



Salinas City Elementary School District

Dispute Resolution Process

Each LEA must coordinate their efforts on behalf of homeless children and youth with the McKinney-Vento Homeless Education Assistance Improvement Act, Title X, Part C and State Education Agency (SEA) directives. Part of that coordination is to implement the SEAs procedures for the prompt resolution of disputes regarding school selection and enrollment for homeless children and youth. If new or continuing enrollment is denied to a homeless student; the parent, through verbal or written notification. The right to dispute only applies to the student being denied enrollment at the school of origin or the school of residence. The Every Student Succeeds Act, going into effect on October 1, 2016, will add in "eligibility" as another category which a parent may utilize the dispute process.

- In the event of a dispute, the homeless student must be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. Enrollment is defined as "attending classes and participating fully in school activities." [PL 107-110, Section 722(g)(3)(E)(iv)].
- The school must refer the parent, guardian or unaccompanied youth to the LEA's homeless liaison to carry out the dispute resolution process in a timely manner. It is suggested that LEA policy incorporate timelines for each step into the LEA dispute resolution process.
- A written explanation of the school's decision regarding the denial of school selection or enrollment must be provided in the case of a dispute, including the right to appeal. Per PL 107-110, §722(g)(3)(E)(ii), the LEA is obligated to:
 - Inform parents, guardian or unaccompanied youth that they can provide written or oral documentation to support their positions about school selection or enrollment;
 - Inform parents, guardian or unaccompanied youth that they can seek the assistance of social services, advocates, and/or service providers in the dispute process;
 - Provide a simple dispute form that parents, guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute resolution process; and
 - When the dispute form is submitted to the school, provide a copy to the parent, guardian, or unaccompanied youth for his/her records of the outcome of the dispute, even when the dispute is immediately resolved satisfactorily without dispute hearing.
- If the dispute remains unresolved at the LEA level or is appealed, the LEA homeless liaison shall forward all written documentation and related paperwork to the homeless liaison at the County Office of Education (COE). The COE's homeless liaison will review these materials and determine the school selection or enrollment decision within five (5) working days of receipt of the materials. The COE homeless liaison will notify the LEA and parent of the decision in an expeditious manner.
- If the dispute remains unresolved or is appealed, the COE homeless liaison shall forward all written documentation and related paperwork to the State Homeless Coordinator within five (5) working days of the request. Upon the review of the LEA, COE, and parent information, the CDE will notify the parent of the final school selection or enrollment decision within ten (10) working days of receipt of materials.

