

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.

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 parent/guardian or unaccompanied homeless youth of the LEA's Complaint Resolution Procedure when a question arises concerning the education of a homeless child or youth. MO-DESE recommends that LEAs use the following complaint resolution process when a dispute arises regarding the education of a homeless child or youth:

LEA Level

- A. The parent/guardian or unaccompanied homeless youth notifies the LEA's homeless liaison in writing of their complaint. The homeless liaison serves as the intermediary between the parent/guardian or unaccompanied homeless youth and the school where the child is seeking enrollment.
 - 1. The parent/guardian or unaccompanied homeless youth shall receive a copy of or access to the LEA's policies addressing the education of homeless children and youths from the LEA.
 - 2. The LEA's homeless liaison will provide a written resolution of the dispute or a plan of action within five days of the date the written complaint was received.*
- B. If the dispute is not resolved with the LEA's homeless liaison, the parent/guardian or unaccompanied homeless youth can file a complaint in writing to the superintendent/administrator for further review.
 - 1. The LEA's superintendent/administrator will provide a written resolution of the dispute or a plan of action within five days of the date the written complaint was received by the superintendent/administrator.*
- C. If the dispute is not resolved at the superintendent/administrator level, the parent/guardian or unaccompanied homeless youth may file the written complaint before the LEA's board of education for resolution.
 - 1. The LEA's board of education will provide a written resolution of the dispute or a plan of action within thirty days of the date the written complaint was received by the board of education.*

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 made in writing and signed by the parent/guardian or unaccompanied homeless youth. The following steps are to be taken:

- A. Address the complaint to: State Homeless Coordinator, Federal Programs, P.O. Box 480, 205 Jefferson Street, Jefferson City, Missouri 65102-0480
- B. 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. copies of the unresolved written resolutions from the LEA.

- 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 days of receipt of the complaint, the director will inform the parties, in writing, of the decision.**
- E. If a parent/guardian or unaccompanied homeless youth disagrees with the director's decision, the parent/guardian or unaccompanied homeless youth 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 days of receiving the appeal, the Deputy Commissioner of Learning Services will render a final administrative decision and notify the parent/guardian or unaccompanied homeless youth and all other interested parties in writing.**
- G. During the dispute, the child(ren) or unaccompanied homeless 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.

*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 days for a response, every effort will be made to resolve the complaint in the shortest possible time.