



POLICY: Homeless Youth

Approved by Governing Council On: 2/1/23

I. Definitions

A. *Parent* includes natural parent, adoptive parent, legal guardian, or person having physical custody and is responsible for the student's welfare.

B. *Homeless Students* are children and youth who lack a fixed, regular, and adequate nighttime residence, whether or not the temporary housing is located in the surrounding area of Siembra. Homeless students include those:

- sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as “doubled-up”)
- living in motels, hotels, RV parks, or camping grounds due to lack of alternative adequate accommodations
- living in emergency or transitional shelters
- abandoned in hospitals
- children and youths 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
- children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- migratory children who qualify as homeless because they are living in circumstances described above If, due to a loss of housing, a child must live in a shelter, motel, vehicle, or campground, on the street, in abandoned buildings, or doubled-up with relatives or friends, then they are eligible to receive services provided under the McKinney-Vento Act.

C. *School of Origin* is the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

D. *Unaccompanied Youth* 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.





E. *Immediate* Without delay.

F. *Local Liaison* Staff person designated by Siembra responsible for performing the duties assigned to the liaison by the McKinney-Vento Homeless Assistance Act. According to the Every Student Succeeds Act (ESSA), every school district or charter school must have a designated homeless liaison, regardless of whether or not the school district or charter school receives McKinney-Vento funding.

1. Local Liaison responsibilities shall include but are not limited to:
 - a. Receive appropriate time and training in order to carry out the duties required by law and this policy.
 - b. Ensure homeless families, homeless children and youth are referred to health care, dental, mental health, substance abuse, housing and appropriate services.
 - c. Ensure homeless children and youth are identified through outreach and coordination activities with other entities and agencies.

II. Procedures

A. Identification

1. Siembra will make a determination based on the criteria listed above in Section I (B) of homeless students at time of registration and anytime during their enrollment based on the student's needs/change in circumstances. Upon requesting information from prior schools and districts, the registrar will inquire about the possible homelessness.

B. *Enrollment* may not be denied or delayed due to the lack of any document normally required for enrollment. Siembra has removed enrollment barriers, to include missed application or enrollment deadlines including:

- Proof of guardianship
- Birth certificate
- Any other document requirements
- Unpaid school fees
- Immunization or other required health records, proof of residency, or other documentation; academic record, including documentation for credit transfer
- Lack of uniforms or clothing that conforms to dress codes
- Any factor related to the student's living situation

Unaccompanied children may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or local liaison.

Preschool-aged homeless children – will have access to and receive services, if eligible, at Siembra– administered preschool programs, including Head Start, Part C of the IDEA (Early Intervention Program for Infants and Toddlers with Disabilities) and other preschool programs





administered by Siembra.

C. *Services* Siembra will ensure that:

1. Homeless students, including Pre-K, enroll in and have a full and equal opportunity to succeed in school.
2. Homeless students will receive educational services for which they are eligible such as special education and any other ancillary services students may qualify for.
3. Expedited evaluations of the strengths and needs of homeless children and youths, including needs and eligibility for programs and services (such as educational programs for gifted and talented students, children with disabilities, and English learners.
4. Unaccompanied youths are informed of their status as independent students under the Higher Education Act of 1965 and may obtain assistance from the liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid.
5. Homeless students will receive individualized counseling from Social Workers to prepare and improve their readiness for college selection, application, and financial aid.
6. The parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
7. Homeless students will be informed of their educational rights in a manner and form that is understandable to parents and guardians of homeless children and youths, and unaccompanied youth.

D. *School of Origin* Siembra will maintain students in their school of origin to promote school stability and greater educational outcomes overall, unless it is not in the student's best interest.

1. In determining the best interest of the student, Siembra shall consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the student or student's parent or guardian or (in case of an unaccompanied youth) the youth;
2. If, after conducting the best interest determination based on consideration of the presumption in clause (i) and the student-centered factors in clause (ii), Siembra determines it is not in the student's best interest to attend the school of origin or the school requested by parent or guardian, or (in the case of an unaccompanied youth) the youth, provide the student's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal under Section II (E); and





3. In the case of an unaccompanied youth, ensure that the local liaison designated under Section I (F) assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under Section II (E).

E. Disputes

If a dispute arises over any issue covered in this policy, the parent or unaccompanied student will speak with the Siembra Homeless Liaison to seek resolution. If a resolution cannot be made, then the Liaison and parent or unaccompanied child will take the dispute to the Siembra. Head Administrator. If a resolution still cannot be made, then the parent or the unaccompanied child may take it to the Siembra Governing Board. Finally, if a resolution cannot be reached, the parent or the unaccompanied child may appeal to the State with the form link. (This can be made available at Siembra if parents do not have computer or Internet access.)

<https://webnew.ped.state.nm.us/wp-content/uploads/2018/10/NM-Educational-Rights-of-Students-Experiencing-Homelessness-Dispute-Resolution-Form.pdf>

During the dispute process, the child will be admitted immediately to Siembra pending final resolution of the dispute. The students will also have access to all services offered at Siembra while the dispute is pending.

1. Siembra will provide the parent or unaccompanied student with a written explanation of its decision and the right to appeal. The parent or unaccompanied student will be given every opportunity to participate meaningfully in the resolution of the dispute.
2. An explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, which will include:
 - A description of the action proposed or refused by the school
 - An explanation of why the action is proposed or refused
 - A description of any other options the school considered
 - The reasons why any other options were rejected
 - A description of any other factors relevant to the school's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources
 - Appropriate timelines to ensure any relevant deadlines are not missed as well as contact information for the Local Liaison, Head Administrator, Governing Board and the State Coordinator, and a brief description of their roles

III. Records

- A. Any record ordinarily kept by the school, including immunization or other required





health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student shall be maintained:

- a. So that the records involved are available, in a timely manner, when a student enters a new school or school district; and
- b. Any information about homeless student's living situation shall be treated as a confidential student education record, and shall not be deemed to be directory information; and
- c. In a manner consistent with the Federal Education Rights and Privacy Act.

