

**McKinney-Vento Homeless Education Act of 2001,
Title X, Part C**

DISPUTE RESOLUTION

**As Amended by the No Child Left Behind Act of 2002
Public Law 107-110**

Revised October 2007



**Florida Department of Education
Education of Homeless Children and Youth**

**Florida Department of Education
Education of Homeless Children and Youth**

Dispute Resolution Process

Disputes and disagreements are to be settled as close to the point of conflict as possible. Each Local Educational Agency (LEA) homeless education liaison, hereafter referred to as local homeless 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. The local homeless liaison shall work with appropriate local school division representatives to address any policies or procedures that are identified as barriers in the access to and success within a free appropriate public education. The Florida Department of Education (FDOE) State Homeless Education Coordinator may be consulted at any time for technical assistance.

If a dispute arises over school selection or enrollment, the 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. The LEA must also provide transportation to the selected school for the duration of the dispute resolution process. In cases of an inter-district dispute, the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.

With the help of the local homeless liaison, the parent, guardian, or homeless youth shall work through the expedited Dispute Resolution Process established by the LEA. The LEA shall provide the parent, guardian, or homeless youth with a written notice of the LEA's decision regarding school selection or enrollment and their right to appeal, and copy the local homeless liaison. If the parent, guardian, or unaccompanied youth is dissatisfied with the resolution, he or she may appeal the decision to the FDOE, with the assistance of the local homeless liaison.

The state-level dispute resolution process is available for appeals from district-level decisions and inter-district disputes. Parents, guardians, unaccompanied youths, or public local educational agencies may file appeals. The local homeless liaison is responsible for ensuring that information describing the state-level dispute resolution process and the appropriate forms are available to all parties wanting to file an appeal. To initiate the state-level appeals process, within ten (10) working days after receiving written notification of the district-level or inter-district decision, the parent, guardian, or unaccompanied youth may file an appeal with the local homeless liaison, who must provide it to the FDOE. The local homeless liaison is required to notify the FDOE of the state-level appeal by providing the appeal. The liaison also must log incidents of state-level appeals in the FDOE Online Dispute Resolution Tracking System at <https://data.fldoe.org/homelessdispute>.

Upon receipt of a notice of appeal, the State Homeless Education Coordinator must, within ten working days, convene a FDOE panel, comprised of the Coordinator, the Director of the Title I Programs, and the Chief of the Bureau of Student Assistance. This panel shall review the entire record of the dispute, including any written statements submitted, and make a determination based on the child's or youth's best interest. Within ten working days of the date the panel convenes, the panel shall provide its recommendation to the Commissioner of Education. Within ten working days of receipt of the recommendation, the Commissioner shall make the final determination. For educational purposes, the decision of the Commissioner in such cases is final. The FDOE will provide a written decision regarding the appeal to all parties involved, including the LEA homeless liaison.

Florida Department of Education Dispute Resolution Process
October 2007

Step	Process
Step 1 - School Enrollment	<ol style="list-style-type: none"> 1. A parent or a guardian of a homeless student has the right to enroll his or her child or youth in either the school of origin, which may be the last school attended by the student when permanently housed (to the extent feasible, and if in the best interest of the homeless student) or the school which serves the location where the student currently resides. 2. The LEA or school must provide to the parent, guardian, or unaccompanied youth, written information regarding school selection or enrollment options available to homeless students under the McKinney-Vento Act [Section 722(g)(3)(C)]. 3. If a school selection or enrollment dispute develops over the selection or enrollment options available under the McKinney-Vento Act, the LEA or school must immediately enroll the homeless child or youth to the school in which enrollment is sought by the parent or guardian, pending resolution of the dispute. 4. In the case of an unaccompanied youth, the local homeless liaison ensures the youth is immediately enrolled in school pending resolution of the dispute.
Step 2 - Enrollment Dispute	<ol style="list-style-type: none"> 5. If a school selection or enrollment resolution is not reached at the school level, the LEA or school must notify the local homeless liaison of the dispute, and refer the parent, guardian, or unaccompanied youth to the local homeless liaison. 6. The local homeless liaison carries out the dispute resolution process within ten working days of receiving the dispute notice from the LEA or school. 7. On or by the tenth working day, the LEA or school shall provide a written explanation of the school selection decision to the homeless child's or youth's parent or guardian. [Section 722(g)(3)(B)(ii)]. This decision should include a statement regarding the right to appeal the LEA-level decision to the Florida Department of Education (FDOE). 8. The local homeless liaison shall report each LEA-level incident of a school selection/enrollment dispute in the FDOE's Dispute Resolution Tracking System which is located at: https://data.fldoe.org/homelessdispute.
Step 3 – State-level Appeal Process	<ol style="list-style-type: none"> 9. The local homeless liaison must provide the <i>FDOE School Dispute Resolution Appeal Process</i> form to the parent, guardian, or unaccompanied youth. This form is available at http://www.fldoe.org/bsa/title1/titlex.asp and in Appendix C. 10. The parent, guardian, or unaccompanied youth may file an appeal, within ten working days after receiving the written notification of the LEA-level school selection or enrollment decision with the local homeless liaison, who must provide it to the FDOE. 11. The local homeless liaison is required to notify the FDOE of the state-level appeal by providing the appeal. The liaison also must log incidents of state-level appeals in the FDOE Online Dispute Resolution Tracking System at https://data.fldoe.org/homelessdispute. 12. Upon receipt of a notice of appeal, the State Homeless Education Coordinator must, within ten working days, convene a FDOE panel, comprised of the Coordinator, the Director of the Title I Programs, and the Chief of the Bureau of Student Assistance. 13. This panel shall review the entire record of the dispute, including any written statements submitted, and make a determination based on the child's or youth's best interest. 14. Within ten working days of the date the panel convenes, the panel shall provide its recommendation to the Commissioner of Education. 15. Within ten working days of receipt of the recommendation, the Commissioner shall make the final determination. For educational purposes, the decision of the Commissioner in such cases is final. 16. The FDOE will provide a written decision regarding the appeal to all parties involved, including the LEA homeless liaison.

