

HOMELESS DISPUTE RESOLUTION REGARDING THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

Dispute Resolution (722(g)(1)(C) of the McKinney-Vento Act)

The LEA homeless liaison will handle disputes concerning *eligibility, school selection* or the *enrollment* in school for homeless students or youth. During the dispute, homeless children or youth must be enrolled and fully participating in school activities as well as receive transportation, if requested, to the school in which the parent/guardian or unaccompanied homeless youth seeks enrollment during the dispute. LEA liaisons will carry out the dispute resolution procedures as quickly as possible after receiving notice of a dispute.

MO-DESE recommends that LEAs use the following dispute resolution process when a dispute arises regarding the education of a homeless child or youth:

- **LEA Level**—Every effort must be made to resolve the complaint or dispute at the LEA level before it is brought to MO-DESE. It is the responsibility of the LEA to inform the complainant of the LEA's Complaint Resolution procedure when a question arises concerning the education of a homeless child or youth.
 - A. **Notify the LEA's homeless liaison.** The homeless liaison serves as the intermediary between the homeless child and the school the child attends.
 - a. The parent/guardian or homeless youth shall request a copy of or access to the LEA's policies addressing the education of homeless children and youths and review them.
 - b. The parent/guardian must make an appointment with the homeless liaison to discuss the complaint.
 - c. If the dispute is not resolved after the initial discussion with the LEA's homeless liaison, the complainant can file a complaint in writing to the LEA's superintendent/administrator for further review.
 - d. The complaint should include a request that a written proposed resolution of the dispute or a plan of action be provided within five business days of the date the complaint was received by the LEA's homeless liaison. A review of the proposal or plan of action with the homeless liaison should follow.
 - B. If the dispute is not resolved at the homeless liaison level, the complaint may be forwarded to the superintendent of the LEA for review followed by a meeting with the Superintendent or Acting Administrator to discuss the dispute. The complainant should request from the superintendent a written resolution within five business days of the date of the discussion.*
 - C. If the dispute is not resolved at the Superintendent or Administrator level, the complainant may take the matter before the LEA's board of education for resolution.

- **State Level**—If the dispute is not resolved in a satisfactory manner at the LEA level, the complaint may be brought to MO-DESE. Complaints made under this process must be signed by the complainant and mailed.

A. The complaint must include:

1. a detailed description of the dispute;
2. the name(s) and age(s) of the children involved;
3. the name(s) of involved LEA personnel and the LEA(s) they represent; and
4. a description of attempts that were made to resolve the issue at the LEA level.

B. Address the complaint to: State Homeless Coordinator
Federal Programs
P.O. Box 480
Jefferson City, Missouri 65102-0480

C. The director of Federal Programs (director) will inform the involved LEA(s) of the complaint. The director or the director's designee will gather needed information including documentation and statements of the parties and may conduct an independent investigation through an on-site visit if necessary.

D. Within 30 business days of receipt of the complaint, the director will inform the parties, in writing, of the decision.**

E. If a complainant disagrees with the director's decision, the complainant may, within 10 business days, appeal the decision to the Deputy Commissioner of Learning Services. This appeal must be in writing and indicate why the complainant disagrees with the decision.

F. Within 30 business days of receiving the appeal, the Deputy Commissioner of Learning Services will render a final administrative decision and notify the complainant and all other interested parties in writing.**

G. While the dispute is ongoing, the child(ren) in question must be enrolled in school. If the dispute revolves around which school is the school of best interest for the child, the child shall remain in the school they currently attend until the dispute is resolved unless arrangements already implemented allow the child to attend the school of origin.

* The parties may mutually agree to an extension; however, every effort should be made to resolve the complaint in the shortest possible time.

** Although the standard procedure allows 30 business days for a response, every effort will be made to resolve the complaint in the shortest possible time.