Dispute Resolution Process
Education for Children and Youth Experiencing Homelessness Program

Pursuant to the McKinney-Vento Act, every state must develop procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths. 42 U.S.C §11432(g)(1)(C). The state must ensure that Local Education Agencies (LEAs) comply with requirements set forth in the McKinney-Vento Act including ensuring immediate enrollment, providing written notice to families concerning school selection, enrollment decisions and providing enrollment and pendency in the school of choice while a dispute is being resolved. 42 U.S.C §11432(g)(2)(A).

The Pennsylvania Department of Education (PDE) has developed the following procedures to govern the resolution of disputes regarding enrollment, school selection, homeless status and complaints of non-compliance with legal requirements pertaining to the education for homeless children and youths:

Level 1 – A dispute may be raised with a LEA.

If a dispute arises over school selection or enrollment, the child or youth involved must immediately be admitted to the school in which they are seeking enrollment, pending resolution of the dispute 42 U.S.C.§11432(g)(3)(E)(i). PDE recommends that the parent, guardian or unaccompanied youth who initiates the dispute contact the LEA liaison for individuals experiencing homelessness as soon as possible after receiving notice of the dispute. If the person initiating the dispute does not contact the LEA liaison directly, the LEA shall be responsible for contacting the LEA liaison regarding the dispute as soon as possible and referring the family or youth involved to the liaison.

The LEA liaison shall ensure that the child or youth is immediately enrolled, explain the dispute resolution process to families and help them to use it 42 U.S.C. §11432(g)(3)(E)(iii). The LEA shall issue a written disposition of the dispute within 20 business days after the LEA liaison is notified of the dispute. The disposition shall be provided to the parent, guardian or unaccompanied youth and shall explain the basis for the decision and advise the parent, guardian or youth of the right to appeal. 42 U.S.C.§11432(g)(3)(E)(i).

NOTE: The LEA should use and maintain copies of PDE's "Notice of Procedural Safeguards" form (see attached) which ensures that all LEAs (a) inform families of the basis of their decision regarding enrollment or school selection; (b) notifies families of their right to remain in their school of choice pending resolution of the dispute and (c) explains the procedures for challenging the decision of the LEA.

Level 2 – A complaint may be filed with a McKinney-Vento coordinator.

If the parent, guardian or unaccompanied youth is dissatisfied with the LEA's disposition of a dispute or would like to raise any issue of McKinney-Vento Act

noncompliance, they may file a complaint or appeal with a McKinney-Vento site or regional coordinator or with the state coordinator. (See attached list which contains contact information for all of the McKinney-Vento coordinators in Pennsylvania). In lieu of filing an appeal with a McKinney-Vento coordinator, a parent, guardian or unaccompanied youth may elect to appeal the LEA decision directly to a court of competent jurisdiction. Participation in the appeal procedure is not required prior to taking legal action.

- Parents, guardians, and unaccompanied youths should be informed that they can provide written or oral documentation to support their position; and
- Parents, guardians, and unaccompanied youths should be given the opportunity to challenge the school system's assertions.

A regional or site coordinator with whom a complaint or appeal is filed must notify the state coordinator immediately. Upon being notified, the state coordinator will review the complaint or appeal and assign it to a site or regional coordinator for disposition. The coordinator to whom the appeal is assigned may contact, interview and accept documentation from any individual or LEA involved, and shall issue a written disposition within 20 business days after the complaint or appeal has been assigned. The disposition shall be provided to the LEA and the parent, guardian or unaccompanied youth involved. The child or youth shall continue to be enrolled in the school in which he or she is seeking enrollment until the complaint or appeal is resolved or until a disposition from a McKinney-Vento coordinator is received.
If a decision cannot be reached or agreed upon as the regional coordinator level, the dispute will be forwarded to the state coordinator for resolution. The state coordinator will view all information and interview all concerned parties involved. The Office of Chief Counsel will be included in the resolution process as needed. If mediation services are needed, the state coordinator will assist in the mediation and may also invite those involved to have the dispute mediated at any time in the process through the Dispute Resolution Program operated by the Commonwealth Office of General Counsel (OGC). The OGC Dispute Resolution Program is a voluntary informal process through which a trained mediator assists in reaching a mutually acceptable resolution.

