Notice of Parent and Student Rights in the

McKinney-Vento Enrollment Dispute Resolution Process

This document provides school district personnel with information regarding McKinney-Vento Dispute Resolution procedures, including local and state expectations for processing a dispute. It should be used in conjunction with a district’s policies and procedures addressing McKinney-Vento. McKinney-Vento disputes should be expedited and resolved promptly to meet federal requirements. Districts have a responsibility to ensure that local timelines in the district’s complaint policies are expedited, whenever possible.

The McKinney-Vento Homeless Assistance Act (“Act”) provides important protections and rights for homeless children and unaccompanied homeless youth. The Act provides direction for districts when disputes occur regarding student eligibility, school selection, or enrollment. This document only addresses disputes regarding eligibility, school selection, or enrollment, since those are the only issues subject to the dispute resolution provisions of the Act.

This document provides information about the dispute resolution process should the parent, guardian, or an unaccompanied youth disagree with a district’s determination of eligibility, school selection, or enrollment. Upon dispute of eligibility, school selection, or enrollment, a school district must immediately enroll a homeless child in the school of origin, unless the parent, guardian, or unaccompanied youth selects the school located in the attendance zone where the student temporarily resides. In determining the best interest of the child, the district shall presume that keeping the student in his or her school of origin is in the student’s best interest, except when doing so is contrary to the request of the parent, guardian, or unaccompanied youth. The district shall also consider the impact of moving schools on achievement, education, health, and safety. In addition, the district must provide transportation to and from the school of origin. The student shall remain attending the school in which enrollment is sought, pending the final resolution of the dispute, including all available appeals.

1. **Who at the district makes the eligibility, school selection, or enrollment decision?**

A district’s enrollment staff will gather and analyze information from the parent, guardian, or unaccompanied youth and make a determination of eligibility.

1. **What type of notice will the parent, guardian, or an unaccompanied youth receive about a district’s enrollment decision if the district determines that the student is not eligible for enrollment?**

The district must provide the parent, guardian, or unaccompanied youth with a written notice that includes an explanation of the decision regarding eligibility, school selection,

or enrollment, and the right of the parent, guardian, or unaccompanied youth to appeal or dispute the decision.

Once the enrollment decision is made, the district’s liaison for homeless students will ensure that the notice:

* + - Includes an explanation of the reasons for the determination;
		- Includes a description of the appeal process, including appeal timelines and information on how and to whom to appeal the decision; and
		- Is provided to the parent, guardian, or unaccompanied youth promptly in a way that is understandable to the parent, guardian, or unaccompanied youth.

**Please note:** If the district’s liaison for homeless students is unable to fulfill any of the duties described in this document, the liaison should appoint a designee to do so.

1. **What are the responsibilities of the district’s McKinney-Vento liaison for homeless students regarding disputes?**

A district’s liaison for homeless students is responsible for ensuring that the dispute resolution process is conducted as expeditiously as possible. The liaison must ensure that decisions are communicated in writing to the parent, guardian, or unaccompanied youth and include information about the right to appeal. The liaison is available to provide assistance to parents, guardians, or unaccompanied youth through the entire dispute process.

1. **If the parent, guardian, or unaccompanied youth decides to appeal the decision, will someone at the district be available to help the parent, guardian, or unaccompanied youth through the dispute process?**

Yes. A district’s liaison for homeless students will accompany and assist the parent, guardian, or unaccompanied youth through the entire dispute resolution process. The District’s homeless liaison is:

Name: Artiya Nash

Position: Director of Programs

Address: 6111 W. Ridge Rd, Gary Indiana

Phone: 219-989-7823 ext 1173

 E-mail: anash@lakeridgeschools.net

1. **Will the homeless child be able to attend the school in which enrollment is sought during the dispute resolution process?**

During the dispute resolution process, the district must immediately enroll the homeless child in the school of origin or school located in the child’s attendance zone, as requested by the parent, guardian, or unaccompanied youth, and permit the child to attend classes, receive requested services, and participate fully in school activities. In addition, the district must provide transportation to and from the school of origin. The district must provide transportation comparable to transportation provided to non homeless students.

1. **How does a parent, guardian, or unaccompanied youth begin the appeal process?**

The first step is for the parent, guardian, or unaccompanied youth to complete the District’s Dispute form. These forms are available on the district’s website;

[McKinney-Vento - Lake Ridge Schools](https://www.lakeridge.k12.in.us/mckinney-vento)

1. **When does the parent, guardian, or unaccompanied youth need to complete and submit the dispute form?**

District policy typically requires dispute forms to be filed within 15 district business days from the date when the parent, guardian, or unaccompanied youth first knew of the school selection or enrollment decision about which the parent, guardian, or unaccompanied youth is appealing.

1. **What information will the parent, guardian, or unaccompanied youth need to complete the dispute form?**

The dispute form will ask for the following information:

* + - Contact information for the parent, guardian, or unaccompanied youth and anyone representing the parent, guardian, or unaccompanied youth in the dispute;
		- The factual details regarding the decision or circumstances that caused the dispute;
		- The harm caused by the decision or circumstance; and
		- The outcome that the parent, guardian, or unaccompanied youth seeks.
1. **What if the parent, guardian, or unaccompanied youth needs assistance completing the dispute form?**

The liaison for homeless students is available to assist the parent, guardian, or unaccompanied youth in completing the form, and can work with the parent, guardian, or unaccompanied youth to fill out the form based on the parent, guardian, or unaccompanied youth’s oral statements.

1. **Where does the parent, guardian, or unaccompanied youth file the dispute form?**

The dispute form may be mailed or submitted electronically, such as by e-mail or fax, to the District’s Liaison. The parent, guardian, or unaccompanied youth may also submit the form to the liaison for homeless students or the principal, who will forward the dispute form to the appropriate administrator.