

## **Appendix I**

### **NEW MEXICO ACADEMY FOR THE MEDIA ARTS MCKINNEY VENTO ACT – NOTICE OF DISPUTE RESOLUTION PROCESS**

Date Approved/Revised: August 5, 2025

Effective Date: August 5, 2025

**Notice.** The McKinney-Vento Act and New Mexico Public Education Department (NMPED) rule,<sup>1</sup> provide that NEW MEXICO ACADEMY FOR THE MEDIA ARTS (“School”) must give notice of a homeless student’s right to file a complaint to raise an enrollment, educational placement or compliance issue, or to file an appeal to NMPED when a disagreement arises between the School and the homeless student. The School shall post this notice and related complaint forms<sup>2</sup> where homeless families and unaccompanied youths receive services, and on the School’s website.

**Disputes over enrollment and compliance issues.** If a dispute arises over enrollment, educational placement or other compliance matters, the School will take the following steps to avoid unnecessary disruption to the student’s education.

1. If a dispute over enrollment or educational placement issues arise, the homeless student shall be immediately enrolled at NEW MEXICO ACADEMY FOR THE MEDIA ARTS and be provided adequate and appropriate transportation services pending resolution of the dispute and any appeal.
2. For all disputes, the parent or guardian of the homeless student, or the student if unaccompanied (unaccompanied student), shall be provided with a written explanation of the School’s adverse decision regarding enrollment or other matters related to homelessness services, and notice of the right to commence an Informal Dispute Resolution Process or Formal Dispute Resolution Process pursuant to this policy, and to appeal the School’s decision to the New Mexico Public Education Department (NMPED).
3. If the parent/guardian/unaccompanied student are English learners, use a native language other than English, or need additional supports because of a disability, translators, interpreters, or other support services will be made available without charge in the appropriate language to ensure they understand the written decision and the process for dispute resolution and appeal. The School’s Liaison is the person to contact for such assistance.
4. If a parent/guardian/unaccompanied submits a complaint to initiate a dispute resolution process, the School’s Liaison for homeless families (Liaison) shall confirm receipt by using the most reliable contact method within three (3) business days.

#### **Dispute Resolution Processes**

The following dispute resolution processes are available to parents/guardians/unaccompanied youths wishing to dispute matters pursuant to the School’s McKinney-Vento policy.

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<sup>1</sup>42 USC §11432(g)(1)(c), 6.10.3.8 NMAC

<sup>2</sup> NMPED’s Students Experiencing Homelessness or Unaccompanied Youth Dispute Resolution Form; [School’s]McKinney-Vento Dispute Resolution Form

A. Informal Dispute Resolution Process. The Informal Dispute Resolution Process (Informal Process) is optional. The parent/guardian/unaccompanied youth may proceed directly to the Formal Dispute Resolution Process described below.

1. After a determination is made by the School that negatively impacts the student's educational placement or rights under the McKinney-Vento Act, the parent/guardian/unaccompanied youth may contact the Liaison to request a meeting with the School's Head Administrator to discuss a possible resolution.
2. The Liaison may request that the parent/guardian/unaccompanied youth complete the McKinney-Vento Dispute Resolution Form (M-V Complaint Form) to help clarify the areas of disagreement between the two sides, but completing the form is not a prerequisite use the Informal Process.
3. A meeting will be schedule within ten (10) business days with the School's Head Administrator. The Liaison shall attend to help facilitate a resolution. Neither party shall be allowed to have outside representation during the Informal Process.
4. If a resolution is reached during the Informal Process meeting, the Head Administrator will create a written statement describing the resolution and each attendee shall sign the statement, or indicate by electronic mail, if the meeting is held virtually that each consent to the statement.
5. The Head Administrator, Liaison and the parent/guardian or unaccompanied youth will sign the written agreement. The written agreement will be prepared for signature at the meeting, or within three (3) school days of the meeting and then circulate to the parent/guardian or unaccompanied youth by email or in person.
6. If the Informal Process is unsuccessful, the parent/guardian or unaccompanied youth may submit a written complaint and ask to use the Formal Dispute Resolution process. If the Formal Dispute Resolution Process is not pursued by the parent/guardian or unaccompanied youth, the Liaison will follow the process described below under "Notice to NMPED of Adverse Decision and Appeals."

B. Formal Dispute Resolution Process.

1. The parent/guardian/unaccompanied youth must first complete the M-V Complaint Form and return it to the Liaison. The Liaison shall be available to the family and/or unaccompanied student to answer questions about completing the M-V Complaint Form.
2. The Liaison will deliver the M-V Complaint Form and any documentation to the Head Administrator within one (1) day of its receipt.
3. Parents/guardians/unaccompanied youth and the School are permitted to have an advocate or a legal representative and may submit documents, witness statements, and oral testimony to support their positions during the Formal Dispute Resolution meeting.
4. The parents/guardians/unaccompanied student will provide written notice of having a representative appear at the Formal Dispute Resolution meeting to the Head Administrator by no later than five (5) business days prior to the meeting.
5. Upon receipt of a completed M-V Complaint Form, Head Administrator shall make reasonable attempts to schedule a meeting with the parent/guardian/unaccompanied student, and representative, if any, to discuss and resolve the complaint, within ten (10) business days. The Head Administrator shall notify the parents/guardians or unaccompanied student and any representative at least three (3) business days prior to the meeting.