Florida Department of Education Education of Homeless Children and Youth Dispute Resolution Tracking System

The local homeless liaison will report each incident of a local-level “Original” dispute and a state-level “Appeal” of the local-level dispute, if applicable, through the FDOE Online Dispute Resolution Tracking System. To access the system, the liaison should follow the instructions below:

1. Access the system at: <https://data.fldoe.org/homelessdispute>.
2. The initial login requires the user to enter a “Username” ([REDACTED]), and “Password” ([REDACTED]).
3. The next screen requires the user to change his/her password (the old password is the [REDACTED]).
4. Once the user enters a new password, a screen will appear, informing the user that the password has been changed successfully. A link is provided for the user to continue to the “Main Menu,” which prompts a link to submit a new record.
5. Below is a picture of the screen that allows the liaison to submit a record of the district-level dispute, including the reason and outcome, in the “Reason” text box.
6. All district-level disputes will be tracked in the system, whether they are appealed or not. The “Type of Report” in these disputes will be “Original.”
7. If a district-level dispute is appealed to the state, the “Type of Report” will be “Appeal.”

The FDOE Homeless Education Coordinator will have access to the system to provide comments per original dispute or appeal. LEAs will not be able to edit their original dispute or appeal after the FDOE Homeless Education Coordinator has made an entry for that particular incident. Should you experience difficulty accessing the system, please contact the Bureau of Student Assistance at 850-245-0415.

Florida Department of Education - Education of Homeless Children and Youth Dispute Resolution T - Microsoft Internet Explorer

Address <https://data.fldoe.org/homelessdispute/default.cfm?action=addEditRecord>

Education of Homeless Children and Youth Dispute Resolution Tracking System

Main Menu You are logged in as Alachua. Log Out

Information regarding student's address, phone number, and information protected by the Family Educational Rights and Privacy Act (FERPA) and Protection of Pupil Rights Amendment (PPRA)

Complete the following form. All fields are required.

Student First Name:

Student Last Name:

Student ID:

Grade Level: -- select --

School: --- select a school ---

Date of Notification of Dispute (mm/dd/yyyy):

Type of Report: Original Appeal

Reason for Dispute (limited to 4000 character or about 660 words):

submit



Florida Department of Education

**School Dispute Resolution Appeal Process Form
(Student vs. School District)**

School District Name: _____

Student's Name/I.D. #: _____

Student's Grade: K 1st 2nd 3rd 4th 5th 6th
 7th 8th 9th 10th 11th 12th

Requested School Name: _____

Requested School Address: _____

Requested School Phone: _____

Is the requested school the same as the school of origin? Yes No

If "No," what is the name of the school of origin: _____

Local Homeless Liaison: _____

Liaison's Phone: _____

The following should be filled out by the parent, guardian, unaccompanied youth, or other designee:

Did you receive a school placement decision in writing from the local homeless liaison, school, or school district that included information on your right to appeal this decision? Yes No

If "Yes," when did you receive it? Date: _____

Why are you appealing the school district's decision? (Please attach additional pages as needed.)

Which rights do you feel the school or school district have not honored? (Please attach additional pages as needed.) _____

Form completed by: _____

Relationship: Parent Guardian Unaccompanied Youth Other: _____

Current Phone: _____

Current Address: _____

Signature of Person Completing Form

Date

Note: Please return this form and a copy of the written school placement decision to the Florida Department of Education no later than ten days after you receive the school district's written decision.

