

Procedures JCR

Procedure for Resolving School Enrollment Disputes for Homeless Students Under the McKinney-Vento Homeless Education Assistance Improvements Act of 2001

Introduction: Varying interpretations of homelessness, school placement and Mississippi residence law have led to confusion and in certain instances have prevented homeless students from enrolling in and attending school. A homeless student has the right to attend either their “school of origin”, which is the school that the student attended when permanently housed or the school in which the student was last enrolled. If that school is not in the student’s best interest based on feasibility or the wishes of the parent/guardian or unaccompanied youth, the student may attend the local school. Disputes regarding school placement decisions should be promptly resolved and students should be enrolled in the school requested while placement disputes are resolved.

Procedure:

1. If a parent/guardian or, in the case of unaccompanied youth, a student requests a school placement with which the district homeless liaison disagrees, the student must be enrolled in the school of his or her choice while the dispute is resolved. The District must give the student, in writing, an explanation of the District’s enrollment decision and information about the student’s right to appeal the decision. The district homeless liaison will generate the required letter and statement of appeal rights.
2. If the student is an unaccompanied youth, the homeless liaison contact at the school will assist him or her with this dispute resolution process.
3. If the parent, guardian, or unaccompanied youth disagrees with the district superintendent’s decision and wishes to appeal to the local board of education, the parent, guardian, or unaccompanied youth shall inform the district liaison of the intent to appeal. The district liaison shall ensure an appointment is made for the next, regularly scheduled board meeting to address the dispute. The district liaison shall also provide the parent, guardian, or unaccompanied youth with the documentation collected up to that point, including the parent, guardian or unaccompanied youth’s request for dispute resolution, the district liaison’s and superintendent’s written decisions and any other additional information submitted by the parent, guardian, or unaccompanied youth. The parent, guardian, or unaccompanied youth shall be informed of the right to appeal and the local school board of education’s written decision shall include a statement of the right to appeal to the Mississippi Department of Education (MDE)if aggrieved.

State Education Agency Level:

Appeals made to the MDE shall be submitted in writing, signed by the complainant, and forwarded by the school district. The following steps are to be taken:

- a. Address the complaint to:
Mississippi Department of Education
Office of Federal Programs
State Homeless Education Coordinator
359 North West Street, Suite 111
Jackson, MS 39205
- b. The complaint shall include the following:
 1. A description of the situation that prompted the dispute
 2. The name(s) and age(s) of the homeless child or youth
 3. The name(s) of the local educational agency (LEA) and personnel involved
 4. A description of the attempts that were made to resolve the issue at the local level, including copies of any documentation used in making the decisions.
- c. The State Homeless Coordinator will gather needed information from statements of the parties involved and forward the information to the Executive Director of the Office of Federal Programs, along with a recommendation for resolution or for further investigation.
- d. Within ten (10) business days after receiving a complaint, the Executive Director of the Office of Federal Programs will recommend a resolution and will inform interested parties, in writing, of the decision.
- e. If the parent, guardian, or unaccompanied youth disagrees with the decision, that party may, within ten (10) business days, appeal to the State Superintendent. This appeal shall be made in writing and state why the party disagrees with the decision of the Executive Director of the Office of Federal Programs.
- f. Within ten (10) business days after receiving an appeal, the State Superintendent or his/her designee will render a final administrative decision and notify all parties in writing.

If the parent, guardian, or unaccompanied youth disagrees with the decision of the State Superintendent in a matter concerning homeless children or youth, the party may request a review of the decision by the United States Secretary of Education in accordance with 34 CFR Part 299.11.

SOURCE: Mississippi Department of Education
DATE: March 8, 2019

Jackson Public School District

Notice of Enrollment Decision/Appeal Rights

Date: _____

Name of Student(s): _____

Name of Parent/Guardian: _____

School: _____

School Homeless Liaison: _____

Dear _____:

After reviewing your request to enroll the student(s) named above, your enrollment request is denied for the following reasons:

Instead, the student(s) will be enrolled at _____.

You have the right to appeal this decision by completing the second page of this notice. You can get help and further information from the Mississippi Department of Education Coordinator of Homeless Education.

Sincerely,

Director of Student Services Jackson Public Schools

Copies of School Board Policy _____ on Homeless Education Dispute Resolution Process are attached.

Appeal of Enrollment Decision

[To be completed by parent/guardian or unaccompanied youth when a dispute arises. This information can be provided verbally to the Homeless Liaison or Superintendent designee instead of completing this form.]

Date: _____

Name of Student(s): _____

Name of Parent/Guardian: _____

Parent/Guardian/Student Contact Information: _____

School: _____

School Homeless Liaison: _____

I wish to appeal the enrollment decision made by the district's homeless liaison regarding _____ School. I have been given (please check all that apply):

_____ The school's Written Notice of Enrollment Decision which includes contact information for the school's Homeless Liaison and the MDE Coordinator of Homeless Education.

_____ A copy of the MDE Homeless Education Dispute Resolution Process.

You may include a written explanation in the space below to support your appeal:

Give this form to the Homeless Liaison contact at the school or to the **Jackson Public Schools**
Director of Student Services.