Participating in mediation is not a waiver of the right to file a lawsuit nor is participation in mediation required prior to taking legal action.

> *NOTE*: The parent, guardian or unaccompanied youth may file a complaint with the McKinney-Vento site, regional or state coordinator on the attached complaint form. However, the use of the attached form is not mandatory. Any dispute raised by a homeless family or youth concerning school enrollment or any other right under the McKinney-

Vento Act whether received via telephone, letter or any mode of communication shall be treated as a complaint.

Contact Alyssa Wenrich @ ext 3719 or via e-mail awenrich@danvillesd.org or- Jeff Zimmerman, Regional Coordinator, with any questions or concerns you may have @ 570-718-4613, e-mail: jzimmerman@liu18.org

pennsylvania
DEPARTMENT OF EDUCATION

Pennsylvania's Education for Children and Youth Experiencing Homelessness – Dispute Letter

Date:

State Coordinator
Education for Children and Youth Experiencing Homelessness
Pennsylvania Department of Education
333 Market Street, 5th Floor
Harrisburg, PA 17126-0333

Dear State Coordinator:

My name is _____. My child(ren) attend school in the _____ School District.

I need your help with the following problem(s). I have checked the box that fits my situation. I have included a brief statement in the space provided.

☐ The school district would not enroll my child (children).

_____
_____
_____

☐ Child(ren) couldn't begin school because they didn't have all their medical and/or school records.

_____
_____
_____

☐ Child(ren) not permitted to stay in their current school.

_____
_____
_____

Special education testing/placement services denied or unavailable.

☐ _____

_____

_____

School District will not provide transportation to stay in the current school.

☐ _____

_____

_____

Other_____

☐ _____

_____

_____

☐ I have written on the reverse side what has already been done to help me. (Optional)

Please call me at ( ) _____, or at ( )_____.

Or, you can write to me at: (print full address)

_____

_____

Thank you in advance for looking into this matter.

_____

Parent Name

Procedural Safeguards
Notice of Denial of Enrollment

To be completed by a school whenever an enrollment or school selection request of a student experiencing homelessness is denied

Date: _____

Name and Title of School Employee Completing Form: _____

Requested School: _____

School District:
(This may be the school the child was attending when they became homeless, the school the child is currently attending or the school where the child is now living.)

In compliance with Section 722(g)(3)(E) of the McKinney-Vento Homeless Assistance Act, the following written notification is provided to:

Parent or Guardian or Youth: _____

After receiving your request for enrollment or school selection for the student(s) listed above, we hereby provide notice that the request is denied. The reason for the determination is the following:

The school district hereby notifies the parent or guardian of the student or the unaccompanied youth of the following rights:

- The student has the right to enroll immediately in the requested or preferred school pending full resolution of the dispute.
- If the student(s) want to remain in the same school they were attending or the school they attended when they first became homeless, the student is entitled to transportation back to the prior school pending full resolution of the dispute if the placement (including any transportation involved) is feasible, reasonable and in the best interest of the student.

- **You have the right to appeal this decision.** You may do so by completing the second page of this notice (Compliant Form) or by contacting Pennsylvania's McKinney-Vento Homeless state coordinator by phone at (717) 783-6466.
- The family/unaccompanied your can challenge the school district's decision by providing additional written material or by discussing the matter with the school, school district personnel, McKinney-Vento school district liaison or McKinney-Vento regional or site coordinator.
- The McKinney-Vento school district liaison can assist the family or youth in appealing the school district's decision. A copy of Pennsylvania's Education of Children and Youth Experiencing Homelessness Complaint Form is attached.
- The family/youth can have an advocate or attorney handle the matter.
- You may also as for help from the Commonwealth's Office of General Counsel's.
- Dispute Resolution Program. This is a voluntary informal mediation process through which a trained impartial mediator helps parties read a mutually acceptable resolution. Using mediation does not wait a family/youth's right to file a lawsuit before or after the mediation.
- For more information Visit the Homeless Education on the PDE Website.

