

*McKinney-Vento Homeless Education Act of 2015,
Every Student Succeeds Act, Title IX, Part A
For the education of children and youth
experiencing homelessness*

DISPUTE RESOLUTION PROCESS

*As Amended by the Every Student Succeeds Act of 2015
Public Law 114-95*

Pinellas County Schools

**Homeless Education
3815 43rd St. N
St. Petersburg, FL 33714**

**Pinellas County Homeless Education Liaison: Erika Gist
727-507-4766**

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

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Dispute Resolution Process

The Pinellas County School District seeks to act in the best interest of all students, including those experiencing homelessness. When disputes or disagreements arise, it is best to resolve them locally and in a timely manner. The district's Homeless Student Policy #5111.01 ensures compliance with federal and state legislation and policy governing the education of children and youth experiencing homelessness. The policy designates a homeless liaison to assist a parent, guardian, or an unaccompanied homeless youth (UHY) and the school in navigating the dispute resolution process and, if necessary, accessing the state-level dispute resolution process. 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 Office of the State Coordinator for the Florida McKinney-Vento Program (FLMVP) may be consulted at any time during the dispute resolution process.

To comply with s.722(g)(3)(E) of the McKinney-Vento Act (MVA), as amended by the *Every Student Succeeds Act* (Title IX, Part A, Public Law 114-95), if a school, in consultation with the homeless liaison, denies a student eligibility, enrollment, or school placement under the MVA, the homeless liaison or school shall provide the parent, guardian, or UHY a written explanation of the school's decision regarding eligibility for MVA rights. The right to appeal the decision and the process to be followed will be included in this written notice. The school's initial determination process must not take so much time as to threaten the immediate enrollment provision of the MVA.

The homeless liaison maintains a copy of such written notification of appeal. When a parent, guardian or UHY appeals an eligibility or enrollment or school placement determination, in writing or verbally, the district shall:

1. Immediately enroll the student into the MVA-eligible school of origin or the school of residency in which enrollment is sought and provide all services for which the student is eligible, pending resolution of the dispute;
2. Refer the parent, guardian or UHY to the district's homeless liaison to carry out the local dispute resolution process as expeditiously as possible once notified, and;
3. Ensure the UHY is informed of his or her rights throughout the process as stated in the responsibilities of the local liaison.

If the parent, guardian or UHY disagrees with the district's decision after all local appeals are exhausted, he or she can appeal to the FLMVP. The parent, guardian, or UHY, with the assistance of the homeless liaison, will initiate the state-level appeal process by submitting (via email) a completed McKinney-Vento Act Written Explanation of Eligibility or School Selection of Enrollment Dispute Decision Form, and other related documentation, to the state coordinator. The homeless liaison also will also submit documentation of the local dispute resolution effort.

Upon receipt of a notice of appeal, the FLMVP state coordinator, or designee, shall:

- inform the parent, guardian or UHY and the homeless liaison that an appeal has been received;
- review records and information provided by the appealing parent, guardian or UHY and the district;
- provide the parent, guardian or UHY and the homeless liaison with a determination of eligibility after receiving the dispute notification.

