



PUTNAM COUNTY SCHOOLS
Achieving Excellence

Putnam County Schools

McKinney-Vento Dispute Resolution Process

Putnam County Schools McKinney-Vento Dispute Resolution Process

Disagreements and disputes shall be resolved as close to the point of conflict as possible. The Attendance Director/McKinney-Vento Liaison shall assist the family and school to ensure compliance with federal and state legislation and policy governing the education of children and youth experiencing homelessness.

If a school chooses to send a child or youth to a school other than the school of origin or the school selected by the family or youth, the school shall consult with the local homeless education liaison prior to making a final placement determination. The school's denial of enrollment is supported by a review of feasibility and best interest, the school/district shall provide the parent or guardian of the child or youth with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision [722(g)(3)(B)(ii)]. If an appeal is requested either in writing or verbally, as outlined in [722(g)(3)(E)], the school shall:

- Immediately admit the student to the school in which enrollment is sought and provide all services for which the student is eligible, pending resolution of the dispute; and
- Refer the child, youth, parent, or guardian to the designated local homeless education liaison who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute.

When a local liaison is notified of an enrollment dispute, the State Coordinator, a location school division staff member, a family or unaccompanied youth experiencing homelessness, or other entity, the liaison shall:

- Initiate documentation on the Enrollment Dispute Resolution form (Refer to Form A);
- Ensure the child or youth is immediately admitted to the school in which enrollment is sought and provided with all services for which the student is eligible, pending resolution of the dispute. Transportation must be arranged while the dispute is being resolved;
- Review feasibility and best interest guidance documents with the school and appropriate central office personnel. (See [722(g)(3)(B)] and the "Determining Feasibility for School Placement" document (Refer to Form B);
- If another county is involved, contact the county's local homeless education liaison to participate in the decision-making process;
- Consult with the State Coordinator for additional technical assistance, as needed; and
- Within ten (10) business days, provide the family or unaccompanied youth and the WVDE, Office Student Services and Health Promotion, State Coordinator with a written determination of the county's placement decision (Refer to Form C) , including the ability to appeal the decision at the state level by contacting the State Coordinator.

When an appeal is made to the state level, the State Coordinator or designee shall:

- Review local school division records to ensure proper procedures were followed; and
- Based on the review of county records, forward a recommendation to the Assistant Superintendent of Instruction and Student Support regarding the appropriate placement for the student within five (5) work days of receiving the appeal.

- The Assistant Superintendent of Instruction and Student Support, or designee, will make the final determination. The family or unaccompanied youth, the county, school(s), and the State Coordinator will be informed by the Assistant Superintendent of Instruction and Student Support within ten (10) business days of receiving the case and recommendation from the State Coordinator for Homeless Education.
- The State Coordinator will provide technical assistance to the school(s) and county, as needed, to comply with the final determination.
- The State Coordinator will follow-up with the school/county thirty (30) business days after the final decision by the Assistant Superintendent of Instruction and Student Support to determine the status of the child or youth's enrollment.

Federal statutes regarding the dispute resolution process:

- If a dispute arises over school selection or enrollment, "the child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute" [722(g)(3)(E)(i)].
- The parent or guardian must be provided with a written explanation of the school's decision regarding school selection, including the right to appeal [722(g)(3)(E)(ii)].
- The parent, guardian, or youth shall be referred to the local homeless education liaison, "who shall carry out the state's dispute resolution procedure as expeditiously as possible after receiving notice of the dispute" [722(g)(3)(E)(iii)].
- "In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute" [722(g)(3)(E)(iv)].

Determining Feasibility for Placement in the School of Origin

The McKinney-Vento Act requires schools to consider the school of origin as the first option in school enrollment. Parents may choose the school of origin or the school in the residence area where the child is living. The following individuals may be consulted in determining what placement is in the child's or youth's best interest:

- The homeless child,
- The parent or caretaker of the homeless child,
- Homeless shelter personnel,
- Representatives of social service agencies,
- School division homeless education coordinators,
- School social works, and
- School counselors

It is the responsibility of the county to determine the school of origin and residence, and to resolve any conflict concerning which school placement is in the best interest of the student. Whenever possible, the county is to comply with the parents'/guardians'/caretakers' wishes. If the county and parents do not agree on the appropriate placement, the state's enrollment dispute resolution procedure must be followed. The student should be enrolled in the school the parents have chosen during the resolution process. If schools of residency and origin are in different counties or school districts and determined as the best placement, the local homeless education liaisons from both counties must work together to arrange transportation.

