

Mesa Public Schools
Education of Homeless Children and Youth
District-Level Dispute Resolution Process

If the district's Homeless Education Liaison ("Liaison") denies a school selection, enrollment, or transportation request that is based upon the rights of a child under the McKinney-Vento Act, the Liaison will provide to the child, parent, guardian, or other accompanying adult, in writing, the reason for the decision and notice that the decision may be appealed to the district's Director of Title I Services ("Director"). The notice will advise the child, parent, guardian, or other accompanying adult that the child will be immediately admitted to the school in which enrollment is sought and transportation will be provided, pending resolution of the appeal. (**See Form 1**).

The child, parent, guardian, or other accompanying adult who wishes to appeal an adverse decision must start the appeal process by submitting a request for dispute resolution to the Director or Liaison. (**See Form 2**). Upon submission of a request for dispute resolution, the Director will:

1. Confirm that the child has received the opportunity to immediately enroll in the district school in which enrollment is sought, pending resolution of the appeal; and
2. Expeditiously resolve the appeal according to the following dispute resolution procedures:
 - A. The Director will set up an appointment with the Liaison and the person initiating the dispute within five working days of receiving notice of the dispute. The Director will listen to the person's account of the problem, review information from the Liaison, and consider the law and what factors impact the best interest of the child.
 - B. The Director will provide within five working days:
 - i) A written explanation of the decision regarding school selection or enrollment; and
 - ii) Notice of the right to appeal the Director's decision to the State Homeless Education Coordinator and the form with which to initiate such appeal.
(**See Form 3**)

Reference: MPS Governing Board Policy JC-R-VII
McKinney-Vento Act Sec. 722 (g); 42 U.S.C. 11432 (g)

JC-R-F(11) (Revised 09/05/17)

Mesa Public Schools

**Education of Homeless Children and Youth
Written Notification of School Selection,
School Enrollment or Transportation
Feasibility Decision
(FORM 1)**

This form is to be completed by the District Homeless Education Liaison when an enrollment request when a dispute arises over school selection, school enrollment, or transportation feasibility.

Date: _____

Person completing form: _____ Job Title: _____

In compliance with Section 722(g)(3)(E) of the McKinney-Vento Homeless Education Assistance Act, as amended by the Every Student Succeeds Act of 2015, the following written notification is provided to:

Parent or Guardian: _____

Student(s): _____

Regarding Enrollment Request: _____

After reviewing your request to enroll the student(s) listed above, the enrollment request is denied based upon the following: _____

You have the right to appeal this decision by completing the attached appeal form (**Form 2**) or by contacting the Mesa Public Schools Director of Title I Services:

Title I Director
Mesa Public Schools
549 N. Stapley Drive
Mesa AZ 85203
Telephone: 480-472-0246, Fax: 480-472-0296

Please Note:

- The student(s) listed above have the right to immediately enroll in the school of residency or school of origin, pending resolution of the dispute.
- You may use the form attached to this notification to provide evidence to support your position.
- You may contact the state coordinator for homeless education:
Alexis Clermont Bin #2, Arizona Department of Education
1535 W. Jefferson Street, Phoenix, AZ 85007
Telephone: 602-542-4963, Fax: (602) 542-5467
alexis.clermont@azed.gov
- You may seek the assistance of advocates or attorneys.

A copy of our state's Dispute Resolution Process concerning enrollment for students experiencing homelessness is attached.

Mesa Public Schools

Education of Homeless Children and Youth
Request for District-Level Dispute Resolution
(FORM 2)

This form is to be completed by the parent, guardian, caretaker, or unaccompanied youth to appeal the decision of the district Homeless Education Liaison.

Date submitted: _____
Person completing form*: _____
Contact Information: _____
Relationship to student(s): _____
Student(s): _____
School: _____
Date of enrollment decision being appealed: _____

I wish to appeal the enrollment decision made by the district Homeless Education Liaison ("Liaison").

I have been provided with:

- A written explanation of the district Liaison's decision (**Form 1**).
- Contact information for the district Director of Title I Services:

Please return completed form to:
Title I Director
Mesa Public Schools
549 N. Stapley Drive
Mesa, Arizona 85203
Telephone: 480-472-0246
Fax: 480-472-0296

- A copy of the District-Level Dispute Resolution Process concerning enrollment for student's experiencing homelessness.