School District's Homeless Liaison involved in the decision

Name: _____

Title: _____

Phone: _____

Name of McKinney-Vento Regional Coordinator consulted in making this determination:

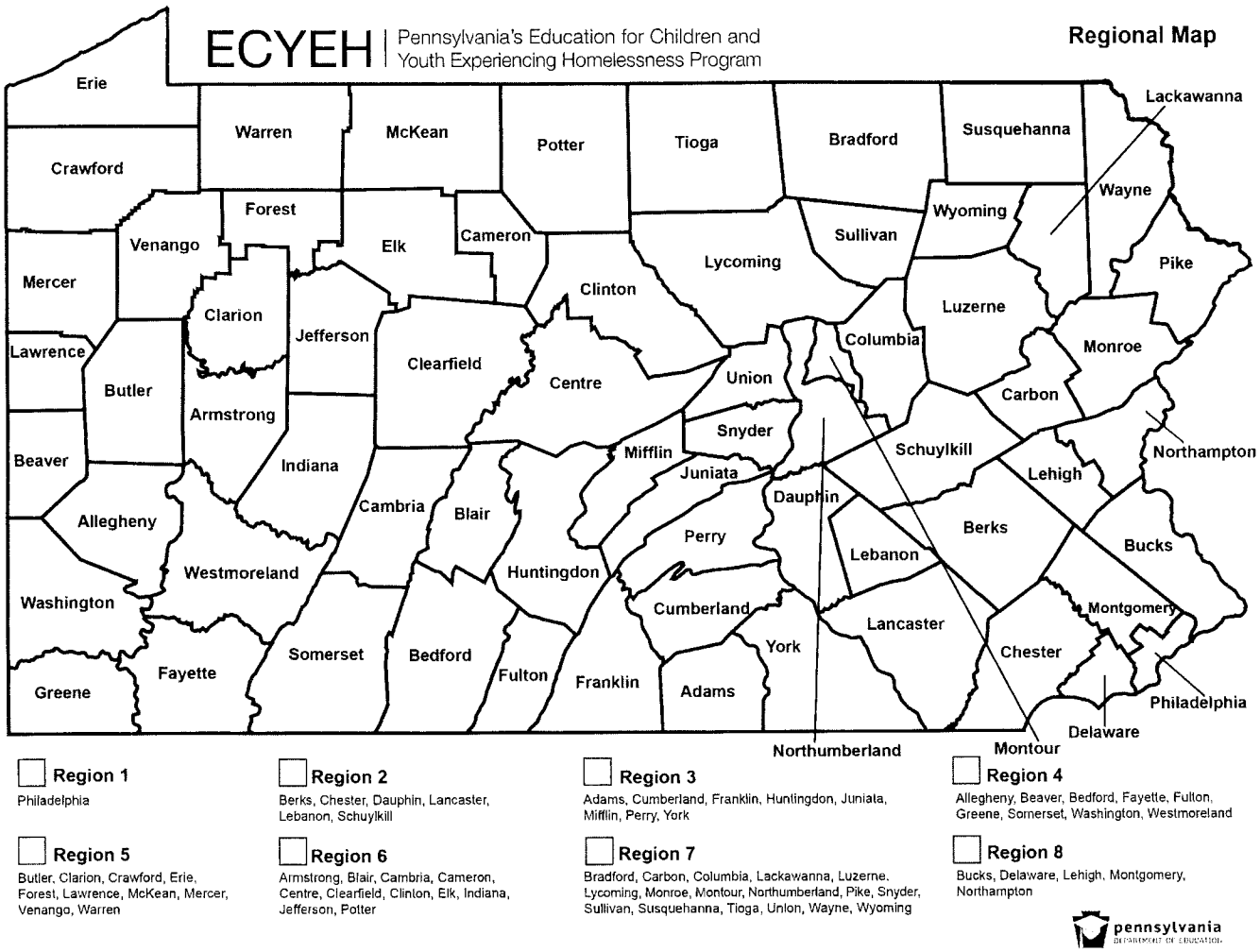
I hereby confirm that I received this notice,

_____

(Signature of parent, guardian or unaccompanied youth)

Pennsylvania's Education for Children and Youth Experiencing Homelessness Site Contact