The McKinney-Vento Act states that when a child has been identified as homeless, residency requirements do not apply. The federal law requires that a child or youth experiencing homelessness attend:

- The school of origin: this is the school that the child last attended before experiencing homelessness or the school where the student was last enrolled; or
- The school of residency: the school identified by the attendance zone in which the student is physically staying.

Enrollment should take place immediately. A form is provided to assist in determining whether school placement decisions are in a student's best interest (Form A).

**McKinney-Vento Homeless Assistance Act
Information for Enrollment Dispute Resolution**

General Information:

Person Completing Form: _____ Date: _____

Enrollment Request Initiated by: _____

Location: _____

Phone Number(s): _____ County/State: _____

School: _____

Name/Age/Grade of Student(s): _____

Child/Youth living with:

- Both Parents
- Mother
- Father
- Legal Guardian
- Unaccompanied Youth
- Other _____

Residing:

- Shelter
- Doubled-up
- Motel
- Car
- Campground
- Other _____

Initial Detail:

Follow-Up:

| DATE | CONTACT | DETAILS of RESOLUTION |
|------|---------|-----------------------|
| | | |

(Copy to be sent to State Coordinator once completed.)

McKinney-Vento Homeless Assistance Act
Determining Feasibility for Placement in the School of Origin

Date: _____

School and County/State: _____

Please provide the following information for the previous schools the child attended, listing the most recent school first:

| Dates of Attendance | School Name/County/State | Living Arrangement at the Time |
|---------------------|--------------------------|--------------------------------|
| | | |
| | | |
| | | |

1. Are the school of origin and the school of residency in the same or different public school divisions?
2. What is the child's desire concerning the school of his/her best interest?
3. What is the opinion of the parent or caregiver concerning the child's school of best interest?
4. What is the distance and time spent on travel from the current residence to the school of origin?
5. If transportation is not currently available back to the school of origin, how can it be arranged?
6. What time of year is it (near the end of the school year, the summer)?
7. How long did the child attend the school of origin? Were meaningful social and educational relationships established?
8. Are there specified people in the school of origin who have been providing support or assistance to the family or child experiencing homelessness?
9. Are there special programs such as gifted, bilingual, or remedial education in which the child has been participating at the school of origin?

10. Based on the knowledge of the family situation, how long is it likely that the family will remain at the current residence?

11. What is the likelihood that the family experiencing homelessness will once again establish residency in the attendance area of the school of origin?

Recommendation:

Individuals consulted on this determination of feasibility for school placement in the student's best interest:

| Name | Signature | Title |
|------|-----------|-------|
| | | |
| | | |
| | | |
| | | |

McKinney-Vento Homeless Assistance Act
Written Notification of Enrollment Decision

To be completed by the LEA/School when an enrollment request is denied:

Date: _____ Person Completing Form: _____ Title: _____

School: _____

In compliance with Sections [722(g)(3)(E) and [722(g)(3)(B)(iii)] of the McKinney-Vento Homeless Assistance Act, the following written notification is provided to:

Parent/Guardian/Caretaker: _____

Student(s): _____

After reviewing your request to enroll the student(s) listed above, the enrollment request is denied. This determination was based upon:

You have the right to appeal this decision by completing the second page of this notice or by contacting the county's homeless liaison:

Liaison's Name: Ruth Garrett
Title: Attendance Director, McKinney-Vento Liaison
Phone Number: 304.586.0500.1117
Address: 9 Courthouse Drive
Winfield, WV 25213

In addition:

- The student listed above has the right to enroll immediately in his/her school of choice pending resolution of the dispute.
- You may provide written documentation to support your position. You may use the form attached to this notification.
- You may seek the assistance of advocates or attorneys.
- You may also contact the State Coordinator at
Phone: 304.558.8833
Address: 1900 Kanawha Blvd. East
Building 6 Room 728
Charleston, WV 25305

(A copy of this document needs to be sent to the State Coordinator as soon as decision is determined.)

McKinney-Vento Homeless Assistance Act
Written Notification of Enrollment Decision

To be completed by the parent, guardian, caretaker, or unaccompanied youth when a dispute arises:

Date Submitted: _____

Student(s): _____

Person Completing Form: _____

Relation to Student(s): _____

I may be contacted at (phone or email): _____

I wish to appeal the enrollment decision made by: (School) _____

I have been provided with:

- A written explanation of the school's decision, and
- Contact information for the local homeless education/McKinney-Vento liaison

Dispute Resolution can be added to form after it is finalized.

Optional: You may include a written explanation to support your appeal in this space.

The school provided me with a copy of this form when submitted: _____ (initials)

State Coordinator/McKinney-Vento
West Virginia Department of Education
Office of Institutional Education Programs
1900 Kanawha Blvd, East
Building 7, Room 728
Charleston, WV 25305
Phone: 304.558.8833