Optional: You may include a written explanation to support your appeal in the space provided below. _____

*Signature of person completing form _____

Mesa Public Schools

Education of Homeless Children and Youth
Request for State-Level Dispute Resolution
(FORM 3)

This form is to be completed by the parent, guardian, caretaker, or unaccompanied youth to appeal the decision of the district Director of Title I Services upon completion of the district-level dispute resolution process.

Date submitted: _____
Person completing form*: _____
Contact Information: _____
Relationship to student(s): _____
Student(s): _____
School: _____
Date of enrollment decision being appealed: _____

I wish to appeal the enrollment decision made by the district Director of Title 1 Services ("Director").

I have been provided with:

- A written explanation of the Director's decision.
- Contact information for the state's Director for Homeless Education:

Please return completed form to:
Alexis Clermont Bin #2
Arizona Department of Education
1535 W. Jefferson Street
Phoenix, AZ 85007
Telephone: 602-542-4963, Fax-602-542-5467
alexis.clermont@azed.gov

- A copy of the state's Dispute Resolution Process concerning enrollment for student's experiencing homelessness.

Optional: You may include a written explanation to support your appeal in the space provided below. _____

*Signature of person completing form _____

Revised: 09/05/17	ARIZONA DEPARTMENT OF EDUCATION McKinney-Vento Homeless Education PROCEDURE	
SUPERSEDES: All Previous Versions		SHEET - 1 of 3 -
SUBJECT: Dispute Resolution Procedure (Student/Family vs. LEA)		

I. PURPOSE

A. To provide an opportunity for the parent/guardian to dispute a Local Educational Agency (LEA) decision on eligibility, school selection, enrollment or transportation feasibility.

II. BACKGROUND INFORMATION

A. The McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act of 2015, requires State Educational Agencies (SEAs) to have a procedure for the prompt resolution of disputes regarding the educational placement of homeless children and youth.

III. PROCEDURE

A. If a dispute arises over school selection or enrollment, the Local Educational Agency (LEA) must immediately enroll the homeless student in either the school of origin or the school of residency, whichever is sought by the parent, guardian, or unaccompanied youth, pending resolution of the dispute.

B. The LEA must provide transportation to the parent-selected school for the duration of the dispute resolution process.

C. With the help of the LEA Liaison, the parent, guardian, or unaccompanied youth shall work through the expedited Dispute Resolution Process established by the LEA.

D. The LEA shall provide the parent, guardian, or unaccompanied youth with a written notice of the LEA's decision regarding school selection or enrollment and their right to appeal. Confirmation of the written notice to the parent, guardian, or unaccompanied youth shall be provided to the Office of Homeless Education. This can be accomplished by Certified Mail (United States Postal Service) or hand delivery with written signature by parent, guardian, or homeless youth.

E. If the parent, guardian, or unaccompanied youth is dissatisfied with the resolution, he/she may appeal the decision to the state level.

F. Parents, guardians, unaccompanied youths, or public school districts and charter holders may file appeals.

Revised: 09/05/17	ARIZONA DEPARTMENT OF EDUCATION McKinney-Vento Homeless Education PROCEDURE	
SUPERSEDES: All Previous Versions		SHEET - 2 of 3 -
SUBJECT: Dispute Resolution Procedure (Student/Family vs. LEA)		

G. To initiate the state level dispute resolution process, the following must occur within seven (7) work days after receipt of the written notification of the decision made at the district or inter-district office. The parent, guardian, or homeless youth, with assistance from the Homeless Education Liaison, must submit a Notice of Appeal and must forward the following to the Arizona Department of Education, Office of Homeless Education:

1. A copy of the State Level Notice of Appeal Form (page 3); and
2. A copy of the LEAs written decision

H. Upon receipt of a Notice of Appeal, the Homeless Education Director shall, within seven (7) work days, convene a panel of at least two (2) Arizona Department of Education employees, including the State Director for Homeless Education and an additional department employee.

I. This panel shall review the entire record of the dispute, including any written statements submitted, and make a determination based on the child or youth's best interest. Within seven (7) work days of the date the panel convenes, the Arizona Department of Education will issue this decision in writing.