6. During the meeting, the parent/guardian/unaccompanied youth and representative, if any, shall be given an opportunity to present evidence to support the homeless student's position. The School shall present its position and evidence after the family, unaccompanied youth or representative. Each side shall provide copies of documents they intend to submit to support their position to the other by email or hand deliver by no later than twenty-four (24) hours in advance of the meeting.
7. If a resolution is reached during the Formal Dispute Resolution meeting, the parties will jointly create a written statement describing the resolution and each attendee shall sign the statement, or indicate by electronic mail, if the meeting is held virtually that each consent to the statement.
8. If a resolution is not reached during the Formal Dispute Resolution meeting, the Head Administrator shall provide a written decision to parent/guardian/unaccompanied youth and representative, if any, within ten (10) business days following the meeting. The written decision shall include:
  - o All factual information relied upon for the written decision;
  - o The legal basis that supports the decision;
  - o A description of any options the Head Administrator considered and reasons why they were rejected; and
  - o A description of other factors relevant to the Head Administrator's decision, including the facts, witnesses and evidence relied and their sources.
9. The written decision will include notice to the parent/guardian or unaccompanied youth of the right to appeal the School's decision to the NMPED, including timelines to ensure any relevant deadlines are not missed.
10. All decisions and notices shall be drafted using language and formatting appropriate for low literacy, limited vision readers and individuals with disabilities.
11. The School shall provide electronic written notice to the parent/guardian/unaccompanied youth who have email and shall follow up with the notice in person or by mail.

**Notice to NMPED of Adverse Decision and Appeals.** A homeless student has the right to appeal an adverse decision to the NMPED pursuant to 6.10.3.9 NMAC. In the case of a decision adverse to the homeless student, the Liaison shall forward the Head Administrator's written decision to the NMPED along with NMPED's required form (<https://webnew.ped.state.nm.us/bureaus/student-success-wellness/mckinney-vento/>) within five (5) calendar days of the issuance of the Head Administrator's written decision. Parents/guardians/ unaccompanied youth may also initiate the appeal by providing NMPED's required complaint form (at link above and on School's website) and related information to the NMPED's Homeless Liaison.

**School McKinney Vento Liaison Information.**

Courtney Clyne, Registrar/Administrative Assistant, [cclyne@nmmediaarts.org](mailto:cclyne@nmmediaarts.org), 505-243-1957

**NMPED McKinney Vento Coordinator.**

Chris Jones, Executive Director, [cjones@nmmediaarts.org](mailto:cjones@nmmediaarts.org), 505-243-1957

The NMPED Coordinator of Education for Homeless Children and Youths works with New Mexico school districts, charter schools, schools and other partners in order to provide educational stability to students experiencing homeless by removing barriers such as enrollment in school, transportation, access to school meals, appropriate education and extracurricular activities.

## Appendix K

### NEW MEXICO ACADEMY FOR THE MEDIA ARTS McKinney-Vento Dispute Resolution Form

*(This form should be used for the dispute resolution process for students experiencing homelessness or unaccompanied youth in regard to eligibility, school selection, enrollment or transportation.)*

Date: \_\_\_\_\_

**Please complete all information and deliver by hand, email or mail to:**

Chris Jones,  
Executive Director,  
4401 Central Ave.  
NE, Albuquerque,  
NM 87108,  
[cjones@nmmediaarts.org](mailto:cjones@nmmediaarts.org)  
[ts.org](http://ts.org)

**I. Information Regarding the Person(s) Requesting Dispute Resolution:**

a. Person(s) Name(s):

\_\_\_\_\_

b. Relationship to Student:

I am an unaccompanied youth

Parent

Advocate or Legal Representative

Other: \_\_\_\_\_

c. Address (or available contact information):

\_\_\_\_\_

d. Phone number(s):

Best contact number: \_\_\_\_\_ Email: \_\_\_\_\_

**II. Student Information**

a. Student's Full Name:

\_\_\_\_\_

b. Student's Date of Birth:

\_\_\_\_\_

c. Student's Address (or available contact information):

\_\_\_\_\_

d. School Student Currently Attends:

\_\_\_\_\_

**III. Representative Information (optional)**

a. Is another person helping you to resolve this dispute?

Attorney \_\_\_\_\_ Other Representative \_\_\_\_\_

b. If you have a representative, please identify:

Name: \_\_\_\_\_

Title:

Address: \_\_\_\_\_

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Phone number(s):  
Work: \_\_\_\_\_  
Cell: \_\_\_\_\_

**IV. Details Concerning the Dispute:**

a. Please check one or describe in the space provided:

- \_\_\_\_\_ Eligibility
- \_\_\_\_\_ School Selection
- \_\_\_\_\_ Enrollment in school of origin
- \_\_\_\_\_ Transportation
- \_\_\_\_\_ Other (describe below)

b. Please describe your disagreement with the School. (Who? What? Where? Why?) ***Attach any documents that support your position if you have any.***

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Describe the attempts that have been made by the District/Charter School to resolve the dispute. Attach documentation including meeting minutes, emails, phone calls, etc., if any.

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**V. Proposed Resolution**

What is the resolution you are seeking?

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**VI. Signature and Date:**

\_\_\_\_\_  
Signature of Unaccompanied Student, Parent, Guardian or Representative

\_\_\_\_\_  
Date