

**McKinney-Vento Dispute Resolution**

**5.19**

Homeless Children and Youth Assistance

Homeless Children and Youth Assistance at St. Clair County Schools is funded under the McKinney-Vento Act. The Act is designed to address the challenges that homeless children and youths have faced in enrolling, attending and succeeding in school. Under the McKinney-Vento Act, state educational agencies (SEAs) must ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youths.

The following will be considered homeless:

- Children and youth who are:
- Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason (sometimes referred to as doubled-up);
- Living in motels, hotels, trailer parks, or campgrounds due to lack of alternative adequate accommodations;
- Living in emergency or transitional shelters
- Abandoned in hospitals; or
- Migratory children who qualify as homeless because they are living in circumstances described above

Parents' and Students' Rights:

- Receive a free, appropriate public education
- Enroll in school immediately, even if lacking documents normally required for enrollment
- Enroll in school and attend classes while the school gathers needed documents
- Enroll in the local school; or continue attending their school of origin (the school they attended when permanently housed or the school in which they were last enrolled), if that is the preference and is feasible. IF the school district believes that the school selected is not in his/her best interest, then the district must provide the student with a written explanation of its position and inform the student of his/her right to appeal the decision.
- Receive transportation assistance to and from the school of origin, if requested
- Receive educational services comparable to those provided to other students, according to the students' needs
- Dispute Resolution Procedures

The school must adhere to the following procedures:

- The initial challenge of Enrollment Form must be completed at the time of enrollment. The original copy of the form should be forwarded to the St. Clair County Homeless Liaison. Additional copies of the form should be distributed as follows: 1) parent/guardian/unaccompanied youth; 2)

Federal Programs Coordinator; and 3) the originating school should retain a copy for documentation purposes.

- The school must provide the parent/guardian or unaccompanied you're the Enrollment Appeal Form and contact information of the St. Clair County Homeless Liaison.
- It is the responsibility of the school to forward both forms to the St. Clair County School's Homeless Liaison and the Federal Program Coordinator, within two (2) business days, so that determination can be made at the district level.

The district must adhere to the following procedures:

- The St. Clair County School's Homeless Liaison and the Federal Programs Coordinator must complete an investigation to determine if the student is entitled to enrollment and supportive services under McKinney-Vento.
- A final decision regarding the initial challenge to enrollment will be made by the Homeless Liaison and the Federal Programs Coordinator. The district must complete the Final District Decision Form within three (3) business days of receiving the Enrollment Appeal Form and notify the parent/guardian/unaccompanied youth in writing.
- The district must advise the parent/guardian/unaccompanied youth that the districts' final determination may be appealed to the Alabama State Department of Education within three (3) business days.
- The district must inform the parent/guardian/unaccompanied youth that the district's homeless liaison is required to assist him/her in filing such an appeal (if requested).
- The district must provide the appeal form to the parent/guardian/unaccompanied youth to send to the Alabama State Department of Education.
  1. The State Superintendent of Education, or an appointed designee, must address the issue within then (10) days of the receipt of the written request.
  2. The Alabama State Department of Education will provide written notice of its position and inform parent/guardian/unaccompanied youth.
  3. The ruling of the State Superintendent of Education is final.

The student must remain enrolled and provided with transportation (if feasible) until the district makes a final determination.

If the parent/guardian/unaccompanied youth appeal the districts' decision to the Alabama State Department of Education, a decision must be rendered by the entity within ten (10) days from the receipt of the appeal. The student must remain enrolled and provided with transportation (if feasible) until the state makes a final determination.

**REFERENCE(S):** ESSA ([Every Student Succeeds Act](#)), Pub. L. No. 114-95, Title IX, Part A.

**HISTORY:**

**ADOPTED: January 19, 2021**

**REVISED:**