J. The determination of the panel shall be final.

Arizona Department of Education
Office of Homeless Education

State-level Notice of Appeal
(Student/Family vs. LEA)

Student's name _____ Grade level _____

Form completed by _____ Relationship _____

Address _____

City, State, Zip _____

Email _____ Phone _____

School Name: _____ Date: _____

School District/Charter: _____

Homeless Liaison: _____

Did you receive a decision in writing from the school or school district? Yes ___ No ___

If so, when did they give you the written decision? _____

*****Please attach the written decision from the school district to this form. Both documents must be returned to ADE no later than 7 work days after you receive the district decision in writing.**

Why are you appealing the decision? (You may attach additional pages as needed.)
Please explain what rights you feel the school or district has not honored.

**Please return this form to Alexis Clermont Bin #2, Arizona Department of Education, 1535
W. Jefferson Street, Phoenix, AZ 85007 (602) 542-4963 * FAX (602)542-5467
alexis.clermont@azed.gov**

Within 7 work days of receipt at ADE, the entire written record will be reviewed by a panel of Arizona Department of Education employees, including the Director for Homeless Education and an additional department employee. This panel will issue a written decision to all parties involved.
The determination of this panel shall be final.

Revised: 09/5/17	ARIZONA DEPARTMENT OF EDUCATION McKinney-Vento Homeless Education PROCEDURE	
SUPERSEDES: All Previous Versions		SHEET - 1 of 3 -
SUBJECT: Dispute Resolution Procedure (LEA vs. LEA)		

I. PURPOSE

A. To provide an opportunity for a Local Education Agency to dispute another Local Educational Agency's decision on eligibility, school selection, school enrollment or transportation feasibility.

II. BACKGROUND INFORMATION

A. The McKinney-Vento Homeless Education Assistance Improvements Act of 2001 requires the State Educational Agencies (SEAs) have a procedure for the prompt resolution of disputes regarding the educational placement of homeless children and youth.

III. PROCEDURE

A. If a dispute arises over school selection or enrollment, the Local Educational Agency (LEA) must immediately enroll the homeless student in either the school of origin or the school of residency, whichever is sought by the parent, guardian, or homeless youth, pending resolution of the dispute.

B. The LEA must provide transportation to the parent-selected school for the duration of the dispute resolution process and the two LEAs involved in the dispute must split the costs associated with this transportation.

C. The LEA shall provide the other LEA written notice of the LEA's decision regarding school selection, school enrollment or transportation feasibility. Confirmation of the written notice to the LEA shall be provided to the Office of Homeless Education. This can be accomplished by Certified Mail (United States Postal Service), hand delivery with written signature by the other LEA, or email receipt.

D. To initiate the state level dispute resolution process, the following must occur within seven (7) work days after receipt of the written notification of the decision made at the district level or inter-district decision. The LEA must forward the following to the Arizona Department of Education, Office of Homeless Education:

1. A copy of the State Level Notice of Appeal Form (page 3); and
2. A copy of the LEAs written decision

Revised: 09/5/17	ARIZONA DEPARTMENT OF EDUCATION McKinney-Vento Homeless Education PROCEDURE	
SUPERSEDES: All Previous Versions		SHEET - 2 of 3 -
SUBJECT: Dispute Resolution Procedure (LEA vs. LEA)		

E. Upon receipt of a notice of appeal, the Homeless Education Director shall, within seven (7) work days, convene a panel of at least two (2) Arizona Department of Education employees, including the State Director for Homeless Education and an additional department employee.

F. This panel shall review the entire record of the dispute, including any written statements submitted, and make a determination based on the child or youth's best interest. Within seven (7) work days of the date the panel convenes, the Arizona Department of Education will issue this decision in writing.

G. The determination of the panel shall be final.

Arizona Department of Education
Office of Homeless Education

State-level Notice of Appeal
(LEA vs. LEA)

LEA of Origin Name _____

LEA of Residence Name _____

Form completed by _____ Title _____

Homeless Liaison _____ Date _____

Re: Student _____

1. Please explain the nature of the dispute with the other LEA.

2. What do you believe is in the "best interest" of the child/youth? Why do you think so?

3. Please document what has been done, to date, to settle this dispute.

*Please return this form to Alexis Clermont Bin #2, Arizona Department of Education,
1535 W. Jefferson Street, Phoenix, AZ 85007 (602) 542-4963 * FAX (602)542-5467 *
alexis.clermont@azed.gov*

Within seven (7) work days of receipt at ADE, the entire written record will be reviewed by a panel of Arizona Department of Education employees, including the Director for Homeless Education and an additional department employee. This panel will issue a written decision to all parties involved.

The determination of this panel shall be final.