Florida Department of Education Dispute Resolution Process

Step	Process
<p>Determine MVA Eligibility And School Selection and Enrollment</p>	<ol style="list-style-type: none"> 1. At the beginning of the school year or at the initial registration, parents, guardians, or UHY complete an Enrollment Form/Residency Questionnaire, which is included in the school enrollment packet. If a student is enrolling or withdrawing due to a change in their living situation, enrollment staff will use discretion to confidentially determine if it may be because of a loss of housing and they may be eligible for MVA benefits and services. 2. The parent or guardian of an MVA student, or UHY has the right to enroll the student in either the school of origin, which may be the last school attended by the student when permanently housed (if in the best interest of the MVA student) or the school which serves the location where the student currently resides. 3. The school-based staff shall provide written information (MVA Eligibility Card, HEAT Brochure, Flyer, or second page of Enrollment Form/Residency Questionnaire) to the parent, guardian or UHY about the provisions of the MVA: <ol style="list-style-type: none"> a. The educational rights of students who qualify for MVA benefits. b. Information regarding school selection or enrollment options available to homeless students under the MVA. c. The right to appeal, if they disagree with the school’s determination of MVA eligibility, enrollment, or the school placement. 4. Once student’s MVA eligibility and school selection are confirmed by school-based staff or the homeless liaison, the school shall: <ol style="list-style-type: none"> a. Immediately enroll the student, even if missing full documentation. b. Arrange transportation to the school of origin, if applicable and if requested by the parent, guardian or UHY; c. Makes sure the school’s food services manager knows that the student is enrolled in the Free Lunch Program; 5. The school-based MVA Contact (with assistance from the homeless liaison, as needed): <ol style="list-style-type: none"> a. Assists in securing enrollment-related documents for newly enrolling students; b. Provides school supplies; and c. Begins to identify and remove other barriers to regular attendance, full participation and academic achievement.
<p>MVA Eligibility Dispute</p>	<ol style="list-style-type: none"> 1. If the parent, guardian or UHY disagrees with the MVA eligibility determination, the district will provide an explanation and justification of the determination of ineligibility based on the MVA definition of homelessness. Answer their questions, and unless they still disagree, move forward in the placement process according to district policy. 2. If the parent, guardian or UHY still disagrees, the homeless liaison is notified and shall: <ol style="list-style-type: none"> a. Review information and rationale provided by school-based staff and correct any misunderstandings of the MVA provisions; b. Interview the parent, guardian or UHY to gather their eligibility rationale and correct any misunderstandings of the MVA provisions. c. Consult with other relevant school or district staff, or request technical assistance from the state coordinator; d. If these corrections resolve the disagreement, then discontinue the dispute resolution process. e. If the disagreement continues, the school or the homeless liaison will conduct a best interest analysis (using the Residency Questionnaire and relevant information) and prepare a written notice of determination for the parent, guardian, or UHY regarding the school’s decision and the rationale for that decision (using the Written Explanation of Eligibility or School Selection of Enrollment Dispute Decision form). 3. If the parent, guardian or UHY and school agree to abide by the homeless liaison’s recommendation, proceed forward in the placement process according to district policy in a manner that assures little or no missed classroom time for the student.

Step	Process
	<ol style="list-style-type: none"> 4. If the parent, guardian or UHY or school disagrees with the homeless liaison's recommendation, the homeless liaison shall: <ol style="list-style-type: none"> a. Explain that the parent, guardian or UHY may appeal to the state coordinator for a final determination, and that they need to quickly initiate an appeal, verbally or in writing, and prepare a rationale for their child's or youth's eligibility. b. Explain that the parent, guardian or UHY can engage advocates to assist them in the preparation of an appeal and that the homeless liaison is available to assist in processing the appeal. c. When the parent, guardian or UHY files an appeal to the state coordinator: <ol style="list-style-type: none"> i. Prepare and submit the appeal and related documentation by email to the state coordinator, and ii. Attach the final local determination statement with the explanation given to the parent, guardian or UHY; related documents and contact information for the homeless liaison and parent, guardian or UHY; and provide copies of documents submitted to the parent, guardian or UHY. d. Enroll or place the student immediately in the MVA-qualified school desired by the parent, guardian or UHY. e.
MVA Enrollment or School Placement Dispute	<ol style="list-style-type: none"> 1. When the parent, guardian or UHY and the school disagrees on the school selection or enrollment, the school will refer the case to the homeless liaison, providing a description of the case and the steps taken. 2. The school will provide written information to the parent, guardian or UHY and review with them, in a manner that they can understand (MVA Eligibility Card, HEAT Brochure, Flyer, or second page of Enrollment Form/Residency Questionnaire): <ol style="list-style-type: none"> a. The educational rights of students who qualify for MVA benefits, including their right to remain at their school of origin with transportation, if requested by the parent, guardian or UHY, and if it is in the student's best interest; and b. The right to appeal, if they disagree with the school's determination of eligibility. 3. The homeless liaison is notified and shall: <ol style="list-style-type: none"> a. Review information and rationale provided by school-based staff and correct any misunderstandings of the MVA provisions; <ol style="list-style-type: none"> i. Be sure that all parties understand that 1) the MVA "presumes" that keeping the child in the school of origin is in the best interest of the child and 2) the student will be enrolled in the eligible school selected by the parent, guardian or UHY for the duration of the Dispute Resolution Process. b. Interview the parent, guardian or UHY to gather their eligibility rationale and correct any misunderstandings of the MVA provisions. c. Consult with other relevant school or district staff, or request technical assistance from the state coordinator; 4. If, at any point after initially wanting to dispute the homeless liaison's determination, the parent, guardian or UHY decides not to continue the dispute, carry out the district's recommendation in a manner that assures little or no missed classroom time for the student. 5. If the parent, guardian or UHY or school disagrees with the homeless liaison's recommendation, the homeless liaison shall: <ol style="list-style-type: none"> a. Conduct a best interest analysis (using MVA Best Interest Determination for School Placement Worksheet and Checklist as reference) and prepare a written notice of determination for the parent, guardian or UHY regarding the school's decision and the rationale for that decision (using the Written Explanation of Eligibility or School Selection of Enrollment Dispute Decision form). b. Provide a dated written notice of the final local school selection determination and