Regional Contacts



Statewide Contacts

Allegheny Intermediate Unit

Jim Ross, Evaluation Specialist
(724) 777-3846

James.Ross@aiu3.net

Center for Schools and Communities

Karen Lehman, Youth Development Project Manager
Office (717) 763-1661 ext.166
Fax (717) 763-2083
klehman@csc.csiu.org

Taylor Teichman, ECYEH Youth Development Coordinator
Office (717) 763-1661 ext.156
tteichman@csc.csiu.org

Melissa Turnpaugh, ARP-HCY Youth Development Coordinator
Office (717) 763-1661 ext.120
mturnpaugh@csc.csiu.org

PA Department of Education

Storm Camara, State Coordinator
Office (717) 772-2066
scamara@pa.gov

Carmen Medina, Division Chief
Office (717) 783-6464
Fax (717) 783-4392
Mobile (717) 515-3824
cmedina@pa.gov

Region 1

School District of Philadelphia

Alfred B. Quarles, Jr., Regional Coordinator
Office (215) 400-6045
abquarles@philasd.org

Region 1 Website

Region 2

Berks County Intermediate Unit

Melissa DeMotta, Program Specialist
Office (610) 987-8509
Mobile (484) 955-9920
meldem@berksiu.org

Lauren Hammond, Site Coordinator
Office (610) 457-8052
lauham@berksiu.org

Kristen Hoffa, Regional Coordinator
Office (610) 987-8466
Mobile (610) 207-7138
krihof@berksiu.org

Allyssa Kovich, Program Specialist
(610) 987-8441
Phone 2 (610) 607-7197
allkov@berksiu.org

Tabitha Kramer, Program Specialist
Office (610) 987-8509
Mobile (610) 603-6162
tabkra@berksiu.org

Region 2 Website

Region 3

Lincoln Intermediate Unit

Melissa Gosnell, Program Liaison
Office (717) 718-5944
magosnell@iu12.org

Sonia Pitzi, Regional Coordinator
Office (717) 718-5924
Mobile (717) 253-4862
slpitzi@iu12.org

Region 3 Website

Region 4

Allegheny Intermediate Unit

Nicole Anderson, Regional Coordinator
Office (412) 394-5894
Mobile (412) 295-5718
nicole.anderson@aiu3.net

Tracey Finn, Community Liaison
Office (412) 394-1351
Mobile (412) 848-5467
tracey.finn@aiu3.net

Region 4 Website

Region 5

Midwestern Intermediate Unit

Bryda Drumm, Intermediate Unit Liaison
Office (724) 652-6882
Mobile (724) 967-1965
bryda.drumm@miu4.org

Wendy Kinnear, Regional Coordinator
Mobile (724) 730-4859
wendy.kinnear@miu4.org

Sara Krepp, Outreach Homeless Specialist- ARP-HCY
(724) 388-2538
sara.krepp@miu4.org

Braelene Miller, Outreach Homeless Specialist- ARP-HCY
(724) 458-6700
braelene.miller@miu4.org

Northwest Tri-County Intermediate Unit

Yvonne Teed, Site Coordinator
Office (814) 734-8392
yvonne_teed@iu5.org

Riverview Intermediate Unit

Mary Miller, Intermediate Unit Liaison
Office (814) 226-7103

mmiller@riu6.org

Seneca Highlands Intermediate Unit

Melissa Hamilton, Pre-K Counts Coordinator
mhamilton@iu9.org

Region 5 Website

Region 6

ARIN IU 28

Sarah Schroth, Regional Coordinator
Office (724) 463-5300 ext.1203
Mobile (724) 840-8672
sschroth@iu28.org

Irene Walker, Homeless Specialist
Office (724) 463-5300 ext.1207
iwalker@iu28.org

Region 6 Website

Region 7

Luzerne Intermediate Unit

Darci Berti, Program Specialist
Office (570) 718-4607
dberti@liu18.org

Jeff Zimmerman, Regional Coordinator
Office (570) 718-4613
Mobile (570) 301-4990
jzimmerman@liu18.org

Region 7 Website

Region 8

Bucks County Intermediate Unit

Kathy Birsa, Site Coordinator
Office (215) 348-2940 ext.1360
kbirsa@bucksiu.org

Michelle Connor, Regional Coordinator
Office (215) 348-2940 ext.1361
mconnor@bucksiu.org

Region 8 Website