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McKinney-Vento Homeless Education Dispute Resolution Procedure

1. Background

- The McKinney-Vento Homeless Assistance Act (MV) provides important protections and rights for homeless children and unaccompanied homeless youth. It provides direction for districts when disputes occur regarding student eligibility, school selection, or enrollment. This document addresses disputes regarding eligibility, school selection, or enrollment. Guidance for eligibility, enrollment, school selection and other decisions are provided in the McKinney-Vento Act, with detailed support provided in the US Department of Education (USDE) Education for Homeless Children and Youths Program Non-Regulatory Guidance; Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended in March 2017 by the Every Student Succeeds Act (ESSA).
- The MV Homeless Assistance Act acknowledges that disputes may arise between the school district or charter school and homeless students and their parents/guardians regarding the education of homeless children and youth. In determining the best interest of the child, each school district or charter school shall presume that keeping the student in his or her school of origin is in the student's best interest, except when doing so is contrary to the request of the parent, guardian, or unaccompanied youth. The district or charter school shall also consider the impact of moving schools on achievement, education, health, and safety. In addition, the district or charter school must provide transportation to and from the school of origin.

2. Procedure

- Each school district or charter school must have a local dispute resolution process in place. If the dispute is not resolved at the local level, the dispute is then under the jurisdiction of the Utah Board of Education's (USBE) State Homeless Education Director.
- A parent, guardian, unaccompanied youth, McKinney-Vento liaison, or a school district representative should complete the USBE dispute resolution form and submit it to the State Homeless Education Director along with the following:
 - A copy of the LEAs written decision
 - Any written statements
 - Any supporting documents of the dispute
- The student shall remain attending the school in which enrollment is sought – pending final resolution of the dispute.
- Upon receipt of the dispute resolution form, the State Homeless Education Director will convene, within seven (7) business days, a panel of USBE employees to review the entire record of the dispute.
- Within seven (7) business days from the date the panel convenes, the State Homeless Education Director will issue a decision in writing to all parties involved.
- The State McKinney Vento Director's determination of the dispute shall be final.

McKinney-Vento Homeless Education Dispute of Eligibility, School Selection, or Enrollment

This form will start the dispute resolution process required by the McKinney-Vento Homeless Assistance Act when a parent, guardian, or unaccompanied youth disagrees with the school districts or charter school's eligibility, school selection, or enrollment decision.

Directions: Complete this form and submit with a copy of the school district or charter school's written decision and other supporting documents related to the dispute to the *State Homeless Education Director, Jeff Ojeda*, via mail to *Utah State Board of Education 250 East 500 South, PO Box 144200, Salt Lake City, UT 84114* or email at jeff.ojeda@schools.utah.gov.

Form Completed by

Date: _____

First Name: _____

Last Name: _____

Job Title/Relationship: _____

Email: _____

Phone Number: _____

Student Information

Student's Full Name: _____

Grade Level: _____

Age: _____

School Name: _____

School district/Charter school Name and Number: _____