Step	Process
	<p>explain to the parent, guardian or UHY in a language and manner that the parent, guardian or UHY can understand.</p> <p>7. If the parent, guardian or UHY further disagrees with the homeless liaison's recommendation, the homeless liaison shall:</p> <ol style="list-style-type: none"> a. Explain that the parent, guardian or UHY may appeal to the state coordinator for a final determination and that they need to notify the homeless liaison, verbally or in writing, and prepare a verbal or written rationale for how their school selection is in their child's or youth's best interest; explain that the parent, guardian or UHY can engage advocates to assist them in the preparation of an appeal and that the homeless liaison is available to assist in preparing their appeal. b. If they choose not to pursue the appeal, then proceed per the school's or program's determination. c. When the parent, guardian or UHY files an appeal, prepare and submit the documentation by email to the state coordinator; attach the final local determination statement with the explanation given to the parent, guardian or UHY, related documents, and contact information for the homeless liaison and parent, guardian or UHY; and provide copies of submitted documents to the parent, guardian or UHY, and provide the parent, guardian or UHY with the state coordinator's contact information. d. Enroll or place the student immediately in the parent's or UHY's desired MVA-eligible school.
<p>State-level Appeal Process for MVA Eligibility And School Selection and Enrollment</p>	<p>The state coordinator will:</p> <ol style="list-style-type: none"> 1. Inform the homeless liaison and the parent, guardian or UHY that an appeal has been received; 2. Review the records and information submitted by the district, parent, guardian or UHY; 3. Prepare the state coordinator's Recommendation and Written Explanation; 4. Provide the family/UHY and the homeless liaison with the final determination; and 5. Note date of the final determination. 6.

**Pinellas County Schools
McKinney-Vento Act**

Written Explanation of Eligibility or School Selection of Enrollment Dispute Decision

Date of District's Determination: _____

This notice is provided to:

Name of Parent, Guardian or Unaccompanied Homeless Youth (UHY): _____

Names of Student(s) for this determination: _____

In compliance with s.722(g)(3)(B)(iii) and 722(g)(3)(E) of the McKinney-Vento Act (MVA) as amended by the *Every Student Succeeds Act* (Title IX, Part A of P.L.114-95), the following written notification addresses denial of a request for (check one):

- Eligibility: the student's living situation **does not meet** the homeless definition in the MVA for related services and benefits.
- School Selection: the school or school district determined that immediate enrollment in the following school is in the best interest of this child or youth (check one):
 - Name of school of origin: _____
 - Name of school of current residency: _____
 - Name(s) of other school(s) that students in the attendance area are eligible to attend:

This determination was based upon:

Determination Implementation Date: _____

You have the right to appeal this decision to the school district's homeless liaison. To initiate the dispute process, submit the second page of this notice to the school district's homeless liaison or contact the liaison by phone before the Determination Implementation Date noted above. The liaison will provide you with the details of the dispute resolution process, once an appeal is made.

Homeless Liaison's Name: Erika Gist

Phone Number: 727-507-4766 Email: giste@pcsb.org

Person Completing Form: _____

Title: _____

School: _____ School District: Pinellas County

A copy of this form was provided to me: _____
Signature of Parent, Guardian or UHY Date

**Pinellas County Schools
McKinney-Vento Act**

Written Explanation of Eligibility or School Selection or Enrollment Dispute Decision

If you disagree with this determination:

- Make an appeal to the school district’s homeless liaison verbally or in writing, exercising the listed student’s right to enroll immediately in the school selected by the parent, guardian or UHY (based on options provided in the MVA), pending resolution of the dispute.
- Explain your disagreement verbally or in writing by completing this form.
- Notify the homeless liaison if you are an English language learner, use a native language other than English, or need additional support because of a disability.
- You may seek the assistance of others in explaining your case.
- You may contact the Office of the State Coordinator for the Florida McKinney-Vento Program (FLMVP) at 850-245-9946 to discuss this determination.

The information below should be completed by the parent or guardian, or unaccompanied homeless youth, with assistance, if necessary, to begin an appeal if there is disagreement with the determination. This information may be shared by completing this form or speaking with the homeless liaison.

