educational and related opportunities available to their children and provide parents with meaningful opportunities to participate in their children's education. All parent information required by any provision of this policy must be provided in a form, manner, and language understandable to each parent.

Disputes

Disputes addressing the enrollment, transportation, and other barriers that youth in transition may be experiencing. Disputes may be initiated by parents, guardians or unaccompanied youth by submitting a written complaint to either the WHCS McKinney Vento Coordinator within 5 days of dispute in question. Pending resolution of the dispute, the student shall be immediately enrolled at the Walatowa High Charter School (WHCS) in which enrollment is sought and the student shall be provided services for which he/she qualifies.

A. The complaint must be:

1. written;
2. signed by the complaining party or his/her designated representative;
3. contain a statement that the WHCS has violated a requirement of federal statute or regulation;
4. contain a statement of the facts on which the complaint is based and the specific requirement alleged to have been violated; and
5. the relief being requested.

B. Upon receipt of the initial complaint, the WHCS McKinney Vento Coordinator shall provide the complaining party with written confirmation of the receipt of the complaint and a notice of rights. The notice of rights should include:

1. contact information of the WHCS McKinney Vento Coordinator, WHCS Executive Director and the NMPED McKinney Vento Coordinator, along with a brief description of their roles;
2. a step-by-step description of how to follow the dispute resolution process;
3. notice of the right to immediately enrollment into the WHCS pending resolution of the dispute and notice that immediate enrollment includes full participation in all school activities;
4. notice of the right to obtain the assistance of advocates or attorneys;
5. notice of the right to appeal to the New Mexico Public Education Department (PED) if the district-level resolution is not satisfactory;
6. the timeliness for resolving district and PED-level appeals; and
7. notice of the right to provide written or oral documentation to support their position.

C. The WHCS McKinney Vento Coordinator will investigate the initial complaint and provide a written decision within ten (10) calendar days from the receipt of the complaint. The written decision, if adverse to the complaining party, shall inform the complaining party that he or she may appeal the determination to the WHCS

McKinney Vento Coordinator Liaison by providing a written statement appealing the decision within three (3) school days from the date of the WHCS McKinney Vento Coordinator decision. Upon receipt of a party's notice of appeal, the WHCS McKinney Vento Coordinator shall promptly forward the following information to the WHCS Executive Director :

1. the school name, address, phone and fax number;
2. the student's name, identification number, grade, and address;
3. parent, guardian or complaining party's name, relationship to student, address and phone number;
4. reason for complaint;
5. whether school enrolled in is school of origin;
6. signature of parent, guardian or complaining party; and
7. the WHCS Executive Directors decision on the complaint.

D. Upon receipt of the initial complaint, determination by the WHCS McKinney Vento Coordinator and appeal, the WHCS Executive Director, shall investigate the complaint, appeal and provide the complaining party with a written determination within ten (10) calendar days. The WHCS Executive Director's decision shall be the final decision.

The written decision shall include all factual information upon which the determination is based and the legal basis in support thereof.

If the final decision of the WHCS is adverse to the complaining party, the decision and all supporting documentation shall be forwarded to the New Mexico PED's McKinney Vento Coordinator within five (5) calendar days from the date of issuing the WHCS final decision. The New Mexico PED's McKinney Vento Coordinator will review documents and make the final ruling.

Free Meals

Hunger and poor nutrition are obvious barriers to learning. Youth in Transition are available for learning, the U.S. The Department of Agriculture has determined that all children and youth in transition are automatically eligible for free meals.

Title I, Part A

Youth In Transition are automatically eligible for Title I, Part A services, regardless of what school they attend. The trauma and instability of homelessness put students at sufficient risk of academic regression to warrant additional support. The district will reserve such funds as are necessary to provide services comparable to those provided to Title I students to children and youth in transition attending non-participating schools. The amount reserved will be determined by a formula based upon the per pupil Title I, Part A, expenditure and developed jointly by the WHCS McKinney-Vento liaison /Title I director. Reserved funds will be used to provide education-related support services to youth in transition, both at the WHCS and outside of the WHCS, and to remove barriers that prevent regular attendance. Youth in transition will be assessed, reported on, and included in accountability systems, as required by federal law and U.S. Department of Education Regulations and Policy Guidance.

Training

The WHCS McKinney-Vento liaison/WHCS McKinney Vento Coordinator and/or designated Tribal Program will conduct training and sensitivity/awareness activities for the school staff at least once each year. The training and activities will be designed to increase staff awareness of homelessness, facilitate immediate enrollment, ensure compliance with this policy, and increase sensitivity to children and youth in transition.

Coordination

The WHCS McKinney-Vento liaison/WHCS McKinney Vento Coordinator and/or designated Tribal Program will coordinate with and seek support from the NMPED McKinney Vento State Coordinator. Public, private service and designated Tribal program providers in the community, housing and placement agencies, transportation department, WHCS McKinney-Vento liaisons in neighboring school districts, and other organizations and agencies.