



**THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF  
NEW YORK / ALBANY, NY 12234  
Office of P-12 Education**


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**July, 2010**

**NYS FIELD MEMO  
NCLB McKinney-Vento  
# 03 – 2010**

**To:** District Superintendents  
Superintendents of Public Schools  
Charter School LEA Administrators  
Homeless Education Liaisons

**FROM:** Roberto Reyes 

**SUBJECT:** New York City Charter Schools and Community School District Preference  
for Homeless Students

Charter schools in New York City must give preference in their lotteries for admission to students who reside in the community school district in which the charter school is located. This field memo is meant to clarify the community school districts in which homeless students may claim a preference for these lotteries.

For purposes of charter school admission lotteries, homeless students in New York City may claim a residency preference in the community school district in which their selected school of attendance<sup>1</sup> is located. Homeless students who wish to attend a New York City charter school may select as their school of attendance **either**:

- a charter school in the community school district in which they were last permanently housed, **OR**
- a charter school in the community school district in which their temporary housing is located.

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<sup>1</sup> Pursuant to Commissioner's regulations, the designator may change the original selection if the designator finds it to be educationally unsound. However, such change may only be made prior to the end of the first semester of attendance or within 60 days of commencing attendance at the school, whichever occurs later (8 NYCRR §100.2[x][2][vi]).

New York City charter schools may create a form that contains the address information for the student's last permanent housing and the student's temporary housing. This will be sufficient documentation to verify community school district preference.

Please note that each charter school must designate a staff person as the McKinney-Vento liaison who is responsible for identifying students in temporary housing situations and ensuring that they are provided with the services for which they are eligible, including transportation, free meals, and other appropriate support services. For more information about the responsibilities of the liaison, please see: <http://www.nysteachs.org/liaisons/responsibilities.html>.

All charter schools that receive Title I funding must ensure that Residency Questionnaires are completed for all students. For a copy of a model Residency Questionnaire, please see: [http://www.nysteachs.org/media/INF\\_SED\\_EnrollForm\\_ResQuest.doc](http://www.nysteachs.org/media/INF_SED_EnrollForm_ResQuest.doc).

If you have any questions, please contact:

- Office of Innovative School Models, EMSC [SBACHOFE@MAIL.NYSED.GOV](mailto:SBACHOFE@MAIL.NYSED.GOV). 518-474-4817 or;
- Melanie P. Faby, Homeless Program Associate, EMSC. [mfaby@mail.nysed.gov](mailto:mfaby@mail.nysed.gov) 518-473-0295 or;
- The New York State Technical and Education Assistance Center for Homeless Students at: [www.nysteachs.org](http://www.nysteachs.org) [info@nysteachs.org](mailto:info@nysteachs.org) 1-800-388-2014.

c. Sally Bachofer  
Ira Schwartz  
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