1. Date the homeless liaison was contacted to initiate the appeal: _____

- by phone in person by email dropped off at the homeless liaison’s office

other (explain): _____

2. Name(s) of Student(s): _____

3. Person Completing Form: _____

4. Relationship to Student(s): _____

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

6. I wish to appeal the decision made by _____ (name of school or program).

7. I have been provided with (check all you have received):

- a written explanation of the school placement determination
- contact information for the local homeless liaison
- information about the MVA appeals process

8. Provide a written explanation in this space to support your appeal (attach additional pages, if necessary):

Respectfully Submitted,

Signature of Parent, Guardian or UHY

Date

**Pinellas County Schools
McKinney-Vento Act
Best Interest Determination for School Placement Worksheet**

Name(s) of Student(s): _____ Date: _____

Name of Parent/Guardian: _____ Phone #: _____

Address: _____

Person completing the worksheet: _____ Phone #: _____

Individuals consulted while making this best interest determination for school placement:

Housing Stability: Housing History Table

1. What is the history of student’s housing? When was housing originally lost? What were the circumstances? What are the barriers to maintaining housing (e.g., history of evictions, multiple doubled-up arrangements)?	
2. Based on the knowledge of the family’s or unaccompanied homeless youth’s (UHY) situation, how long is it likely that the family or youth will remain at the current residence?	
3. What is the likelihood that this family or UHY will once again establish residency in the attendance area of the school of origin?	

Education Stability: Education History Table

Prior School(s) and School District(s)	Grade Level(s)	Dates of Attendance	Living Arrangement at the Time

Placement Determination/Preference Table

	Placement Determination/Preference	Rationale
School and District		
Parent/Guardian/UHY		

**Pinellas County Schools
McKinney-Vento Act**

Checklist for Comparing School Selection Options for Homeless Children and Youth

In each row of the table below, check the box that best reflects the circumstances of the student. At the bottom of the form, and on the back if necessary, provide details for the best interest profile. Share the completed checklist with the parent, guardian or UHY and answer their questions.

School of Origin (SoO) Considerations		Other MVA-Eligible School Considerations	
<input checked="" type="checkbox"/>	Presumption that remaining in SoO is in student's best interest.		
<input type="checkbox"/>	Parent prefers to enroll student in the SoO.	<input type="checkbox"/>	Parent prefers to enroll student in zoned school.
<input type="checkbox"/>	Student attended the SoO for at districtst one full school semester.	<input type="checkbox"/>	Student attended the SoO for less than one full school semester.
<input type="checkbox"/>	School year is in the 2nd semester.	<input type="checkbox"/>	School year is in the 1st semester.
<input type="checkbox"/>	Student has siblings who are enrolled in the SoO.	<input type="checkbox"/>	Student has siblings who are enrolled in the zoned school.
<input type="checkbox"/>	Student has strong, positive peer attachments.	<input type="checkbox"/>	Student has few positive peer attachments.
<input type="checkbox"/>	Student has strong attachments to teachers or other school staff.	<input type="checkbox"/>	Student has poor or few attachments to teachers or other school staff.
<input type="checkbox"/>	Student has a record of good academic performance at SoO.	<input type="checkbox"/>	Student has a record of poor academic performance at SoO.
<input type="checkbox"/>	Student has a record of less than 10% days absent at SoO.	<input type="checkbox"/>	Student has a record of more than 10% days absent at SoO.
<input type="checkbox"/>	Student has a record of no or low discipline incidents at SoO.	<input type="checkbox"/>	Student has a record of moderate or frequent discipline incidents at SoO.
<input type="checkbox"/>	School curricula are different or at a significantly different pace at zoned school.	<input type="checkbox"/>	School curricula are the same or similar and at a similar pace at SoO.
<input type="checkbox"/>	Zoned school does not offer all classes student needs to graduate, but SoO does.	<input type="checkbox"/>	Zoned school offers classes student needs to graduate.
<input type="checkbox"/>	Student is involved in special programs at the SoO that are not offered at the zoned school.	<input type="checkbox"/>	Student is involved in special programs at the SoO that are also offered at the zoned school.
<input type="checkbox"/>	Student has a record of low housing stability.	<input type="checkbox"/>	Student has a record of high housing stability.
<input type="checkbox"/>	Estimated travel time is within state age-adjusted standards.	<input type="checkbox"/>	Estimated travel time is longer than state age-adjusted standard.
<input type="checkbox"/>	Specific safety concerns exist related to zoned school attendance.	<input type="checkbox"/>	Specific safety concerns exist related to continued SoO attendance.

Notes: _____

