

3420	MCKINNEY-VENTO HOMELESS ASSISTANCE ACT - DISPUTE RESOLUTION POLICY
Approval Date	June 2022
Category	General School Administration
Accountability	Administration
Audience	Families

A. BACKGROUND INFORMATION

The McKinney-Vento Homeless Assistance Act (also referred to as the McKinney-Vento Act) acknowledges that disputes may arise between PLP students and their parents, or unaccompanied youth, regarding eligibility, school selection, or enrollment decisions for homeless children and youths. The McKinney-Vento Act includes dispute resolution among the required duties of the PLP homeless liaison. Below is the McKinney-Vento Dispute Resolution Policy and Process for PLP.

Disputes related to eligibility, school selection or enrollment may be initiated at the request of the parent, legal guardian, or unaccompanied youth and not at the request or convenience of PLP. Additionally, issues related to the definition of homelessness, the responsibilities of PLP to serve homeless children and youth, and/or the explicit rights of homeless children and youth are addressed in the McKinney-Vento Act. Disputes related to eligibility, school selection, or enrollment shall be resolved within the parameters of the federal McKinney-Vento Act.

The following procedures are specified in the McKinney-Vento Act:

Enrollment: If a dispute arises over eligibility, school selection, or enrollment, the child shall be immediately admitted to the school; provided, if PLP has no capacity to enroll the child at the relevant grade level due to class size constraints, the child shall be placed in a priority position on the wait list for that grade level. In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled (or placed in a priority position on the wait list, as applicable). In the event of a conflict between this policy and the lottery procedures or enrollment priorities policy, this policy shall control.

Written Explanation: PLP must provide a written explanation of the eligibility, school selection, or enrollment decision to the parent, legal guardian, or in the case of an unaccompanied youth, to the unaccompanied youth. The written explanation must include a description of the parent's, legal guardian's, or unaccompanied youth's right to appeal the decision.

Homeless Liaison: PLP shall appoint a homeless liaison responsible to administer this policy. The PLP homeless liaison shall carry out the dispute resolution process in an expeditious manner, such that the process is completed in **no more than 15 school business days or 30 calendar days, whichever is less.**

Responsibility: The PLP homeless liaison is responsible to inform the parent, legal

guardian, or the unaccompanied youth of the dispute resolution process.

B. PLP DISPUTE RESOLUTION PROCESS ELIGIBILITY, SELECTION & ENROLLMENT

When a dispute occurs regarding eligibility, school selection, or enrollment in PLP of a homeless child or youth, the following process must be used:

Level I: The initial dispute request is made with PLP homeless liaison.

1. The parent, legal guardian, or unaccompanied youth must file a request for dispute resolution with the PLP homeless liaison either verbally or in writing
2. Within **one (1) school business day** of their receipt of the complaint, the homeless liaison must make a decision on the dispute and inform the parent, legal guardian for unaccompanied youth verbally or in writing of the result.
3. If the parent, legal guardian, or unaccompanied youth disagrees with the decision made at Level I and wishes to move the dispute resolution process forward to Level II, the PLP homeless liaison will notify administrator and decision will be made **in one (1) school business day**

Level II: If unresolved, the dispute moves to a PLP Administrator (Level II).

1. An PLP administrator (at the school director level) shall meet (verbally, virtually or face-to-face) with the parent, legal guardian, or unaccompanied youth **within two (2) school business days** and a decision shall be made.
2. If the parent, legal guardian, or unaccompanied youth disagrees with the decision made at Level II and wishes to move the dispute resolution process to Level III, the PLP administrator will explain how to proceed to Level III

Level III: If unresolved the dispute moves to the PLP Board of Directors (Level III) for review and the PLP final decision.

1. The PLP administrator, with assistance from the homeless liaison, shall forward all written documentation and related paperwork to the Board of Directors for review within **two (2) school business days** of notifying the parent, legal guardian, or unaccompanied youth of the decision rendered at Level II.
2. The Board's decision is the PLP final decision for the purpose of appealing to the North Carolina State Coordinator for the Education of Homeless Children and Youth (the "State Coordinator").
3. The written notification shall be provided to the parent, legal guardian, or unaccompanied youth as well as to the administrator.
4. The parent, legal guardian, or unaccompanied youth have the option of filing an oral or written dispute with the State Coordinator **within three (3) school business days** of receiving the Board's decision and copies of complete dispute records.

Level IV: If the dispute continues to be unresolved, the final appeal (Level IV) is to the NC State Coordinator for the Education for the Education of Homeless Children and Youth (EHCY).

For additional details on the NC Dispute Resolution policy and the process used by the State Coordinator see <https://hepnc.uncg.edu/>

C. WRITTEN NOTICE REGARDING THE DISPUTE RESOLUTION PROCESS

When a dispute occurs regarding eligibility, school selection, or enrollment the parent, legal guardian, or unaccompanied youth shall be informed in writing of the PLP decision including reasons for the decision within one (1) school business day in a language and format understandable to the parent, legal guardian or unaccompanied youth of their right to appeal the decision made by PLP, and shall be provided the following:

1. Written contact information for the PLP homeless liaison and State Coordinator, with a brief description of their roles.
2. A simple form that parents, legal guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process
3. A written step-by-step description of how to dispute the PLP decision.
4. Written notice of the right to enroll immediately in the school pending resolution of the dispute.
5. Written notice of the right to appeal to the State Coordinator for the Education of Homeless Children and Youth if the school-level resolution is not satisfactory.
6. Written timelines for resolving appeals.
7. A copy of the NC Board of Education's Dispute Resolution Policy SBOP-020 can be accessed [here](#) .
8. In addition to federal and state law, PLP shall comply with the provisions set forth by the NC State Board of Education in:
 - a. 16 NCAC 06H .0114 DISPUTE RESOLUTION PROCESS FOR HOMELESS STUDENTS -DEFINITIONS;
 - b. 16 NCAC 06H .0115 DISPUTE RESOLUTION PROCESS FOR HOMELESSSTUDENTS –LEA DISPUTE RESOLUTION PROCESS; and
 - c. 16 NCAC 06H .0116 DISPUTE RESOLUTION PROCESS FOR HOMELESSSTUDENTS –STATE APPEALS PROCESS.