Please have the homeless liaison fax this form with the accompanying document(s) to:

**Florida Homeless Education Coordinator
Florida Department of Education
850-245-0697**



Florida Department of Education

**School Dispute Resolution Appeal Process Form
(School District vs. School District)**

Date: _____

School District 1: Name of school district/state filing dispute: _____

Name of person completing form: _____

Person's Title: _____

Current Phone: _____

Current Address: _____

Local Homeless Liaison for School District 1: _____

Current Phone: _____

School District 2: Name of school district /state that dispute is being filed against: _____

Contact Name: _____

Current Phone: _____

Current Address: _____

Student's Name/I.D. #: _____

Student's Grade: K 1st 2nd 3rd 4th 5th 6th
 7th 8th 9th 10th 11th 12th

Requested School Name: _____

Requested School Address: _____

1. Please explain the nature of the dispute with the other school district. (Please attach additional pages as needed.)
2. What do you believe is in the "best interest" of the child/youth? Why? (Please attach additional pages as needed.)
3. Please document what has been done to date to settle this dispute. (Please attach additional pages as needed.)

Signature of Person Completing Form

Date

Please have the homeless liaison fax this form with the accompanying document(s) to:

**Florida Homeless Education Coordinator
Florida Department of Education
850-245-0697**

**SAMPLE
School District Name
School Dispute Resolution Process**

Requested School Name: _____

Requested School Address: _____

Requested School Phone/Fax: _____

Is this the school of origin? (School of origin is defined as the school that the child attended when permanently housed or the school in which the child was last enrolled.) Yes No

If "No," provide the name and address of the last school the child attended: _____

Student's Name/I.D. #: _____

Student's Grade: K 1st 2nd 3rd 4th 5th 6th
 7th 8th 9th 10th 11th 12th

Student's Current Address: _____

Student's Current Phone: _____

Parent/Guardian/Disputing Party's Name: _____

Relationship: Parent Guardian Unaccompanied Youth Other

Current Address: _____

Current Phone: _____

Does the student live in a shelter? Yes No

Reason for dispute: _____

Principal's Actions on the Dispute

Local homeless liaison was notified of the dispute on this date: _____

Principal took action within how many school day(s) after receiving notice of dispute: _____

Describe action taken by the principal to resolve the dispute: _____

Was the dispute resolved? Yes No

Provide explanation below (provide additional pages, if needed): _____

If the dispute was not resolved, did the school or liaison provide the parent, guardian, or unaccompanied youth with a written school placement decision that included information on his/her right to appeal this decision to the school district? Yes No

Signature of Principal or Local Homeless Liaison

Date

SAMPLE
School District Name
School District Dispute Resolution Process

Requested School Name: _____

Requested School Address: _____

Student's Name/I.D. #: _____

Student's Grade: K 1st 2nd 3rd 4th 5th 6th
 7th 8th 9th 10th 11th 12th

School District's Actions on the Dispute

The local homeless liaison was notified of the dispute on this date: _____

The school district took action within how many school day(s) after receiving notice of dispute: _____

Was the dispute resolved to the satisfaction of the parent, guardian, or unaccompanied youth? Yes No

Did the local homeless liaison carry out the dispute resolution process? Yes No

If the dispute was resolved, describe the actions taken by the local homeless liaison to resolve the dispute to the satisfaction of the parent/guardian or unaccompanied youth: _____

If the dispute was not resolved to the satisfaction of the parent/guardian or unaccompanied youth, provide the date that the school district representative convened a meeting of the involved parties and briefly describe the outcome of the meeting:

Date meeting convened: _____

Outcome: _____

Please attach to this form the written decision that was given to the homeless child's or youth's parent/guardian or unaccompanied youth. Did the decision include a statement regarding the right to appeal its decision to the Florida Department of Education (FDOE)? Yes No

On what date did the liaison logged in the dispute incident in the FDOE Online Dispute Resolution Tracking System at <https://data.fldoe.org/homelessdispute/>? _____

On what date did the local homeless liaison provide the FDOE *School Dispute Resolution Appeal Process* form to the parent, guardian, or unaccompanied youth? _____

On what date, if applicable, did the local homeless liaison notify the FDOE that the parent/guardian or unaccompanied youth filed a state-level appeal? _____

If there is an appeal to the FDOE, on what date did the liaison logged in the dispute appeal in the FDOE Online Dispute Resolution Tracking System at <https://data.fldoe.org/homelessdispute/>? _____

Signature of Local Homeless Liaison or School District's Designee

Date