



**TITLE:**

Education of Homeless Children and Youth  
District Level Dispute Resolution Process

**FORM:** JC-R-F(11)

Updated 8/11/2020

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. Expediently 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)

Revised: 3/18/2020	ARIZONA DEPARTMENT OF EDUCATION	
SUPERSEDES: All Previous Versions	McKinney-Vento Homeless Education PROCEDURE	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 eligibility, 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.

Revised: 3/18/2020	<b>ARIZONA</b> <b>DEPARTMENT OF EDUCATION</b>  <b>McKinney-Vento</b> <b>Homeless Education</b> <b>PROCEDURE</b>	
SUPERSEDES: All Previous Versions		SHEET      - 2 of 3 -
<b>SUBJECT:</b> Dispute Resolution Procedure (Student/Family vs. LEA)		

- F. Parents, guardians, unaccompanied youths, or public-school districts and charter holders may file appeals.
- G. To initiate the state level dispute resolution process, the following must occur within seven (7) workdays 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) workdays, 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) workdays 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.



**TITLE:**  
Education of Homeless Children and Youth  
Written Notification of School Selection, School  
Enrollment or Transportation Feasibility Decision

Updated 8/11/2020

**(FORM 1 – Completed by the District Homeless Liaison)**

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

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: \_\_\_\_\_

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After reviewing your request to enroll the student(s) listed above, the enrollment request is denied based upon the following: Please refer to the Mesa Public Schools (MPS) McKinney-Vento Eligibility Determination letter for details.

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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:  
Silvia Chavez, Bin #31, Arizona Department of Education  
1535 W Jefferson Street, Phoenix AZ 85007  
Telephone: 602-542-4963 FAX: 602-542-5467  
Email: silvia.chavez@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.

(Revised 04/17/2020)



TITLE:

Education of Homeless Children and Youth  
Request for District Level Dispute Resolution

Updated 8/11/2020

**(FORM 2 – Completed by the parent, guardian, caretaker, or unaccompanied youth)**

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 have been provided with:

- A written explanation of the District Liaison's decision (**Form 1** & MPS McKinney-Vento Eligibility Determination letter).
- 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 AZ 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 \_\_\_\_\_ Date \_\_\_\_\_

Arizona Department of Education Office of Homeless Education  
**State Level Notice of Appeal**  
(Student/Family vs. LEA)  
**(FORM 3 – Completed by the parent, guardian, caretaker, or unaccompanied youth)**

Student 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 seven (7) 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 Silvia Chavez, Bin #31, Arizona Department of Education,  
1535 W Jefferson Street, Phoenix AZ 85007 Phone: 602-542-4963 FAX: 602-542-5467  
[silvia.chavez@azed.gov](mailto:silvia.chavez@azed.gov)**

Within seven (7) workdays 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.**